

Notice of meeting and agenda

Development Management Sub-Committee of the Planning Committee

10:00am, Wednesday 25 April 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.

Contacts

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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 23 April 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 Development Management Sub-Committee of 7 March 2018 (circulated) - submitted for approval as a correct record

4. General Applications, Miscellaneous Business and Pre-Application Reports

The key issues for the Pre-Application reports and the recommendation by the Chief Planning Officer or other Chief Officers detailed in their reports on applications will be approved without debate unless the Clerk to the meeting indicates otherwise during “Order of Business” at item 1

- 4.1 50 Baberton Avenue, Juniper Green, Edinburgh (Land 48 Metres West Of) – Construction of four new dwelling houses, including excavation to level site - application no 17/04719/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.

- 4.2 16 Barnton Park View, Edinburgh – Create Enclosure (in retrospect) – application no 18/00095/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **REFUSED and ENFORCED**.
- 4.3 50 Broughton Street, Edinburgh – Proposed change of use from Grocer's shop to unlicensed takeaway. Fit new door and erection of flue both on rear elevation (as amended) - application no 17/00629/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.
- 4.4 1 Cliftonhall Road, Newbridge – Illuminated Hoarding Signs x2 - application no 18/00210/ADV – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.
- 4.5 14 Cumberland Street South East Lane, Edinburgh (Land 8 Metres West Of) - Construction of mews property for use of Theosophical Society in Scotland Charity SCIO - Class 10 non-residential institution - application no 17/04898/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.
- 4.6 137 Drum Street, Candlemaker's Park, Edinburgh (Land 126 Metres North Of) – Approval of matters specified in conditions application for residential development including associated roads and landscaping (matters listed in condition one of planning consent 14/01238/PPP) - application no 17/05802/AMC– report by the Chief Planning Officer (circulated)
It is recommended that this application be **APPROVED**.
- 4.7 236 Gorgie Road, Edinburgh – Forthcoming application by Scotmid Co-operative / Structured House (Edinburgh West) Ltd for the demolition of existing (Class 1) retail store and erection of purpose-built student accommodation (Sui Generis) with (Class 1) retail on the ground floor level - application no 18/00851/PAN – report by the Chief Planning Officer (circulated)
- 4.8(a) 32 - 36 Great King Street, Edinburgh – Change of Use + alteration of existing hotel to form 9x dwellings; works include single storey extensions to rear + associated external works to form private gardens with access from adjacent parking area (as amended) - application no 17/05879/FUL – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.
- 4.8(b) 32 - 36 Great King Street Edinburgh – Change of Use + alteration of existing hotel to form 9x dwellings; works include single storey extensions to rear + associated external works to form private gardens with access from adjacent parking area (as amended) - application no 17/05880/LBC – report by the Chief Planning Officer (circulated)
It is recommended that this application be **GRANTED**.

- 4.9 540A Lanark Road, Edinburgh – Extension of Existing Class 2 Use Premises to form new Class 3 Hot Food Takeaway (Sui Generis). (Change of Use from Bank Class 2 to Class 1 is permitted development) - application no 17/04434/FUL – report by the Chief Planning Officer (circulated)

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

- 4.10 Leith Street, Edinburgh (Bus Shelters) – Double sided advertisement panel forming part of a new bus shelter - application no 17/05303/ADV – report by the Chief Planning Officer (circulated)

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

- 4.11 Leith Street, Edinburgh (Bus Shelters) – Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen - application no 17/05443/ADV – report by the Chief Planning Officer (circulated)

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

- 4.12 Leith Street, Edinburgh (Bus Shelters) – Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen - application no 17/05444/ADV – report by the Chief Planning Officer (circulated)

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

- 4.13 Leith Street, Edinburgh (Bus Shelters) – Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen - application no 17/05445/ADV – report by the Chief Planning Officer (circulated)

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

- 4.14 156, 158B, 160 And 162 Leith Walk, Edinburgh – Forthcoming application by Drum (Steads Place) Ltd for the demolition of existing buildings and erection of a mixed use development including affordable housing (flats), post graduate student accommodation, hotel (Class 7), restaurant (Class 3), space for potential community (Class 10 & 11), retail (Class 1), public house or commercial uses (Class 2 & 4). Includes associated infrastructure, landscaping and car parking - application no 18/01015/PAN – report by the Chief Planning Officer (circulated)

- 4.15 Lochside Way, Edinburgh (Land Adjacent To) – Forthcoming application by Parabola Edinburgh Ltd for PPP proposing the development of the southern phase of Edinburgh Park to comprise a mix of uses including offices (Class 4), residential (Class 9 houses & Sui Generis flats), creche (Class 10) leisure (Class 11), hotel (Class 7), ancillary Class 1, 2 and 3, energy centre, car parking, landscaping and associated works - application no 18/01012/PAN – report by the Chief Planning Officer (circulated)

- 4.16 142 Lothian Road, Edinburgh – Erection of additional office floor with adjusted elevational details and plant area - application no 17/05827/FUL– report by the Chief Planning Officer (circulated)

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

- 4.17 6 - 8 Market Street, Edinburgh – Application to Discharge the Planning Obligation (Section 75 Agreement) attached to granting of planning permission 14/04962/FUL - application no 17/03909/OBL– report by the Chief Planning Officer (circulated)

It is recommended that this application be **ACCEPTED** and the agreement be discharged

- 4.18 New Street, Edinburgh (Land Adjacent To) – To discharge various obligations in S75 agreement (2013) - application no 17/05746/OBL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **ACCEPTED** and the agreement be discharged

- 4.19 New Street, Edinburgh (Land Adjacent To) – To discharge various obligations in S75 agreement (2014) - application no 17/05747/OBL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **ACCEPTED** and the agreement be discharged

- 4.20 80 Newcraighall Road, Edinburgh (Proposed Advertising 69 Metres North Of) – Internally illuminated LED 48 sheet advertisement hoarding in landscape orientation - application no 18/00810/ADV – report by the Chief Planning Officer (circulated)

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

- 4.21 63 Nile Grove, Edinburgh – Sub-divide basement from ground floor to form separate dwelling. Internal alterations to basement floor layout. Form external glazed french doors from ground floor with new access staircase to rear garden. Form new entrance doorway from enlarged existing window opening at basement level - application no 18/00594/FUL – report by the Chief Planning Officer (circulated)

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

- 4.22 6 Pilton Drive North, Edinburgh (Advertising Hoarding 8 Metres North Of) – Internally LED illuminated 48 sheet digital advertisement in landscape orientation - application no 18/00526/ADV – report by the Chief Planning Officer (circulated)

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

- 4.23 67 Whitehill Street, Musselburgh (Newcraighall Primary School) – Installation of modular unit building to provide 3 no. classrooms and associated ancillary spaces. Demolition of existing temporary unit with area made good to form additional play area (as amended) - application no 17/05955/FUL – report by the Chief Planning Officer (circulated)

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

- 4.24 West Register Street, Edinburgh – Stopping Up Order - reference no PO/18/01 – report by the Chief Planning Officer (circulated)

It is recommended that the Order is **CONFIRMED**.

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 GF 2 Stoneycroft Road, South Queensferry – Demolition of existing building on site and erection of five terraced townhouses on sloping site- application no 16/04716/FUL – report by the Chief Planning Officer (circulated)

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

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 1 Riccarton Mains Cottages, Riccarton Mains Road, Currie (Land 320 Metres Southeast Of) – Protocol Note by the Head of Strategy and Insight (circulated)
- 6.2 1 Riccarton Mains Cottages, Riccarton Mains Road, Currie (Land 320 Metres Southeast Of) – Residential development (class 9), flats (sui generis) (including affordable housing provision, university halls of residence), neighbourhood centre inc. retail (class 1), services (class 2), food and drink (class 3), non-residential (class 10) and assembly and leisure (class 11) with associated access, parking, open space, public realm and infrastructure works (inc. demolition of overhead and relaying of power lines)– application no 16/05217/PPP – report by the Chief Planning Officer (circulated)

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

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 1 Craigpark, Ratho, Newbridge (Craigpark Quarry) – Outdoor leisure complex incl. water sport and training facilities infrastructure, access (pedestrian and vehicular), landscaping and ancillary works (full planning permission), ancillary class 1 (retail)+class 3 (food and drink) uses, tourism accommodation facilities (PPP) – application no 17/02471/FUL – report by the Chief Planning Officer (circulated)

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

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.

Laurence Rockey

Head of Strategy and Insight

Committee Members

Councillors Gardiner (Convener), Child (Vice-Convener), Booth, 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 [view planning applications](#) – 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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Item 3.1 – Minutes

Development Management Sub-Committee of the Planning Committee

10.00 am Wednesday 7 March 2018

Present:

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

1. General Applications and Miscellaneous Business

The Sub-Committee considered reports on planning applications listed in Section 4, 7 and 9 of the agenda for the meeting.

Requests for Presentations

The Chief Planning Officer gave a presentations on agendas item 4.4 – 6 North Park Terrace, Edinburgh, and item 4.5 - 172 Whitehouse Loan (James Gillespie's Primary School) as requested by Councillor Osler.

Decision

To determine the applications as detailed in the Appendix to this minute.

(Reference – reports by the Chief Planning Officer, submitted.)

Declaration of Interest

Councillor Dixon declared a financial interest in Item 7.4 – Saltire Street as a property owner, left the room and took no part in consideration of the item.

Dissent

Councillor Gardiner requested that his dissent be recorded in respect of the decision on item 7.3 – 18 – 20 Kings Stables Road

2. 59 Curriehill Road, Edinburgh

Details were provided of proposals for the construction of a new educational building with 8 (eight) classrooms and ancillary accommodation, within the grounds of Currie Primary School – application no 17/05182/FUL

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the application be refused.

The Convener ruled that in in terms of Standing Order 8.1 that a vote be taken for or against the following motion:

Motion 1

To continue consideration of the matter for a hearing.

- moved by Councillor Staniforth, seconded by Councillor Booth.

Voting

For the motion - 3 votes

(Councillors, Booth, Osler and Staniforth)

Against the motion - 8 votes

(Child, Dixon, Gardiner, Gordon, Graczyk, Griffiths, Mitchell and Mowat.)

Decision 1

To determine the matter at the present meeting of the Sub-Committee.

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the application be refused.

Motion 2

To refuse planning permission as detailed in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Booth, seconded by Councillor Osler.

Amendment

To grant planning permission subject to:

(a) Conditions on

- (i) Materials
- (ii) Contaminated land
- (iii) The sports pitches being constructed to Sportscotland standards as detailed in its consultation response.

(b) Informatives on

- (i) Standard timescales
- (ii) Start/completion of development
- (iii) Flooding.

- moved by Councillor Child, seconded by Councillor Gordon.

Voting

For the motion: 2 votes

(Councillors, Booth and Osler)

For the amendment: 8 votes

(Child, Dixon, Gardiner, Gordon, Graczyk, Griffiths, Mitchell and Mowat.)

Abstention (Councillor Staniforth)

Decision 2

To grant planning permission subject to:

(a) Conditions on

- (i) Materials
- (ii) Contaminated land
- (iii) The sports pitches being constructed to Sportscotland standards as detailed in its consultation response.

(b) Informatives on

- (i) Standard timescales
- (ii) Start/completion of development
- (iii) flooding.

(Reference – report by the Chief Planning Officer, submitted)

3. 543 Gorgie Road, Edinburgh

Details were provided of proposals for the demolition of the existing buildings and the erection of 23 residential properties, with associated access roads, landscaping and boundary treatments (as amended) – application no 17/00392/FUL.

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the applications be granted.

Motion

To grant planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Gardiner, seconded by Councillor Child.

Amendment

To refuse planning permission for the reasons that the proposal was contrary to Policies Hou 2 and 6, Housing Mix and the Edinburgh Design Guidance.

- moved by Councillor Booth, seconded by Councillor Osler.

Voting

For the motion: 8 votes

(Child, Dixon, Gardiner, Gordon, Graczyk, Griffiths, Mitchell and Mowat.)

For the amendment: 3 votes

(Councillors, Booth, Osler and Staniforth)

Decision

To grant planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer.

(Reference – report by the Chief Planning Officer, submitted)

4. 6 North Park Terrace, Edinburgh

Details were provided of proposals to single storey extensions to side and rear of property, as amended - application no 17/04959/FUL

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the applications be granted.

Motion

To grant planning permission as detailed in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Mowat, seconded by Councillor Gardiner.

Amendment

To issue a mixed decision.

1. To grant planning permission for the rear extension subject to informatives
2. To refuse planning permission for the rear extension for the reason that the proposal was contrary to Police ENV 6a

- moved by Councillor Osler, seconded by Councillor Gordon.

Voting

For the motion: 9 votes

(Booth, Child, Dixon, Gardiner, Graczyk, Griffiths, Mitchell, Mowat and Staniforth.)

For the amendment: 2 votes

(Councillors Gordon, and Osler)

Decision

To grant planning permission as detailed in section 3 of the report by the Chief Planning Officer.

(Reference – report by the Chief Planning Officer, submitted)

Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.</p>		
<p><u>Item 4.1 - 4 East Suffolk Road</u></p>	<p>Conversion of pre-school nursery to 6 dwellings with new vehicle access, car parking and bin store - application no 17/04787/FUL</p>	<p>To REFUSE planning permission as detailed in section 3 of the report by the Chief Planning Officer</p>
<p><u>Item 4.2 - 587 Ferry Road</u></p>	<p>Display of two internally illuminated digital 48 sheet advertisements in landscape orientation – application no 17/05602/ADV</p>	<p>To GRANT advertisement consent subject to conditions, reasons and informatives as detailed in section 3 of the report by the Chief Planning Officer</p>
<p><u>Item 4.3 - 72 - 74 Niddrie Mains Road</u></p>	<p>Internally illuminated LED digital advertisement hoarding - application no 17/04879/ADV</p>	<p>To GRANT advertisement consent subject to conditions, reasons and informatives as detailed in section 3 of the report by the Chief Planning Officer</p>
<p><u>Item 4.4 - 6 North Park Terrace</u></p>	<p>Single storey extensions to side and rear of property, as amended - application no 17/04959/FUL</p>	<p>To GRANT planning permission subject to conditions, reasons and informatives as detailed in section 3 of the report by the Chief Planning Officer.</p> <p>(On a division.)</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Item 4.5 - James Gillespies Primary 51 Whitehouse Loan	Demolition of existing temporary unit to west of site. Area would become additional play area for the school. New unit to be placed in existing play area was a limited life building – application no 17/05934/FUL	To GRANT planning permission subject to conditions and reasons as detailed in section 3 of the report by the Chief Planning Officer
Item 4.6 - 172 Whitehouse Loan	Single storey, flat roofed kitchen extension to east of 172 Whitehouse Loan. Extension to use materials to match existing property. Introduction of new service door to east elevation to serve garage. Remove second floor balcony by pulling existing glazing forward (as amended) – application no 17/05035/FUL	To GRANT planning permission subject to informatives as detailed in section 3 of the report by the Chief Planning Officer
Item 7.1 - 543 Gorgie Road	Demolition of Existing Buildings and Erection of 23 residential properties, with Associated Access Roads, Landscaping and Boundary Treatments (as amended) – application no 17/00392/FUL	To GRANT planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer. (On a division.)

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Item 7.2 - Currie Primary School 59 Curriehill Road	Construction of a new educational building with 8 (eight) classrooms and ancillary accommodation, within the grounds of Currie Primary School – application no 17/05182/FUL	<p>1) To agree to determine the application at the present meeting of the Sub-Committee.</p> <p>(On a division.)</p> <p>2) To GRANT planning permission subject to:</p> <p>(a) Conditions on:</p> <ul style="list-style-type: none"> I. Materials II. Contaminated land III. The sports pitches being constructed to Sportscotland standards as detailed in its consultation response. <p>(b) Informatives on:</p> <ul style="list-style-type: none"> I. Standard timescales II. Start/completion of development III. flooding. <p>(On a division.)</p>
Item 7.3 - 18 - 20 Kings Stables Road	Erection of 11 residential flats (as amended) – application no 17/03596/FUL	<p>To GRANT planning permission subject to conditions, reasons and informatives as detailed in section 3 of the report by the Chief Planning Officer.</p> <p>(Councillor Gardiner requested that his dissent be recorded in respect of the above decision.)</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Item 7.4 Saltire Street	Proposed residential development and associated infrastructure (as amended) – application no 17/02477/FUL	<p>To GRANT planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer with the exception of the following</p> <ol style="list-style-type: none"> 1) Informative 1 should be amended to require the applicant to pay the full level of developer contributions (£396,814 at Q4 2017 value). 2) Informative 12 should be amended to state the provision of electric charging points should be a ratio of 1 in 6 spaces. 3) Informative 9 should be amended to delete the reference to car club spaces and a new informative added to request that the applicant considered making provision for car club spaces. <p>Declaration of Interest</p> <p>Councillor Dixon declared a financial interest in Item 7.4 – Saltire Street as a property owner, left the room and took no part in consideration of the item.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Item 7.5(a) - 2 Dewar Place	2 Dewar Place, Edinburgh – Planning permission in principle for hotel(s) (Class 7), office (Class 4), retail (Class 1), restaurant(s) (Class 3), pedestrian deck, bridge link and accesses from Western Approach road, Dewar Place and Canning Street. Detailed approval for siting, maximum height and limits of deviation of proposed buildings, partial demolition and refurbishment of façade of former electricity station (as amended) - application no 17/02227/PPP	<p>To CONTINUE consideration of the matter for:</p> <ol style="list-style-type: none"> 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

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Item 7.5(b) - 2 Dewar Place	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	To CONTINUE consideration of the matter as detailed at item 7.5(a)
Item 7.5(c) - 2 Dewar Place	Complete demolition in a conservation area of electricity transformers and switch room building – application no 17/02229/CON	To CONTINUE consideration of the matter as detailed at item 7.5(a)
Item 9.1 - 3 Burdiehouse Crescent	Forthcoming application by City of Edinburgh Council for the erection of a new-build school for children with additional support needs including all associated hard and soft landscaping, external stores, boundary fencing, car parking with drop off areas and upgrading of existing access road - application no 18/00237/PAN	<ol style="list-style-type: none"> 1. To note the key issues at this stage. 2. An active travel plan to be submitted 3. That consideration be given to Connection to any community/district heating scheme that may be implemented 4. That cognisance be taken of the location of the burn. 5. That consideration be given the good practice guidance on grass pitches, specified by Sports Scotland.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
Item 9.2 - 181, 183, 185, 187, 189, 191, 193-195 St Johns Road	Forthcoming application by Mactaggart And Mickel Commercial Development Ltd for mixed used development (Class 9 and sui generis flats) together with commercial space (including class 1, 2 and 3) and hot food takeaway (sui generis), car parking and associated works – application no 17/06066/PAN	<ol style="list-style-type: none"> 1. To note the key issues at this stage. 2. That consideration be given to active street frontages for part of the town centre. 3. An active travel plan to be submitted. 4. Account be taken of any proposals for a low emissions zone in the area.

Development Management Sub Committee

Wednesday 25 April 2018

**Application for Planning Permission 17/04719/FUL
At Land 48 Metres West Of 50, Baberton Avenue, Juniper
Green
Construction of four new dwelling houses, including
excavation to level site.**

Item number	4.1
Report number	
Wards	B02 - Pentland Hills

Summary

The proposal complies with the adopted Local Development Plan. The proposal is acceptable in this location and will not have a detrimental impact on the character and appearance of the special landscape area. There will be no adverse impact on residential amenity, traffic and road safety.

Links

<u>Policies and guidance for this application</u>	LDPP, LHOU01, LHOU03, LDES01, LDES04, LDES05, LDES09, LEN06, LEN18, LTRA02, LTRA03, NSGD02, NSLBCA, CRPJGR,
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Report

Application for Planning Permission 17/04719/FUL At Land 48 Metres West Of 50, Baberton Avenue, Juniper Green Construction of four new dwelling houses, including excavation to level site.

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 0.10 hectares in size and was previously associated with Baberton Golf Club. The site contains a golf pro shop, which is to be demolished (subject of an application for conservation area consent), and a shed which is to be removed. To the north of the site is Baberton Golf Club, to the east a retirement home and residential properties to the west and south. The wider character of the site is that of residential.

The site lies within an area designated as Open Space within the Local Development Plan.

2.2 Site History

Current - Conservation area consent sought for proposed demolition of existing pro shop (application reference: 17/05021/CON).

Main report

3.1 Description Of The Proposal

Planning permission is sought for the erection of four dwellinghouses. The proposed dwellings are terraced, flat roofed and three storeys in height with a two car integral garage at lower ground floor level. Each dwelling has four bedrooms and provides 211 square metres of floorspace. The properties shall have rear gardens of around 39 square metres. The site will also benefit from a large communal "wild garden" to the south of the dwellings. The dwellings will be finished in a mixture of brick and aluminium cladding.

Supporting Documents

As part of this application the following documents have been submitted:

- Design statement;

- Planning Statement; and
- Transport Statement.

These 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.

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the development is acceptable in this location;
- b) the loss of Open Space is acceptable;
- c) the proposals are of an appropriate scale, form, and design;
- d) the proposals will result in a reasonable level of neighbouring residential amenity;
- e) the proposals will result in an adequate level of amenity for the future occupiers of the development;
- f) the proposals will raise any traffic or road safety issues;
- g) any impacts of equalities and human rights have been addressed; and
- h) any comments raised have been addressed.

a) Principle of development

The site is allocated as Urban Area in the Edinburgh Local Development Plan (LDP) where housing development in principle is acceptable. Housing is supported within the urban area by LDP Policy Hou 1 where it is compatible with other policies in the local plan.

The development is acceptable in principle in this location subject to the consideration of other matters below.

b) Loss of Open Space

LDP Policy Env 18 states that proposals involving the loss of open space will not be permitted unless it is demonstrated that the open space is a small part of a larger area or of limited amenity or leisure value and there is a significant over-provision of open space serving the immediate area. The site area represents less than 0.2% of the wider designated area of open space and has no value for amenity or leisure given its topography and previous use as the pro shop associated with the golf club. The golf club has relocated their pro shop so the site now has no value as part of the club. The loss of open space at this location is acceptable.

c) Scale, Form and Design

The proposed dwellings are in keeping with the wider area in terms of general height and massing. Although on the edge of the green belt and adjacent to the conservation area, the contemporary design is considered acceptable and is in keeping with the modern retirement home and mix of dwelling styles in close proximity to the site.

The scale, form and design of the proposals are acceptable and complies with Local Plan Policies Des 1 and Des 4.

d) Neighbouring Amenity

There is a distance of around 15 metres from the corner of the proposed dwellinghouses to the rear of the property at 6 Juniper Park Road and a distance of around 7.7 metres from the rear windows on the first floors of the proposed houses to the rear boundary. It is acknowledged that this does not meet the usual 9 metre standard but given the orientation of the properties, the rear of the proposed houses look over the garden of 6 Juniper Park Road and not over the dwellinghouse. Furthermore, due to existing vegetation only the rear first floor window will be looking outwith the site to the rear. No unacceptable level of overlooking shall occur. To the front, there is a distance of 24 metres to the retirement home on the opposite side of the road. Given these distances and the orientation of the proposed houses no overshadowing or loss of light shall occur.

The proposal will not have a detrimental impact on amenity or daylighting and complies with the Edinburgh Design Guidance.

e) Amenity of Future Occupiers

Size

The Edinburgh Design Guidance requires that a minimum of 91 square metres of floor space should be provided for dwellings with 3 bedrooms or more. The proposal will exceed the minimum floorspace requirements.

Open space

The proposal provides sufficient open space for prospective residents through a combination of private garden space and communal space. The proposal complies with policy Hou 3.

f) Traffic, Parking and Road Safety

The site is within Zone 3 of the Council's Parking Standards. Each dwelling comprises 5 habitable rooms. Accordingly, the current standard permits a maximum of 2 parking spaces per dwelling - a total of 8 spaces for the development. The proposal meets the Council's Parking Standards.

The proposed development will therefore have no detrimental impact on road safety.

g) Equalities and Human Rights

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

h) Public Comments

Material Objections

- Loss of amenity: this has been addressed in section 3.3(d).
- Traffic congestion: The proposal meets the Council's Parking Standards. The Council has no control over private car users.
- Loss of open space: this has been addressed in section 3.3(b).
- Inappropriate design: this has been addressed in section 3.3(c).
- Flooding and drainage: The site is not within an identified flooding zone.
- Loss of light/overshadowing: this has been addressed in section 3.3(d).
- Privacy: this has been addressed in section 3.3(d).
- Affordable housing: the proposal is for 4 units, affordable housing provision is only required in developments of 12 units or more.
- Height: this has been addressed in section 3.3(c).

Non-material

- Loss of view.
- Traffic during construction.

Conclusion

The proposal complies with the adopted Local Development Plan. The proposal is acceptable in this location and will not have a detrimental impact on the character and appearance of the special landscape area. There will be no adverse impact on residential amenity, traffic and road safety.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. 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

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.

Reasons:-

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. Consent shall not be issued until a suitable legal agreement has been concluded to make a financial contribution to Children and Families to alleviate accommodation pressures in the local catchment area.

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.

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. Car parking for the proposed development to be provided in curtilage (2 spaces per dwelling), in accordance with the current Council Standards, generally in accordance with the approved planning drawings.
6. Parking provision for Electric Vehicles should be considered for this development. That is, charging facilities or the ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.
7. All proposed works to the adopted road to be generally in accordance with Will Rudd Davidson (Edinburgh) Ltd Drawing Nos. 14 and 15 to the satisfaction of and at no expense to the Council.
8. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details.

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

Following neighbour notification, forty letters of representation were received. Twenty-eight objecting, three neutral and nine in support. The matters raised 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 within the Urban Area and identified as Open Space in the Edinburgh Local Development Plan.

Date registered

11 October 2017

Drawing numbers/Scheme

01-15,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Murray Couston, Planning Officer

E-mail:murray.couston@edinburgh.gov.uk Tel:0131 529 3594

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

LDP Policy Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

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.

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

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

The Juniper Green Conservation Area Character Appraisal emphasises the traditional village character, and the wide and interesting mix of architectural styles and forms.

Appendix 1

Application for Planning Permission 17/04719/FUL At Land 48 Metres West Of 50, Baberton Avenue, Juniper Green Construction of four new dwelling houses, including excavation to level site.

Consultations

Transport

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

1. Car parking for the proposed development to be provided in curtilage (2 spaces per dwelling), in accordance with the current Council Standards, generally in accordance with the approved planning drawings;
2. Parking provision for Electric Vehicles should be considered for this development. That is, charging facilities or the ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.
3. All proposed works to the adopted road to be generally in accordance with Will Rudd Davidson (Edinburgh) Ltd Drawing Nos. E10892/C/A/(52)/001 Rev B and E10892/C/L/(52)/001 Rev E to the satisfaction of and at no expense to the Council;
4. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;

Note:

1. The application has been assessed against the, "Edinburgh Design Guidance October 2017," parking standards as Zone 3. Each dwelling comprises 5 habitable rooms. Accordingly, the current standard permits a maximum of 2 parking spaces per dwelling - a total of 8 spaces for the development.
2. The current parking standards require a minimum provision for 3 bicycles (per dwelling) to be stored at the development. It is considered that sufficient storage space is provided either by the integral garage or the private rear gardens associated with each dwelling.

Environmental Health

The applicant seeks permission to erect four dwelling houses on land 48m west of 50 Baberton Avenue. This a quiet residential area with the only non-residential use being Baberton Golf Course club house to the northwest, approximately 50 metres away. To the west is the golf course, to the south and east are existing residential dwellings.

Previous use of the site includes commercial property and therefore the condition of the land is uncertain. A condition to ensure that the site suitable for the proposed use is recommended.

Environmental Protection has no objections to this proposed development, subject to the following condition:

- o 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.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the construction of four new dwelling houses, including excavation to level site.

The site lies on the northern edge of Juniper Green c 100m to the north of the villages Victorian Primary School the site of the discovery of prehistoric burials in the 19th century. These discoveries long with another cist found in Juniper Green, indicate that the village overlies an important prehistoric landscape. Accordingly the site is regarded as being with an area of archaeological potential. However, the site appears to have been extensively landscaped by the Golf Club. Accordingly, I have concluded that development is unlikely to disturb any significant insitu remains and therefore there are no known archaeological constraints regarding this application.

Communities and Families

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

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

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

Assessment based on:

4 Houses

This site falls within Sub-Area SW-1 of the 'South West Education Contribution Zone'. Contributions are required from developments within this Sub-area towards the delivery of new primary school accommodation.

The site was not taken account of in the LDP Education Appraisal. The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme. Using the pupil generation rates set out in the Supplementary Guidance, the development is expected to generate at least one additional primary school pupil but not at least one additional secondary school pupil.

The site is within the catchment area of Juniper Green Primary School. School roll projections indicate that there will not be sufficient spare capacity at the school to accommodate additional pupils from housing development.

The proposed development is therefore required to make a contribution towards the delivery of new primary school capacity. It is appropriate for the level of contribution to be based on the established 'per house' and 'per flat' rates for this part of the Zone as they are based on the proportionate cost of delivering new primary school capacity.

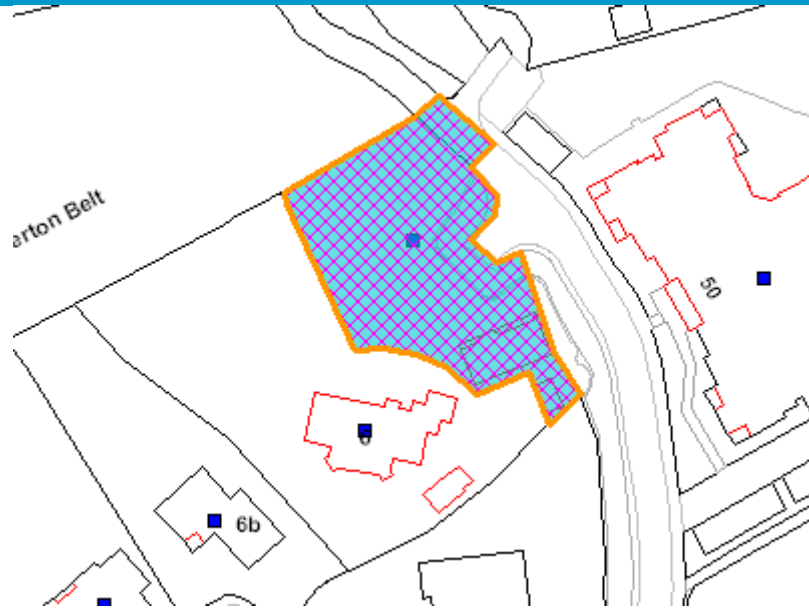
If the appropriate infrastructure contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required:

£20,848

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.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

Application for Planning Permission 18/00095/FUL At 16 Barnton Park View, Edinburgh, EH4 6HJ Create Enclosure (in retrospect)

Item number	4.2
Report number	
Wards	B01 - Almond

Summary

The development does not comply with the development plan or non-statutory guidance in respect of its design quality, scale and materials and has an adverse effect on the character and appearance of the surrounding area.

Links

[Policies and guidance for this application](#) LDPP, LDES01, LDES12, NSG, NSHOU,

Report

Application for Planning Permission 18/00095/FUL At 16 Barnton Park View, Edinburgh, EH4 6HJ Create Enclosure (in retrospect)

Recommendations

- 1.1 It is recommended that this application be Refused and Enforced subject to the details below.

Background

2.1 Site description

The application property is a two storey detached dwelling house with garden ground to the front and rear located on the north side of Barnton Park View.

The property has a garage to the east side of the house. The front garden area is partially hard surfaced driveway whilst the rear garden is of a generous size and soft landscaped.

The property is characteristic of those on the north side of the street.

2.2 Site History

12 October 2015 - Planning permission granted for alterations and an extension to the existing dwelling and the erection of a single storey double garage (application number: 15/03399/FUL).

Main report

3.1 Description Of The Proposal

The application is in retrospect for the erection of a low stone wall approximately one metre high with a cedar horizontal panelled fence atop taking the structure to approximately 1.8m high.

The structure delineates the western, southern and eastern boundaries at the front of the house.

It replaces a low buff coloured facing brick wall with a metal railed fence atop with an overall height of approximately one metre.

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) representations raise issues to be addressed; and
- (d) other matters.

(a) Scale, Design and Materials

Policy Des 1 of the adopted Edinburgh Local Development Plan in relation to Design Quality and Context states that *planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.*

Non-statutory 'Guidance for Householders' requires walls and fences to the street frontage to harmonise with the street and house, not be so high as to be intimidating or reduce security overlooking from the houses. In addition, front fences and walls should be no more than one metre in height unless there is a prevailing size established in the street.

In this instance, the boundary enclosure is of a contemporary design in quality materials. The appearance of the fence and wall reflects its primary function which is to provide security for the property. However, the design is not characteristic of the street. The street frontage on the south side is predominantly open frontages with low walls less than 300mm high. The gardens are largely soft landscaped. The north side of the street is characterised by high hedges delineating the street frontages with pedestrian and vehicular accesses breaching the hedges. The only exceptions are low stone walls with railings above. However, these are limited in number.

The development, at approximately 1.8m high, has a solid appearance, exceeds the height of one metre recommended in the guidance and whilst there are front boundary treatments higher than one metre in height, they are typically hedges. The wall and fence due to their solid appearance, design and height are not in-keeping with the character and appearance of either the north or south side of the street and result in an adverse visual impact within the streetscene.

In view of the above, it is concluded that the development will have an adverse effect on the character and appearance of the surrounding area.

(b) Amenity

The height of the boundary enclosure complies with the tests set out in guidance in relation to daylighting and sunlight and no privacy concerns arise from the development.

The development does not affect neighbouring residential amenity.

(c) Public Comments

Material Representations - Objection:

- fence and wall out of keeping with surrounding area in terms of its height, scale and materials - Assessed in section 3.3 (a) and found to be out of keeping with the surrounding area; and
- detrimental visual impact on street - assessed in section 3.3 (a) and found to have a detrimental visual impact.

Material Representations - Support:

- does not detract from the street - assessed in section 3.3(a) and found to detract from the character and appearance of the street;
- contemporary design and pleasing to the eye - assessed in section 3.3(a) and whilst acknowledged that it was of a contemporary design, it was found to have a detrimental visual impact ;
- enhanced the general appearance of the street - assessed in section 3.3(a) and found to detract from the character and appearance of the street; and

- lower in height than existing hedges and as a result improves security - assessed in section 3.3(a) and whilst it is acknowledged that the development may improve security for the occupier, it is detrimental to the character and appearance of the surrounding area and contrary to non-statutory guidance.

Non-Material Representations:

- reference to three CCTV cameras on front of house not being included in the application - the cameras would constitute permitted development had they been included in the application;
- reference to a car port not being included in the application - planning permission was granted for a garage on the west side of the house under 1503399/FUL; and
- reference to electric gate not being included in the application - decision on gate design is likely to be informed by the decision relating to this application.

No community council comments have been received.

(d) Other Matters

The applicant's supporting statement states that the property has been subject of burglaries in the past and the measures have been put in place for personal safety and security reasons.

Non-statutory guidance recognises the need for security and includes ways of making properties more secure including making access to the rear difficult, using alarms and sensors among other things. Whilst sympathetic to the applicant, the reasons do not justify a departure from policy as improved security can be gained from the CCTV cameras that have been installed and natural surveillance from having an open frontage.

Conclusion

In conclusion, the development does not comply with the development plan or non-statutory guidance in respect of its design quality, scale and materials and has an adverse effect on the character and appearance of the surrounding area. Whilst the applicant has valid reasons for the development, there are no compelling reasons for departing from policy. There are no material considerations which outweigh this conclusion.

It is recommended that this application be Refused and Enforced subject to the details below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The development (wall and fence), as a result of its robust appearance, design and height has an adverse effect on the character and appearance of the surrounding area contrary to policy Des 1 of the adopted Edinburgh Local Development Plan and Non-statutory 'Guidance for Householders'.

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

The application attracted 38 letters of representation: 22 objecting and 16 supporting.

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

Background reading/external references

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

- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development**Plan Provision**

Urban Area - adopted Edinburgh Local Development Plan

Date registered

24 January 2018

Drawing numbers/Scheme

01, 02 (i, ii, iii and iv) and 03 (i and ii),

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Brian Fleming, Senior Planning Officer

E-mail:brian.fleming@edinburgh.gov.uk Tel:0131 529 3518

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.

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 18/00095/FUL At 16 Barnton Park View, Edinburgh, EH4 6HJ Create Enclosure (in retrospect)

Consultations

No consultations undertaken.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

**Application for Planning Permission 17/00629/FUL
At 50 Broughton Street, Edinburgh, EH1 3SA
Proposed change of use from Grocer's shop to unlicensed
takeaway. Fit new door and erection of flue both on rear
elevation. (as amended).**

Item number	4.3
Report number	
Wards	A11 - City Centre (Pre May 2017)

Summary

The proposal forms an appropriate commercial use which will not be detrimental to the vitality and viability of the Broughton Street Town Centre and which will not have a detrimental impact on the living conditions of nearby residents. The proposal will preserve the character and appearance of the New Town Conservation Area and will not have a detrimental impact on the unique architectural character of the listed building. The proposal complies with policies Ret 9, Ret 11, Env 4 and Env 6 of the adopted Edinburgh Local Plan and the Council's Non-Statutory Guidance for Businesses.

Links

<u>Policies and guidance for this application</u>	LDPP, LRET09, LRET11, LEN04, LEN06, NSG, NSBUS, CRPNEW,
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Report

Application for Planning Permission 17/00629/FUL At 50 Broughton Street, Edinburgh, EH1 3SA Proposed change of use from Grocer's shop to unlicensed takeaway. Fit new door and erection of flue both on rear elevation. (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 is a ground floor and basement level retail unit situated within a four storey classical style tenement building located on the western side of Broughton Street. The surrounding area has a mixed residential/commercial character consisting of retail units, restaurants, public houses and offices; combined with residential flats situated in tenement buildings.

The premises is a category A listed building (listing date 12.12.1974, listing reference: 30072).

The site is located in the UNESCO World Heritage Site.

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

2.2 Site History

17 February 2016 - Planning application for a change of use from a retail unit to a hot food takeaway withdrawn (application reference: 15/05394/FUL).

15 February 2017 - Application submitted for listed building consent for internal alterations and the erection of ventilation flues on the rear of the building. This application is currently pending consideration (application reference: 17/00628/LBC).

Main report

3.1 Description Of The Proposal

The proposal seeks planning permission for a change of use from retail (class 1) to a hot food takeaway (sui generis). Consent is also sought for the installation of two cast iron ventilation flues 175 millimetres in diameter on the rear elevation of the premises ducting to above eaves level and the creation of a door on the rear elevation at basement level.

No alterations are proposed to the principal elevation of the premises as part of this application.

Scheme One

The original proposal was amended to alter the proposed noise insulation measures for the premises.

Supporting Documents

The following documents were submitted in connection with the application and are available to view via Planning and Building Standards Online Services:

- Noise Impact Assessment.
- Noise Impact Assessment Addendum.

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 proposal is acceptable in principle;
- b) The proposal will have a detrimental impact on the living conditions of nearby residents;
- c) The proposal will preserve or enhance the character and appearance of the New Town Conservation Area;

- d) The proposal will have a detrimental impact on the unique architectural and historical character of the listed building;
- e) The proposal raises any issues in respect of infrastructure contributions;
- f) Any issues raised by objectors have been addressed, and
- g) The proposal raises any issues in respect of equalities and human rights.

a) Principle of the Proposal

Policy Ret 9 of the adopted Edinburgh Local Development Plan (LDP) states that the change of use of a shop unit in a local centre to a non-shop use will be permitted provided the change of use would not result in four or more non-shop uses, and the proposal is for an appropriate commercial use which would complement the character of the centre and would not be detrimental to its vitality or viability.

The application site lies within a row of commercial properties extending between numbers 42 and 76 Broughton Street all of which form part of the Broughton Street Local Centre in the LDP. The premises is located between the Phoenix public house situated at number 46-48 to its south; and two retail units located directly to its north. Permitting the change of use will not result in four or more consecutive non-shop uses along this section of Broughton Street.

Broughton Street Local Centre encompasses several established uses including retail units, restaurants and public houses and hot food takeaways. The variance of uses is reflective of the mixed character of the area, providing a variety of commercial services and recreational activities throughout both daytime and evening/night time hours. The proposed use is in keeping with the varied character of the local centre and will not be detrimental to its vitality or viability.

The proposal is acceptable in principle and complies with LDP policy Ret 9.

b) Living conditions of nearby residents

LDP policy Ret 11 states that the change of use of a shop unit to a hot food takeaway will not be permitted if likely to lead to an increase in noise, disturbance, on-street activity or anti-social behaviour to the detriment of living conditions for nearby residents, or in an area where there is considered to be an excessive concentration of such uses to the detriment of living conditions for nearby residents.

As highlighted in section a) the surrounding area has a mixed character which encompasses a suitable balance of both retail units and restaurants/cafes. The nearest hot food takeaway in Broughton Street, Rapido, is located 50 metres to the south of the site. The majority of surrounding commercial properties which are involved in the sale of food and drink, specifically L'Escargot Bleu and Nom De Plume which are situated directly to the north of the premises operate at the latest until 10.30pm and 11pm in the evenings. The Olive Branch which is situated on the opposite side of the street operates until 10.00pm.

The premises is identified in the Council's Non-Statutory Guidance for Businesses as being within an area of restriction for hot food takeaways. The guidance advises that where proposals for hot food takeaways within areas of restriction are considered acceptable, they will be controlled through conditions restricting the hours of operation in order to ensure there is no adverse impact on residential amenity. Taking the requirements of the guidance into account, a condition will be attached restricting the hours of operations to between 0800 and 2200 hours Monday to Sunday. This will allow realistic commercial hours of operation but will place a limit on night time activity which could cause disturbance. Any alteration of these hours will require the submission and approval of a further planning application under section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended).

Environmental Protection were consulted on the proposal and examined both the proposed use and the noise mitigation and insulation measures which will be employed to keep the level of noise from the premises at acceptable levels. Environmental Protection have raised no objection to the proposal either on anti-social behaviour grounds or in respect of noise and cooking odours which may be emitted from the premises.

The proposal will not have a detrimental impact on the living conditions of nearby residents and complies with LDP policy Ret 11.

c) Character and Appearance of the New Town Conservation Area

LDP policy Env 6 states that Development within a conservation area or affecting its setting will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

The New Town Conservation Area Character Appraisal highlights the varied character of this section of the New Town stating:

Gayfield has a substantial residential population amongst other uses. This variety has been extended by redevelopment and by the conversion of residential property to office use. Shop units occupy the street level accommodation along Leith Walk and Broughton Street and occasional shop uses are present in Union Street and other locations.

As stated in sections a) and b), the proposed use is in keeping with the mixed commercial/residential character of the surrounding area. The proposed use will preserve the character of the conservation area.

The principal external alterations involved with the proposal concern the erection of two cast iron flues 175 millimetres in width on the rear elevation of the building. The flues will terminate one metre above eaves level.

The use of cast iron for the flues will ensure that their appearance is broadly similar to the original pipework located on the rear of the building and will aid in minimising their visual impact. Owing to their position on the rear elevation, the ventilation flues will be predominantly obscured from view. The flues will be partially visible from a short stretch of Barony Place, situated to the west of the premises. However, the overall visual impact on the flues on the wider area will be mitigated due to their limited visibility, the presence of mature existing trees situated along the rear boundary of the tenement garden and the impact of a two storey new build house located at 4 Barony Place.

No alterations are proposed to the principal elevation of the premises and the access door which will be created will be located below ground level and as such will be obscured from view.

The proposal will preserve the character and appearance of the New Town Conservation Area and complies with LDP Policy Env 6.

d) Architectural and Historical Character of the Listed Building

LDP policy Env 4 states that proposals to alter or extend a listed building will be permitted where there will be no unnecessary damage to historic structures or diminution of its interest.

The interior of the premises has a modern layout and does not encompass any features of architectural interest.

As detailed in section c), the proposed flues on the rear elevation will be cast iron in order to match the existing drains and pipework on the elevation. The design which will ensure they are similar in appearance to the existing pipework and will minimise their impact on the historic character of the building.

The new door to the rear of the building will be formed from an opening in which a window was previously located. The opening has since been filled in and it holds little architectural or historical value. The formation of the door is a minor alteration which will have a negligible impact on the historic character of the building.

The proposal will not have a detrimental impact on the unique architectural and historical character of the listed building and complies with LDP policy Env 4.

e) Infrastructure Contributions

The Roads Authority were consulted on the proposal and did not raise any requirement for the proposal to provide a contribution to the tram network.

f) Issues Raised by Objectors

Material Considerations:

- Loss of retail unit - addressed in section 3.3 (a).
- Proposal will have a detrimental impact on residential amenity due to noise, vibrations, cooking odours and anti-social behaviour - addressed in section 3.3 (b).

- Proposal will result in an over provision of food and drink establishments in the surrounding area - addressed in sections 3.3 (a) and (b).
- Detrimental impact on the character and appearance of the conservation area - addressed in section 3.3 (c).
- Detrimental impact on the architectural and historical character of the listed building - addressed in section 3.3 (d).

Non-Material Representations:

- Applicant does not have access rights to rear garden or rights to the tenement wall - Access rights and matters set out in private title deeds cannot be controlled by the planning authority and are a civil matter. In addition, a grant of planning permission under section 37 of the Town and Country Planning (Scotland) Act 1997 (as amended) does not remove or supersede the requirement for an individual to ascertain all other relevant legal and statutory permissions prior to undertaking works.
- Noise from the Phoenix Public House - The Phoenix is a separate premises and is regulated through a premises alcohol licence. Concerns regarding noise emanating from this premises should be addressed separately to the Council's Licensing Section.
- Waste Collections - The City of Edinburgh Council no longer operates a trade waste collection service. The operator of the premises will be required to make arrangements with a private contractor for the storage and collection of any waste.
- Employment levels associated with the current and proposed use - The site is situated within a local centre and levels of employment are subject to continual fluctuation based on overall market demand for services and provisions. The change of use of this unit will have a negligible impact on overall employment levels within the local centre.
- Neighbour notification not undertaken correctly - The Council's records detail that all properties located within 20 metres of the application site were notified of the application on March 3rd 2017. In addition, a site notice and advertisement in the Edinburgh Evening News were both posted on March 10th 2017. The Council has undertaken its statutory duty in respect of notifying members of the public about the application in accordance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.
- Proposal will have an adverse impact on existing drainage system - The impact of the proposal on the premises drainage system is a separate matter under the remit of Building Standards and which would have to be addressed through the building warrant process.

g) Equalities and Human Rights

The proposal has been assessed and raises no issues in respect of equalities and human rights.

Conclusion

In conclusion, the proposal forms an appropriate commercial use which will not be detrimental to the vitality and viability of the Broughton Street Town Centre and which will not have a detrimental impact on the living conditions of nearby residents. The proposal will preserve the character and appearance of the New Town Conservation Area and will not have a detrimental impact on the unique architectural character of the listed building. The proposal complies with policies Ret 9, Ret 11, Env 4 and Env 6 of the adopted Edinburgh Local Plan and the Council's Non-Statutory Guidance for Businesses.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the use hereby approved being taken up, the existing suspended ceiling situated throughout the ground floor takeaway servery area shall be replaced with an acoustic ceiling which shall be installed throughout the room in accordance with the details specified on drawing 02A (agents reference: MIG 2017-103A, Sheet no 2.)
2. Prior the use hereby approved being taken up, all areas of damaged and missing lath and plaster ceiling on the lower ground floor will be made good, with all voids on the underside of the floor to be packed with Rockwool RW5 slabs including any holes in the deafening boards. Any damage to the lath and plaster ceiling will be made good with 19mm plank and 15mm Soundbloc plasterboard as specified in approved drawing 02A (agents reference: MIG 2017-103A, Sheet 2).
3. Prior to the use hereby approved being taken up, A new independent ceiling for the kitchen area is to be installed as specified in drawing 02A (agents reference: MIG 2017-103A, Sheet 2).
4. Prior to the use hereby approved being taken up, within the kitchen area, all exposed walls should be lined with an independent metal or timber frame incorporating 100mm insulation quilt and finished with two staggered layers of 15mm Soudbloc plasterboard, as specified in drawing 02A (agents reference: MIG 2017-103A sheet no 2).
5. Prior to the use hereby approved being taken up, the kitchen ventilation extract system as detailed in drawings 01A and 03 (agent reference: MIG 2016-102A sheet no 1 and P/L/2017/22/01A) shall be installed and operational.
6. The hours of operation shall be restricted to between 08:00 and 22:00 Monday to Sunday.

Reasons:-

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

2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
4. In order to safeguard the amenity of neighbouring residents and other occupiers.
5. In order to safeguard the amenity of neighbouring residents and other occupiers.
6. 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.
4. This application relates to a flatted building. This planning permission does not affect the legal rights of any other parties with an interest in the building. In that respect, the permission does not confer the right to carry out the works without appropriate authority.
5. No services should puncture the ceiling with the exception of lighting power cables
6. The kitchen area ceiling shall be removed if requested by Environmental Protection in order to allow a full inspection at their discretion if required.
7. No services should puncture the proposed ceiling. The ventilation extract ductwork should run under the ceiling.
8. The holes cut in the kitchen external wall for the ventilation extract duct should be made to match the size of the duct and properly sealed from both the inside and outside.
9. The kitchen ventilation extract fan is to be located within an acoustically insulated housing.
10. An induct attenuator is to be installed with a minimum insertion loss as specified in the Noise Impact Assessment.

11. The fan and ductwork are to be suspended from the new acoustic ceiling using anti vibration mounts but should not penetrate it.

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

The proposal attracted twenty letters of objection. A full assessment of the representations can be found in section 3 of the main 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 designated as being within the UNESCO World Heritage Site and the Broughton Town Centre in the adopted Edinburgh Local Development Plan (LDP).

Date registered

1 March 2017

Drawing numbers/Scheme

01A - 02A, 03,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: James Allanson, Planning Officer

E-mail:james.allanson@edinburgh.gov.uk Tel:0131 529 3946

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Ret 9 (Alternative Use of Shop Units in Defined Centres) protects the City Centre Retail Core and Town Centres from development which would undermine their retailing function, and specifies that detailed criteria for change of use will be set out in supplementary guidance. It provides criteria for assessing the change of use of a shop unit to a non-shop unit in local centres.

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

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.

Relevant Non-Statutory Guidelines

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.

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

Appendix 1

Application for Planning Permission 17/00629/FUL At 50 Broughton Street, Edinburgh, EH1 3SA Proposed change of use from Grocer's shop to unlicensed takeaway. Fit new door and erection of flue both on rear elevation. (as amended).

Consultations

Roads Authority

No objections to the application

Environmental Protection

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

*17/00629/FUL | Proposed change of use from Grocer's shop to unlicensed takeaway.
Fit new door and erection of flue both on rear elevation. | 50 Broughton Street
Edinburgh EH1 3SA*

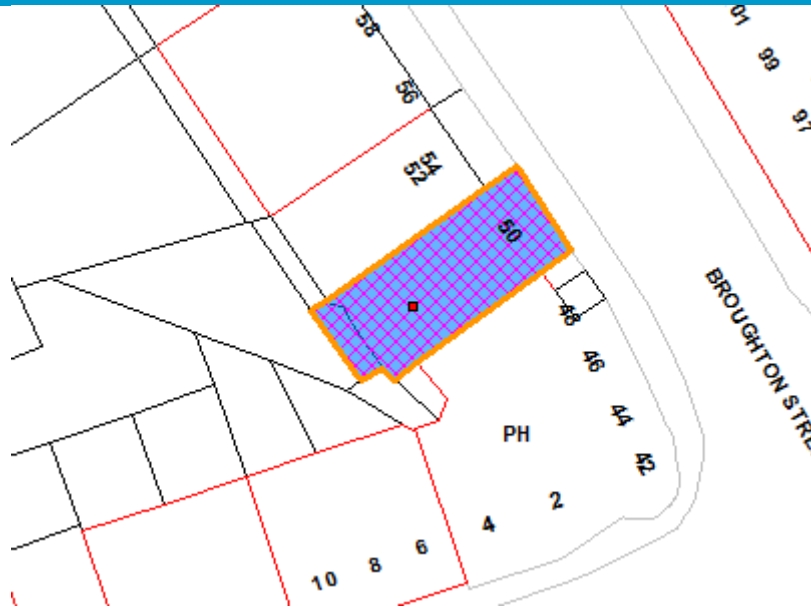
Planning application 17/00629/FUL is for the change of use from the existing use as a newsagent / convenience store to a take-away at 50 Broughton Street, Edinburgh. The development site is located on the western side of Broughton Street on the ground floor of a four-storey tenement building, near the corner with Barony Street. Broughton Street is a busy city centre thoroughfare. The ground floor and some of the basements of the building in this locality are used for commercial purposes and the upper floors above are used as residential accommodation. The businesses at this locality include cafés, retail shops, bars and restaurants. The eastern side of the street includes some different styles of buildings but share similar features, with a mixture of businesses on the ground floor and residential apartments above. To the west of the development site at the rear are shared gardens which is bounded to the south and south west by the residential apartments on Barony Street.

The principal concerns regarding this application relate to noise and cooking odour. In terms of noise, a Noise Impact Assessments (NIA) and addendum were submitted in support of the application. The mitigation measures recommended in the NIA have been recommended as conditions.

Historic Environment Scotland

We have considered the information received and do not have any comments to make on the proposals.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

Application for Advert Consent 18/00210/ADV At 1 Cliftonhall Road, Newbridge, EH28 8PW Illuminated Hoarding Signs x2

Item number	4.4
Report number	
Wards	B01 - Almond

Summary

The advertisement does comply with the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 as its scale and height will not have a detrimental impact on the amenity and appearance of the area. The proposal does not raise any road safety issues.

Links

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

Report

Application for Advert Consent 18/00210/ADV At 1 Cliftonhall Road, Newbridge, EH28 8PW Illuminated Hoarding Signs x2

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 located on the grassed verge adjacent to the forecourt of the BP service station, served off the Cliftonhall Road and Old Liston Road which is located to the south west of the Newbridge roundabout. The surrounding area is a mixture of commercial and industrial buildings.

2.2 Site History

08/06/2014 - Planning permission granted for an extension to existing sales building and formation of extended parking area (application number 14/01287/FUL).

20/05/2015 - Advert consent granted for click and collect lockers (application number 15/01521/ADV).

08/06/2015 - Planning permission granted for the installation of click and collect lockers (application number 15/01522/FUL).

Main report

3.1 Description Of The Proposal

The application is for two freestanding 48 sheet digital advertising displays. The units measure 6.8 metres wide x 3.8 metres high and will be mounted on a single monopole support leg. The overall height of the display unit will be 6.8 metres from ground level. Each illuminated panel will incorporate changing images, there are to be no moving images, animation or sound. The panel will be visible to drivers travelling on the Old Liston Road and will not be visible from the Newbridge Roundabout.

3.2 Determining Issues

Do the proposals affect the amenity of the locality? In the determination of the suitability of the site for the display of advertisements, the Planning Authority shall have regard to the general characteristics of the locality including the presence of any feature of historical, architectural, cultural or similar interest. The authority may disregard any advertisements displayed in the locality.

Do the proposals affect public safety? The Planning Authority shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

3.3 Assessment

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

- a) the advertisement will harm the visual amenity of the street, the character of the area in terms of design form, choice of materials and positioning;
- b) the proposal is appropriate in terms of public safety;
- c) any impacts on equalities or human rights are acceptable; and
- d) comments raised have been addressed.

a) Amenity

Regulation 4(1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 states that advertisement control shall be exercisable only in the interests of (a) amenity and (b) public safety.

When assessing amenity, Regulation 4 (2) (a) determines the suitability of the use of the site for displaying advertisements in light of the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest; and when assessing the general characteristics of the locality the authority may disregard any advertisements being displayed therein.

The Council's Non Statutory guidelines on Advertisements, Sponsorship and City Dressing (February 2010) require advertisements to be carefully controlled in their form, dimensions, location and means of illumination to minimise their impact in the interest of amenity and public safety.

Circular 10/1984 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 makes it clear that whilst a planning authority may wish to adopt or publish guidelines (possibly in a local plan) or design standards for the display of various types of advertisement, failure to conform to such a policy statement or design standard cannot be cited as the sole reason for the refusal of express consent.

General characteristics of the locality

The advertisement is not located within a conservation area or an area of special control. The general characteristic of the locality is of commercial and industrial buildings, a road network, and the garage forecourt which has a number of illuminated adverts on display. There are no residential properties within the immediate locality of the site, and given the commercial and industrial character of the area the advertisement will not have a detrimental impact on amenity.

Illumination

The advertisement is illuminated. Given the backdrop of the advert and the location on the road network, the illumination of the advert will not have an adverse impact on the amenity of the area.

b) Public Safety

The Roads Authority identified the location as low risk and raises no objection to the application subject to informatives on luminance.

c) Equalities and human rights

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

d) Public comments

None received.

Community Council

No comments were received.

Conclusion

In conclusion, the location and size of the advertisement will not have an adverse impact on the visual amenity of the locality and there is no impact on public or road safety.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Consent is granted for a period of five years from the date of consent.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

Informatives

It should be noted that:

1. 1. As outlined in the council's report to planning committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital large format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:
 - a) there shall be no moving images, animation, video or full motion images displayed unless consent has been granted for such displays;
 - b) digital roadside billboards/hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays;
 - c) the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);
 - d) Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984.With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above a maximum change rate of one static advert every 15 seconds will be permitted at this location (i.e. 4 adverts a minute). If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;
2. Adverts must not contain moving images or sequencing of images over more than one advert;
3. Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;
4. There should be no message sequencing where a message is spread across more than one screen;
5. Phone numbers, web addresses details etc should be avoided;
6. It is recommended that the speed of change of image should be set to be in effect instantaneous;
7. Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;
8. Adverts should not resemble existing traffic signs or provide directional advice;
9. Night time levels of luminance should be based on the luminance of other signs and surfaces in the area. Typical values in urban areas would be in the range of 75-300Cd/m²;
10. Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits;

11. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.

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

No representations have 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 - Business and Industry.

Date registered

17 January 2018

Drawing numbers/Scheme

01-04,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

Links - Policies

Relevant Policies:

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.

Non-statutory guidelines 'ADVERTISEMENTS, SPONSORSHIP AND CITY DRESSING' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

Appendix 1

Application for Advert Consent 18/00210/ADV At 1 Cliftonhall Road, Newbridge, EH28 8PW Illuminated Hoarding Signs x2

Consultations

Roads Authority

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

LARGE FORMAT ADVERTISING SIGNS

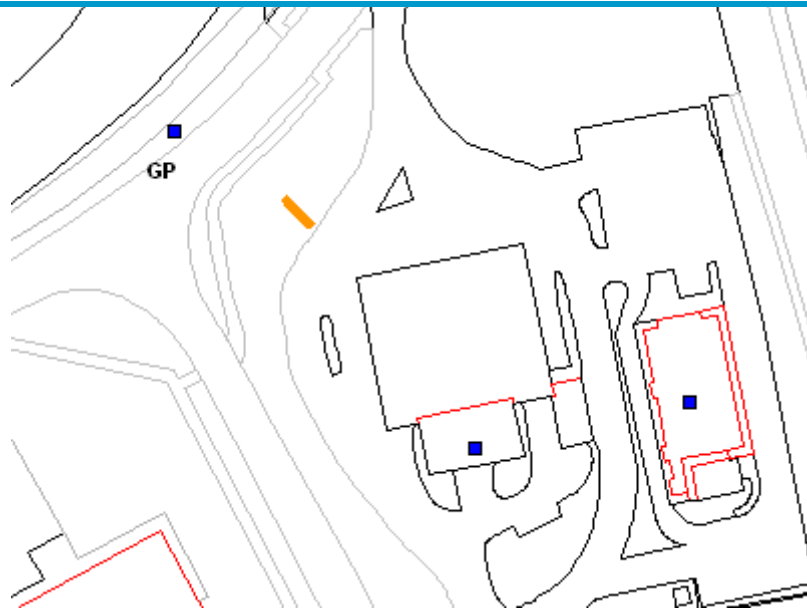
Note:

1. *This location has been assessed as low risk;*
2. *As outlined in the council's report to planning committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital large format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:*
 - a) *there shall be no moving images, animation, video or full motion images displayed unless consent has been granted for such displays;*
 - b) *digital roadside billboards/hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays;*
 - c) *the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);*
 - d) *Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984.*

With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above a maximum change rate of one static advert every 15 seconds will be permitted at this location (i.e. 4 adverts a minute). If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;
3. *Adverts must not contain moving images or sequencing of images over more than one advert;*
4. *Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;*
5. *There should be no message sequencing where a message is spread across more than one screen;*
6. *Phone numbers, web addresses details etc should be avoided;*
7. *It is recommended that the speed of change of image should be set to be in effect instantaneous;*

8. Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;
9. Adverts should not resemble existing traffic signs or provide directional advice;
10. Night time levels of luminance should be based on the luminance of other signs and surfaces in the area. Typical values in urban areas would be in the range of 75-300Cd/m²;
11. Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits;
12. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

**Application for Planning Permission 17/04898/FUL
At Land 8 Metres West Of 14, Cumberland Street South East
Lane, Edinburgh
Construction of mews property for use of Theosophical
Society in Scotland Charity SCIO - Class 10 non-residential
institution.**

Item number	4.5
Report number	
Wards	B11 - City Centre

Summary

The proposed building complies with the Edinburgh Local Development Plan and the non-statutory guidance stated. It will have a moderate impact on the setting of the listed building because of its modern design, but will not adversely impact on the character of the conservation area due to its conforming massing and pitched roof design, and will have little impact on its appearance despite its contemporary elevational treatment. It will have little impact on the amenity of the neighbouring properties and there are no highway issues. There are no other material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LHOU07, LDES01, LDES04, LDES05, LEN01, LEN03, LEN06, LTRA02, NSG, NSGD02, NSLBCA, CRPNEW,

Report

Application for Planning Permission 17/04898/FUL At Land 8 Metres West Of 14, Cumberland Street South East Lane, Edinburgh Construction of mews property for use of Theosophical Society in Scotland Charity SCIO - Class 10 non-residential institution.

Recommendations

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

Background

2.1 Site description

The site is the rear garden ground of 28 Great King Street, which is currently used as a car park for the owners, the Theosophical Society of Scotland, 28 Great King Street, and others. The terrace and its walled garden is category A listed and was designed by Robert Reid and William Sibbald, 1814-23, as a 3 storey and basement, 59 bay, classical palace block terrace. It was listed on 15 July 1965 ref: LB28964.

To the west is a traditional mews house and to the east, a modern mews house built 10 years ago. The surrounding lane premises are mainly residential with some commercial use present.

The site is within the Edinburgh World Heritage Site - Northern New Town.

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

2.2 Site History

No recent history for this site.

Main report

3.1 Description Of The Proposal

The proposal is to erect a modern, two storey mews type building as a repository/library/meeting room to house the Theosophical Society's extensive collection of historical books. The new mews would sit between a modern mews house to the east at no.14, constructed approximately 10 years ago and an existing mews house at no.16. The main footprint would be 8 metres in depth with a single storey lean-to extending a further 2.5m into the garden. The height and roof profile would match that of no.14, but would be larger and 2m higher to the ridge than no.16.

Materials would be natural slate roof, natural sandstone rubble walling with ashlar details, timber louvre cladding over timber framed windows behind, and glass block walling.

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 proposed library/meeting room building is acceptable in principle in this lane;
- b) the design and materials are compatible with the character and appearance of this conservation area, world heritage site and the setting of the listed building;
- c) there are any amenity issues;
- d) there are any transport or archaeology issues;
- e) public comments have been addressed; and
- f) there are any equality or human rights issues.

a) Principle

The library/meeting room/office use would be for a charity as replacement for the use in the main building and is acceptable in principle in the urban area under Policy Hou7 of the Edinburgh Local Development Plan (LDP) - Inappropriate Uses in the Residential Areas, as the use would not deteriorate the living conditions of the mainly residential lane.

b) Design and Materials

The New Town Conservation Area Character Appraisal states that..... *as the expansion of the New Town took place, the original purpose of the lanes composed of artisans' dwellings, transferred to the provision of mews. These provided accommodation for stabling and coaches usually associated with the town house on the streets that they lay behind. They are usually one and a half storeys high, with a carriage entrance and sometimes a hayloft, both on the lane side. They were usually built with a formal high quality design facing the house and an informal rubble elevation facing the lane of the mews.*

The essential architectural character can be summed up thus: *The retention of mews and lanes, largely in their original design form contributes to the character of the area as does. The standard palette of materials including blonde sandstone, timber windows and pitched slated roofs.*

The World Heritage Site Management Plan has an overarching objective in relation to the contribution of New Development which states: " *To ensure that development embraces the context of the WHS and is of the highest quality in terms of architecture, design and materials*".

The design is contemporary but utilises a traditional shell with pitched roof which replicates the modern mews building to the east at no.14. The only difference is that a lean-to extension is proposed at ground floor to the rear to maximise the meeting room space and provide an adequate kitchen. The materials represent the core materials required in the conservation area of stone and slate but with modern detailing incorporating glass blocks and timber louvres which have been successfully used by the architect in other new build projects throughout the second new town e.g. Circus Lane.

The design and materials are acceptable to the setting of the listed building and are compatible with the character and appearance of the conservation area and the world heritage site. They comply with Policies Des 5, Env 1, Env 3 and Env 6 of the Edinburgh Local Development Plan (LDP) and the New Town Conservation Area Character Appraisal.

A materials condition is recommended.

c) Amenity

The new building will have little impact on the flats across the lane to the north. A small amount of shadow will fall into the gardens of these properties, during winter and spring months when the sun is low anyway, but technically the proposal complies with the 45 degree overshadowing constraint as set out in the Edinburgh Design Guidance.

The lean-to at the back will rise 400-600mm to the west (the walls slope) and 100-300 above the east boundary wall to no.14, but this will be only over a horizontal distance of 2.5 metres and with the eave tapering to below the height of the boundary wall, will lessen the impact. It is not considered that this will cause any significant loss of amenity to the neighbouring property.

The proposals comply with Policy Des 5 of the LDP and the Edinburgh Design Guidance.

d) Transport/Archaeology

No tram contribution is required but three cycle spaces and three motorcycle spaces should be provided to meet standards. It is impossible to provide motorcycle spaces as there is vehicular provision to the property or its garden. However, bicycles can be carried through the building to the rear and therefore the provision of three bicycle spaces is recommended as a condition.

There are no archaeological requirements as it is unlikely that any significant buried remains survive in this area.

There are no transport or archaeology issues.

e) Public Comments

Material objections:

- Removal of an original A listed wall on the lane boundary. - The wall is listed but its removal is acceptable given that it will be replaced by the enclosure given by the front elevation of the new building on the same building line. The side boundary walls will also remain.
- Negative impact on daylight to neighbouring property. This is addressed 3.3c) above.
- Setting of A listed building. This is addressed at paragraph 3.3b) above.
- Impact on residential/garden character of the lane. The site is currently a hard surfaced car park. This will be replaced by a new building and garden which is a conservation gain for the area.
- Materials - Exterior modernist design/Glass bricks/louvred window on first floor not in keeping/not high quality. This is addressed at 3.3b) above.

- Narrow gap to gable will cause maintenance problems and will be unsightly. This is a legal issue and not a planning matter for the relevant parties to address. The gap will not be so big as to disrupt the visual continuity of the mews terrace in the lane once the building is constructed.
- Use commercial not residential. This is an institutional use to replace the use of the main building as the Society HQ and is not commercial.
- Extension at back beyond building line/sets precedent. The ground floor extension is only 2.5m deep and single storey. It is an acceptable design response in this case and is set between the feu walls. It will not set a precedent for the rear building line to be broken in future.

Non-material objections:

- Access restrictions in lane during construction - Not controllable by planning condition.
- Into which Council tax bracket would it fall? - This is not a planning matter.

f) Equalities

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

Conclusion

The proposed building will have a modest impact on the setting of the listed building because of its modern design, but will not adversely impact on the character of the conservation area due to its conforming massing and pitched roof design. It will have little impact on its appearance despite its contemporary elevational treatment. It will have little impact on the amenity of the neighbouring properties and there are no roads issues. There are no other material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Three cycle parking racks shall be provided at the property in order to meet current parking standards.
2. Sample/s of the proposed external cladding materials including roof slates shall be submitted to and approved in writing by the Planning Authority before work commences on site.

Reasons:-

1. In order to comply with current Council parking standards.
2. In order for the Chief Planning Officer to consider these in detail.

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 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

Advertised on 17 November 2017. Eight letters of objection have been received, including one from the Architectural Heritage Society of Scotland.

The objections are addressed in the Assessment in this 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**

Allocated as Urban Area in the Edinburgh City Local Development Plan.

Date registered

6 November 2017

Drawing numbers/Scheme

01 - 13,

Scheme 1

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 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.

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

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

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

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

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.

Relevant Non-Statutory Guidelines

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

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

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

Appendix 1

**Application for Planning Permission 17/04898/FUL
At Land 8 Metres West Of 14, Cumberland Street South East
Lane, Edinburgh
Construction of mews property for use of Theosophical
Society in Scotland Charity SCIO - Class 10 non-residential
institution.**

Consultations

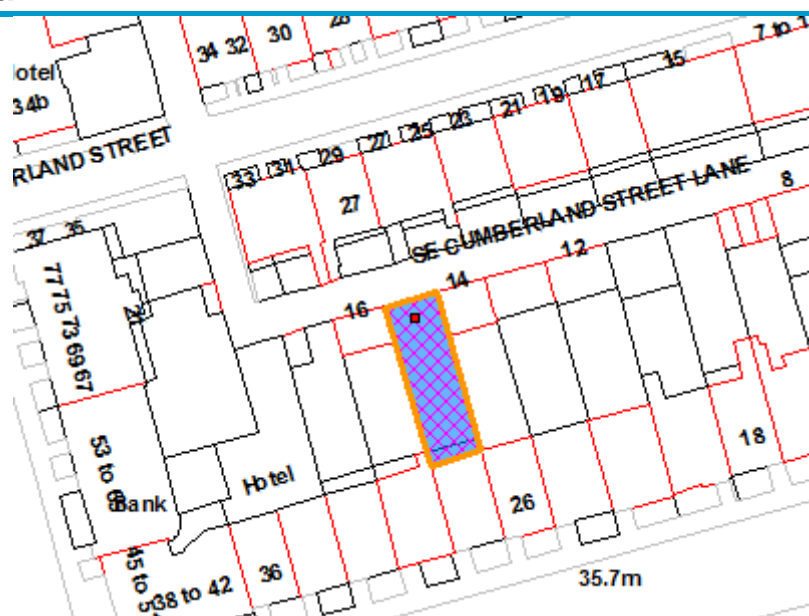
Archaeology:

It is considered unlikely that significant buried remains will have survived in this area. It is therefore concluded that there are no known archaeological implications regarding this application.

Roads Authority

No objections subject to 3 cycle parking spaces, 3 motorcycle spaces being provided. A Tram contribution will not be required.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

Application for Approval of Matters Specified in Conditions 17/05802/AMC

At Land 126 Metres North Of 137 Drum Street, Candlemaker's
Park, Edinburgh

Approval of matters specified in conditions application for
residential development including associated roads and
landscaping (matters listed in condition one of planning
consent 14/01238/PPP)

Item number	4.6
Report number	
Wards	B16 - Liberton/Gilmerton

Summary

The principle of housing is established on the site and the proposed mix, layout, scale, design and access arrangements are acceptable and appropriate to their urban edge context. The proposal will provide an acceptable level of amenity to existing and future occupiers. Condition one of planning permission in principle 14/01238/PPP can be discharged for this section of the site. There are no material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	LDPP, LDES01, LDES03, LDES04, LDES05, LDES07, LEN07, LEN09, LEN11, LEN12, LEN15, LEN16, LEN21, LEN22, LHOU03, LHOU04, NSG, NSGD02,
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Report

Application for Approval of Matters Specified in Conditions 17/05802/AMC

**At Land 126 Metres North Of 137 Drum Street,
Candlemaker's Park, Edinburgh**

Approval of matters specified in conditions application for residential development including associated roads and landscaping (matters listed in condition one of planning consent 14/01238/PPP)

Recommendations

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

Background

2.1 Site description

The application site is 3.1 ha and is located north east of Drum Street and Candlemaker's Park, in the Gilmerton area of south Edinburgh.

The site forms part of a larger site which has consent for residential development. It is currently vacant and is covered with informal grassland with woodland planting to the east. The site gradually slopes east-west, with steep banking along the east edge.

The western edge of the site is bounded by existing housing on Candlemaker's Park. The northern boundary of the site is undefined. The eastern site boundary is formed by The Drum Estate and to the south by Candlemaker's Park. Part of the site falls within the boundary of a site on the Inventory of Gardens and Designed Landscape in Scotland, The Drum. The designed landscape provides the setting to the William Adam, Category A Listed, Drum House, an 18th century country house and estate (ref 2805: listed 14 July 1966).

The south east corner of the site is adjacent to the Category B listed West Lodge, Gate Piers and Railings at The Drum. (ref 43253: listed 15 April 1996).

2.2 Site History

5 December 2016 - Planning permission in principle granted for residential development and associated works (application reference 14/01238/PPP).

31 August 2017 - Approval of matters specified in conditions including detailed layout, parking, boundary treatments, landscaping, details of existing and finished levels and flood attenuation details (matters listed in conditions 1,2,4 and 6 of planning consent application reference 14/01238/PPP).

History of Neighbouring Sites

25 February 2015 - Proposal of Application Notice submitted for residential development on land at 146 Drum Street (application reference 15/00813/PAN).

17 June 2015 - Planning permission appeal granted, subject to conditions and completion of planning obligation (DPEA reference: PPA-230-2137) for residential-led mixed use development including primary school, commercial/ community uses, open space, access, car parking and landscaping on land 292 metres west of 10 Gilmerton Station Road (application reference 14/01649/PPP).

4 November 2016 - PPP application submitted and withdrawn for residential-led mixed-use development including primary school, commercial/ community uses, open spaces, access parking and landscaping on land 292 metres west of 10 Gilmerton Station Road (application reference 14/01648/PPP).

28 February 2017 - Planning Permission in Principle application refused and appeal dismissed (DPEA reference PPA-230-2189) for residential development and associated works on land 146m east of 143 Drum Street (application reference 15/02905/PPP).

31 August 2017 - Matters approved for details of residential development and associated works as specified in conditions 1,2,4 and 6 of planning consent 14/01238/PPP (as amended) (application reference 17/00696/AMC).

Main report

3.1 Description Of The Proposal

The proposal is for the approval of matters relating to conditions for the development of residential development on the site. It relates to condition one of the associated consent for planning permission in principle (application reference 14/01238/PPP).

Condition one is for the approval of matters relating to detailed design, landscape, sustainability, servicing, waste management and site levels.

This proposal relates to a 3.1ha site area which covers the southern part of a larger 6.7ha site for which matters specified in conditions one, two, four and six of the above noted Planning Permission in Principle were approved in August 2017 (application reference 17/00696/AMC).

The layout of the southern part of the site has subsequently been amended and requires to be assessed in this application. The proposal for the application site includes 74 dwellings, of which 62 are houses and 12 are flats.

The apartments will be three storeys in height, and will be located to the north of Candlemaker's Park, close to the entrance of the site onto Drum Street. Flatted properties will have one or two bedrooms. Dwelling houses will range in size from two-bed terraced properties to five-bed detached properties.

The houses and apartments' materials will be brick, primarily in a buff colour with some red brick properties distributed across the site. Roofs will be concrete tiles and restricted to a single dark grey colour. Windows, doors, fascias, soffits and rainwater goods will be dark grey in colour on all house types and the apartment buildings.

The boundary treatments are a mix of hedges, masonry walls and timber fences. Where houses and flats front onto public areas, the boundaries are treated with hedges and walls. There are no timber fences to the public realm.

Affordable housing is provided on the wider site at a level of 25%, as secured through the Section 75 legal agreement of the Planning Permission in Principle. Twenty-four affordable housing units are included within the southern part of the site as assessed in this application (32% of this site). The amount, distribution and house mix of affordable housing proposed as part of this planning application has not changed from that approved in application 17/00696/AMC.

Vehicular access to the site will be taken from a single point off Candlemaker's Park, to the south of the site. Shared surface arrangements are proposed throughout the site.

A total of 81 parking spaces are proposed across the site. These will be provided in private driveways and parking bays. In a change from the previously approved application, parking bays are no longer proposed along Candlemaker's Park.

With regards to cycle parking, no changes are proposed from the approved parking arrangements set out in application 17/00696/AMC.

The proposals for Sustainable Urban Drainage across the site have not changed in principle or design from the approved wider site application 17/00696/AMC.

A landscape masterplan was submitted in support of the application and shows areas of wildflower planting, formal structure planting and grass areas. The total area of open space across this part of the site is 0.7385ha (23%).

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 complies with the planning permission in principle;
- b) The proposed layout, scale, mix and design are acceptable;
- c) Access, road safety and parking arrangements;
- d) The proposal will provide an acceptable level of amenity for existing and future occupiers;
- e) The proposal meets sustainability criteria;
- f) The proposal has any equalities or human rights impacts;
- g) The public comments have been taken into account; and
- h) There are any other material considerations.

a) The proposal complies with the planning permission in principle

The site is part of a larger site (HSG25) that is allocated for residential development in the Edinburgh Local Development Plan (LDP). The principle of a residential development, of which 25% will be affordable, is established by the planning permission in principle (PPP) to which this application for approval of matters specified in conditions relates. Therefore, the principle is established.

b) The proposed layout, scale, mix and design are acceptable

General design principles

The general design principles for the layout of this site have been agreed through planning permissions 14/01238/PPP and 17/00696/AMC. The setting of the development within the Drum Estate's designed landscape is unchanged from the previously approved scheme and is appropriate. The proposed fit with the urban context, scale, height, density, housing mix, design and materials have not been amended by this application and are appropriate.

A total of 74 dwellings are proposed for this part of the site which equates to a density of 23.9 units per hectare. This is appropriate and matches the number of units in this area of site consented under the previously approved application (17/00696/AMC). The distribution and design of affordable housing within the application site has not altered significantly from the previously approved application. Twelve apartments and twelve dwellings are proposed, which includes one additional affordable house unit in this part of the site compared to the previously approved application (17/00696/AMC). Affordable housing units range in size from one-bedroom apartments to three-bedroom semi-detached houses. The unit sizes meet the standards set out in the Edinburgh Design Guidance and are acceptable.

Detailed layout

There are some amendments to the detailed layout which differ from the previously consented application 17/00696/AMC.

The main access road into the site from Candlemaker's Park has been repositioned, and a secondary private driveway access is located on Candlemaker's Park. The Roads Authority is satisfied with this proposed road access and this is acceptable.

Parking bays have been removed from Candlemaker's Park in the south of the site, and parking provision for this part of the development is now accessed from the internal road layout of the site. The parking area is well overlooked by surrounding properties and is acceptable.

The apartment block to the north of Candlemaker's Park is appropriately positioned and forms an appropriate continuation of the street frontage. It has an acceptable amount of amenity open space around it and is acceptable.

Landscape and Open Space

The approved landscape strategy for application 17/00696/AMC is replicated for this site. Usable green space exceeds the 20% of total site area required by policy Hou 3 (Private Green Space in New Development). Proposed boundary treatments across the site are appropriate. The proposed landscaping strategy follows the same landscape character mix and range of species as the approved plans for the wider site and are acceptable. Open space provision across the site is acceptable.

A condition will be added to this approval as per application 17/00696/AMC to ensure the implementation of the landscaping at appropriate stages of the development.

Phasing

The phasing strategy for this part of the site has been agreed through the approved application 17/00696/AMC for the site as a whole and is acceptable.

Conclusion

The proposed density, scale, mix and design are acceptable, subject to a condition relating to implementation of landscape strategy.

c) Access, road safety and parking arrangements

The principle of the access arrangements across the site and number of dwellings which will be served via the existing Candlemaker's Park route has been approved through the existing planning permission in principle. The site layout has been modified in part from the approved planning permission in principle. The revised road layout and parking arrangements have been reviewed by Transport and there are no objections.

Transport is satisfied that a single access into the site from Candlemaker's Park is sufficient.

The strategic impacts of the development on the wider transport network have been assessed and approved through the existing planning permission in principle. Developer contributions have been agreed in line with the adopted LDP Action Programme and are secured through a legal agreement attached to the planning permission in principle.

A total of 81 parking spaces are provided within the site boundary. Parking provision comprises a mix of parking bays, off-street parking in driveways and on-street parking for visitors. The proposals for car parking are acceptable. Cycle parking for the flatted units are provided in separate blocks. Transport has noted that the proposed cycle parking for the flatted blocks is not considered to be well located for the block. An informative will be added requesting that a quality audit is carried out for this site which will allow this issue to be addressed.

d) The proposal will provide an acceptable level of amenity for existing and future occupiers

Policy Des 5 (Amenity) relates to the amenity of existing and future occupiers and seeks to ensure that amenity is not adversely affected by new development.

Existing Residents

The closest existing residential properties are located at the Candlemaker's Park development, to the west of the site boundary. There is at least 22m between existing properties and the proposed housing and there will be no issues with privacy, overlooking or overshadowing.

Future Residents

Privacy

The majority of windows between the proposed properties are located a minimum of 18m apart. There is an exception at plots 72, 86, 74, 82, 76 and 33 where the distance is 17.6m. This is a minor contravention of the Council's guidance. However, the overall layout allows for reasonable space between dwellings to allow for an appropriate level of privacy to be achieved and is acceptable.

Open Space

Policy Hou 3 (Private Green Space in New Development) requires ten square metres of open space to be provided for each flat (therefore 240 sqm is required in total), and that 20% of the total site area should be green space. A total of 760 sq m of amenity space is associated with flats 46 to 57. This exceeds the required standards and is acceptable.

Sunlight and Daylight

A total of 8% of the proposed units will not receive a minimum of three hours of sunlight during the spring equinox in their rear gardens. The affected properties will receive sunlight to their front gardens during this period, meaning that between 30 and 40% of total garden ground will receive sunlight. This is considered to be a marginal contravention of the Edinburgh Design Guidance.

This is considered to be acceptable in this instance.

Waste

Refuse and recycling facilities will be located within rear private garden grounds for houses and communal facilities for the apartment blocks are provided in an appropriate location within close walking distance of the front doors, and within acceptable distance for collection from the local authority. A swept path analysis has been completed and Waste Services is satisfied with the proposed waste management strategy.

Conclusion

The proposed development is acceptable in terms of its impact on the amenity of existing and future residents.

e) The proposal meets sustainability criteria

A Sustainability Statement was submitted in support of the application for Planning Permission in Principle (14/01238/PPP) for which the applicant achieved the required 80 points for essential sustainability criteria. The sustainability measures are acceptable.

f) The proposal has any equalities or human rights impacts

A range of living accommodation will be provided that will support different users. This site is accessible for those with mobility issues. The proposed development will give good access to public transport, green spaces and local facilities. There are no identified equalities issues.

g) The public comments have been taken into account

Material points of support:

Removal of proposed parking bays from Candlemaker's Park.

Material points of objection:

- This scheme includes less landscaping features than the previously consented scheme (assessed in 3.3(b) above).
- Proposed road layout (assessed in 3.3(c) above).
- Impact of development on wider transport network (assessed in 3.3 (c) above).
- Concern over single access to site, request for two vehicular accesses to be provided (assessed in 3.3 (c) above).

- Previous use of the site for mining activities (assessed in previously approved application for site 17/00696/AMC).
- Layout design - dissatisfaction relating to house frontages onto Candlemaker's Park (assessed in 3.3(b) above).
- Parking controls should be introduced along Candlemaker's Park to ensure road safety (assessed in 3.3(c) above).
- Concern that layout and changes to existing access at Drum Street does not allow for emergency access to Candlemaker's Park (assessed in 3.3(c) above).
- Request for mature tree planting as replacement for trees removed from site (assessed in 3.3(b) above).
- Tree and shrub cover proposed in the previously approved scheme is missing from the new development layout (assessed in 3.3(b) above).
- Concern over two new access points being taken from Candlemaker's Park (assessed in section 3.3 (b) above).

Non-Material Representations:

- Removal of existing landscaping on site during site preparation phases (site clearance is consented under drawings 27c and 28c of application 17/00696/AMC).
- The principle/ legal right of the applicants to develop the green verge along Candlemaker's Park (not a material planning issue).
- Change of application reference between previous application for wider site and this application (this was due to a new application being submitted).
- Alleged inaccuracies in the application's description of existing landscape features on site.
- Concern that work has started on site prior to consent (17/00696/AMC consent allows for pre-commencement site clearance).
- Dissatisfaction in relation to submission of planning application at festive period (statutory consultation guidance was followed and appropriate extensions to consultation times were put in place to allow for the festive period).
- Alleged inaccuracies in applicant's supporting ecology information; (CEC Natural Heritage has approved the ecology information submitted as part of the applicant's previously approved application).
- Where new iterations of site plans are submitted, revisions should be specifically drawn to the public's attention (appropriate plan referencing protocol has been followed, and superseded plans are identified on the planning portal).
- Request for a pedestrian connection to be provided between Candlemaker's Park and Drum Avenue (outwith the site boundary and scope of this planning application).

Gilmerton and Inch Community Council

Material points of support:

- Removal of parking bays from Candlemaker's Park is supported.

Non-Material Representations:

- Loss of landscape features on site (site clearance is consented under drawings 27c and 28c of application 17/00696/AMC).
- Request for clarification regarding reference number change for this application (this application is separate from previously consented application 17/00696/AMC).
- The principle/ legal right of the applicant to develop the green verge along Candlemaker's Park (not a material planning issue).

h) There are any other material considerations

Flooding

Flood prevention has reviewed the proposals and has confirmed that comments made as part of application 17/00696/AMC are applicable to this site and that they have no objections. SEPA has no objection to the proposed development. Scottish Water has agreed adoption of the proposed SUDS scheme considered as part of application 17/00696/AMC and no changes are proposed to this proposal as part of this application. There are no other flooding issues of concern.

All other material considerations have been addressed as part of the approved application 17/00696/AMC.

Conclusion

The principle of housing is established on the site and the proposed mix, layout, scale, design and access arrangements are acceptable and appropriate to their urban edge context. The proposal will provide an acceptable level of amenity to existing and future occupiers. Condition one of planning permission in principle 14/01238/PPP can be discharged. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. The approved landscaping scheme shall be fully implemented within six months of the completion of this phase of the development.

Reasons:-

1. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. The following conditions remain outstanding from Planning Permission in Principle 14/01238/PPP: Condition 5: Mine Entry Investigation.
5. All accesses must be open for use by the public in terms of the statutory definition of 'road' and shall be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, access, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification.
6. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.
7. Any off-street residential hard standing should be porous, to comply with 'Guidance for Householders' published in December 2012.
8. For the avoidance of doubt window materials must be re-cycled UPVC, timber or aluminium.
9. The applicant is encouraged to provide details of tree-pits in both hard and soft landscape areas to control quality of implementation of new trees.
10. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent.
11. 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.

12. 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;
13. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

Financial impact

4.1 The financial impact has been assessed as follows:

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 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

Representations to the application have been received from nine members of the public (one neutral, eight objections) and the local Residents Association (objection).

Gilmerton Inch Community Council has also provided comments on the application.

An assessment of these 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 identified as part of housing allocation HSG 25 in the adopted Edinburgh Local Development Plan.

The Gilmerton and South East Brief sets out development principles which are applicable to the site.

Date registered

12 December 2017

Drawing numbers/Scheme

01, 02a, 03-17, 17a, 18 - 25,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Julie Ross, Planning Officer

E-mail: julie.ross@edinburgh.gov.uk Tel: 0131 529 4468

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 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 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Env 7 (Historic Gardens and Designed Landscapes) protects sites included in the national Inventory of Gardens and Designed Landscapes and other historic landscape features.

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 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

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

LDP Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

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

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

LDP Policy 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 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.

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 Approval of Matters Specified in Conditions 17/05802/AMC

**At Land 126 Metres North Of 137 Drum Street,
Candlemaker's Park, Edinburgh**

Approval of matters specified in conditions application for residential development including associated roads and landscaping (matters listed in condition one of planning consent 14/01238/PPP)

Consultations

Gilmerton and Inch Community Council)

GICC views this updated version as an improvement on the previous submissions; the removal of the parking bays, in particular. Local residents were very concerned about this issue in relation to where the new development links boundaries with the Candlemaker's Park access road.

There is a concern about the developers looking to make use of the verges on both sides of the access road, given that the Resident's Association maintain them. We request that the developer has no access to the verges.

GICC was led to believe that some trees would remain whilst the development took place. All trees and shrubs have now been removed and residents have commented on the remaining bleak landscape. Surely this could have been mitigated in some shape or form? Are the developers obliged to maintain an element of attractive design whilst this takes place?

There appears to be some discrepancy in the reference for this development which has changed from 17/00696/AMC to 17/05802/AMC and the Ward No from A16 to B16. Gilmerton Inch Community Council requests some clarity on this please.

Flooding

I gather from the SEPA consultation response that this is a re-consultation following a design resubmission for the southern part of the site after the discovery of previously unknown Scottish Water pipes on site.

Upon review of the proposed site layout flood prevention I can confirm that those previous comments are still applicable and we have no further comment to make on 17/05802/AMC.

SEPA

Response 1

Further to your consultation with SEPA on 17/05802/AMC - can I just check with you which aspect of outline condition 1 do you wish our input on?

Response 2

Thanks for confirming the reason for the consultation.

Having looked at the revised layout and our previous comments (letter dated 8 March 2017 ref PCS 151836) I can confirm that those previous comments are still applicable and we have no further comment to make on 17/05802/AMC.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for approval of matters specified in conditions application for residential development including associated roads and landscaping (matters listed in condition 1 of planning consent 14/01238/PPP)

As stated in my response to the 2014 application although predominantly land fill the site does overly and contain elements of the western corner of the historic Landscape designed by William Adam for Drum House. Accordingly, this site was identified as occurring within an area of archaeological and historical significance. However the 2017 Landscape Statement/Design submitted by Paul Hogarth as part of 17/00696/AMC which covers this site, mitigated against any potential significant impacts. Accordingly it is considered that there are no archaeological implications in regards to this proposal.

Transport

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

1. The proposed cycle parking associated with Plots 46-57 should be located within the or immediately adjacent to the block. The proposed location is not considered to be suitably located for the block, nor is it considered to provide sufficient security.

The applicant will be aware that:

a. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;

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

c. 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;

d. 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;

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

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

g. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Chief Planning Officer.

Waste

Response 1

Waste and cleansing services takes no stance either for or against the proposed development but as a consultee would make the following comments:

Waste and Fleet Services would expect to be the service provider for the collection of waste as this appears to be a development of houses and Flats. The application form refers to individual wheeled bins for main door dwellings but no mention of type of waste for the flats. Please provide drawings of the location of the bins store, types and quantity of bins and refuse vehicle collection points for houses and flats. Please provide estimated timescales of when this development will be complete and habited. An overall drawing of the development layout should also be provided.

It is imperative that adequate provision is made for the storage of waste off street, and that cognisance is taken of the need to provide adequate space for the storage of segregated waste streams in line with the Waste (Scotland) Regulations which require the source separation of dry recyclable materials, glass, food, etc.

Adequate provision should also be made for the effective segregation of materials within the building not just at the point of collection. Adequate access must also be provided to allow uplift of waste safely from the collection point taking into consideration the traffic flows at this busy location.

In view of these factors the developer must contact Waste Services on 0131 469 5667 or hema.herkes@edinburgh.gov.uk at the earliest point for advice relating to their options so that all aspects of the waste & recycling service are considered i.e. access for vehicles, health & safety, presentation points for kerbside bins and/or boxes and size of storage areas required in residential gardens for all bins & boxes etc.

Please also see attached architects guidance and checklist.

Response 2

NEW DEVELOPMENT: INDIVIDUAL

I refer to our email exchange, regarding the above new development which will consist of 62 individual properties. This letter is confirmation that agreement on the waste strategy, details below, and requirements for this development have been reached and that the following conditions will apply.

Please also ensure that a copy of this letter is provided to the builder / developer, site manager and the property management company.

Waste strategy for new developments

The City of Edinburgh actively promotes the provision of recycling facilities in all new developments and throughout the city. The Waste (Scotland) Regulations 2012 make mandatory the provision of specific household waste recycling services and our own waste strategy supports this. Recycling collections are integral to the overall waste collection system, so it is necessary to incorporate recycling facilities within your development.

Provision and collection of waste containers

For individual and other low density properties, we normally require the provision of a kerbside household waste and recycling service. This would consist of containers for residual waste, mixed recycling, food and kerbside sorted materials (i.e. glass, batteries, textiles and small electricals).

Information showing the dimensions of these containers has already been provided for your information in the architect instructions.

For your particular development at Candle Makers Park, we would require the following:

- 62 x 140 litre Grey residual wheelie bin*
- 62 x 240 litre Green recycling wheelie bin*
- 62 x 240 litre Brown garden waste wheelie bin*
- 62 x 25 litre Food Waste kerbside bin*
- 62 x5 litre kitchen caddy*

62 x 33 litre blue recycling box

It will be the builder/developer's responsibility to provide the residual and recycling containers in line with our requirements, as outlined in the architect instructions. We can assist with this and will recover the costs of doing so.

Responsibility for any bin storage areas will lie with the builder / developer until handed over to the property management company.

Property management

On completion of the building or individual block and when handover from the builder/developer has taken place the following requirement will apply:

- *Property management company responsibility includes:*
- *Ensure that all material, residual or recyclable, are deposited within the bins prior to collection*
- *Removal of excess waste where residents do not use the containers provided*
- *Removal of any dumped items e.g. furniture, carpets, white goods etc*
- *General cleaning of any bin storage areas*
- *Ongoing provision and maintenance of associated infrastructure, e.g. bin lifts, bin stores etc*

The City of Edinburgh Council responsibility includes:

- *Provide initial guidance documentation for residents in using the recycling facilities*
- *Servicing of residual and recycling waste containers as scheduled*

It is appreciated that new occupiers may initially have quantities of cardboard and other recyclable material generated from new appliances. We request that householders flatten cardboard boxes and deposit them in the mixed recycling bins provided. Large cardboard boxes should be flattened and placed alongside the containers for collection.

Information on the Council's special uplift service for the removal of bulky household items may be obtained by contacting 0131 529 3030.

NEW DEVELOPMENT: COMMUNAL

I refer to our email communications with you regarding the above new development which will consist of 12 flatted properties. This letter is confirmation that agreement on the waste strategy, details below, and requirements for this development have been reached and that the following conditions will apply.

Please also ensure that a copy of this letter is provided to the builder/developer, site manager and the property management company.

Waste strategy for new developments

The City of Edinburgh actively promotes the provision of recycling facilities in all new developments and throughout the city. The Waste (Scotland) Regulations 2012 make mandatory the provision of specific household waste recycling services and our own waste strategy supports this. Recycling collections are integral to the overall waste collection system, so it is necessary to incorporate recycling facilities within your development.

Provision and collection of waste containers

For flatted developments we normally require that communal wheeled containers are used for household waste and recycling. This would consist of containers for residual waste, mixed recycling, glass and food.

Information showing the dimensions of the communal containers has already been provided for your information in the architect instructions.

For your particular development at Candle Makers Park, we would require the following:

Bin store 1 - 12 flats

2 x 1280 litre Residual

2 x 1280 litre Mixed Recycling

1 x 360 litre Glass

1 x 240 litre Food

It will be the builder/developer's responsibility to provide the residual and recycling containers in line with our requirements, as outlined in the architect instructions. We can assist with this and will recover the costs of doing so. We require twelve weeks notice for bin orders, in order to arrange for the ordering, manufacture and delivery of bins. These should be submitted as a purchase order to the officer responsible for your development.

Responsibility for the bin storage areas will lie with the builder / developer until handed over to the property management company.

Property management

On completion of the building or individual block and when handover from the builder/developer has taken place the following requirement will apply:

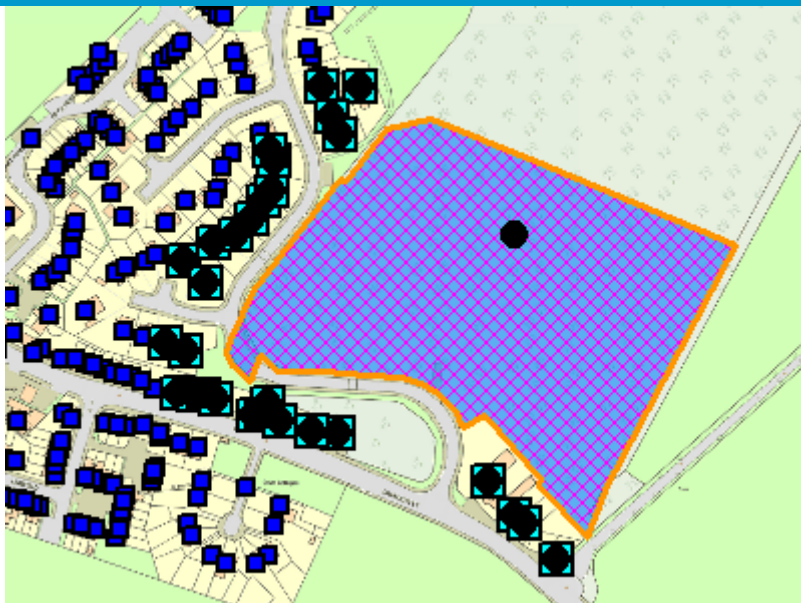
- Property management company responsibility includes:*
- Ensure that all material, residual or recyclable, are deposited within the communal bins prior to collection*
- Removal of excess waste where residents do not use the containers provided*
- Removal of any dumped items e.g. furniture, carpets, white goods etc*
- General cleaning of the bin storage areas*
- Ongoing provision and maintenance of associated infrastructure, e.g. bin lifts, bin stores etc*

*The City of Edinburgh Council responsibility includes:
Provide initial guidance documentation for residents in using the recycling facilities
Servicing of residual and recycling waste containers as scheduled*

It is appreciated that new occupiers may initially have quantities of cardboard and other recyclable material generated from new appliances. We request that householders flatten cardboard boxes and deposit them in the mixed recycling bins provided. Large cardboard boxes should be flattened and placed alongside the containers for collection. Excess waste can be taken to the local Community Recycling Centre, which are open 7 days a week. More information about these is on our website.

Information on the Council's special uplift service for the removal of bulky household items may be obtained by contacting 0131 529 3030.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

Report for forthcoming application by

**Scotmid Co-operative / Structured House (Edinburgh West)
Ltd for Proposal of Application Notice**

18/00851/PAN

**At 236 Gorgie Road, Edinburgh, EH11 2PL
Demolition of existing (Class 1) retail store and erection of
purpose-built student accommodation (Sui Generis) with
(Class 1) retail on the ground floor level.**

Item number

4.7

Report number

Wards

B07 - Sighthill/Gorgie

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for full planning permission for the 'Demolition of existing (Class 1) retail store and erection of purpose-built student accommodation (Sui Generis) with (Class 1) retail on the ground floor level' at 236 Gorgie Road, Edinburgh, EH11 2PL.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicants submitted a Proposal of Application Notice 18/00851/PAN on 23 February 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 site, approximately 0.18 hectares in size, consists of a two storey Scotmid supermarket that fronts on to Gorgie Road. An associated loading bay and staff parking area is located at the rear of the site and is accessed via Wheatfield Terrace.

To the north there is a church hall and back gardens for tenements on Wheatfield Place, to the west are the back gardens of four storey traditional tenements in Smithfield Street. To the east, the site adjoins the tenements of Wheatfield Terrace and their associated back greens.

2.2 Site History

19 March 2012 - Full planning permission was granted for partial demolition of the Scotmid supermarket and erection of 9 residential flats, car parking, access landscaping and associated works. A legal agreement was not concluded for the application (Application reference: 12/00238/FUL).

A number of minor planning and advertisement applications associated with the supermarket have been submitted in recent years. These are not relevant to the current proposals.

Main report

3.1 Description Of The Proposal

The Applicant proposes to submit a full planning application for Demolition of existing (Class 1) retail store and erection of purpose-built student accommodation (Sui Generis) with (Class 1) retail on the ground floor level.

3.2 Key Issues

The key considerations against which the eventual application will be assessed include whether:

a) The principle of the development is acceptable in this location;

The site is located within the Urban Area as identified in the Local Development Plan (LDP). Part of the site is also located within the Gorgie/Dalry Town Centre designation. The site must be assessed against all relevant policies within the LDP including Policy Hou 8 Student Accommodation and Policies Ret 1 Town Centres First Policy and Ret 3 Town Centres. Supplementary planning guidance, such as the Student Housing Guidance (2016) and the Edinburgh Design Guidance (2017), will also need to be considered by the applicant.

b) The design, scale and layout are acceptable within the character of the area; and does the proposal comply with the Edinburgh Design Guidance;

The applicant will be required to comply with all relevant design policies within the LDP as well as supplementary guidance where applicable (e.g. Edinburgh Design Guidance). A design and access statement will be required to support the application as well as a daylight, overshadowing and privacy assessment for both the proposal and neighbouring properties.

The site is in close proximity to the North British Distillery site. The applicant will also be required to submit information to confirm that the proposal complies with Health and Safety Executive maps in areas close to hazardous substance blast zones.

c) Access arrangements are acceptable in terms of road safety and public transport accessibility;

The site is located on Gorgie Road and has access from Wheatfield Terrace to the rear of the site. Requirements set out in the Council's Student Housing Guidance relating to location and LDP transport policies will apply to the proposal. The applicant will be required to provide transport information including a travel plan and to demonstrate how the proposal complies with parking standards including service arrangements and cycle parking provision.

d) There are any other environmental factors that require consideration;

The applicant will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment. In order to support the application, the following documents are likely to be submitted by the applicant:

- Pre-Application Consultation report;
- Planning Statement;
- Design and Access Statement;
- Application form, drawings and visualisations;
- Sustainability Form S1;
- Daylight, privacy and overshadowing analysis;
- Transport information;
- Detailed Landscape Masterplan and associated Planting Schedule;
- Protected species information;
- Flooding, drainage and surface water information;
- Waste management information; and
- Tree Survey.

Other information may be identified by Council or other statutory consultees at the pre-application stage or after an application has been submitted.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The applicant's Proposal of Application Notice (18/00851/PAN) noted that a manned public exhibition will be held at Tynecastle Stadium on 28 March from 12.00 - 19.30 and on 29 March 2018 from 09.00 - 12.30. Display boards will present information on the proposal and questionnaires will be available for members of the public to provide comments. A public notice was placed in the Edinburgh Evening News on 21 March 2018 and the applicant intends to erect flyers in the local area to publicise the public consultation event.

The applicant has confirmed that Gorgie/Dalry Community Council and local councillors received a copy of the Proposal of Application Notice on 23 February 2018.

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

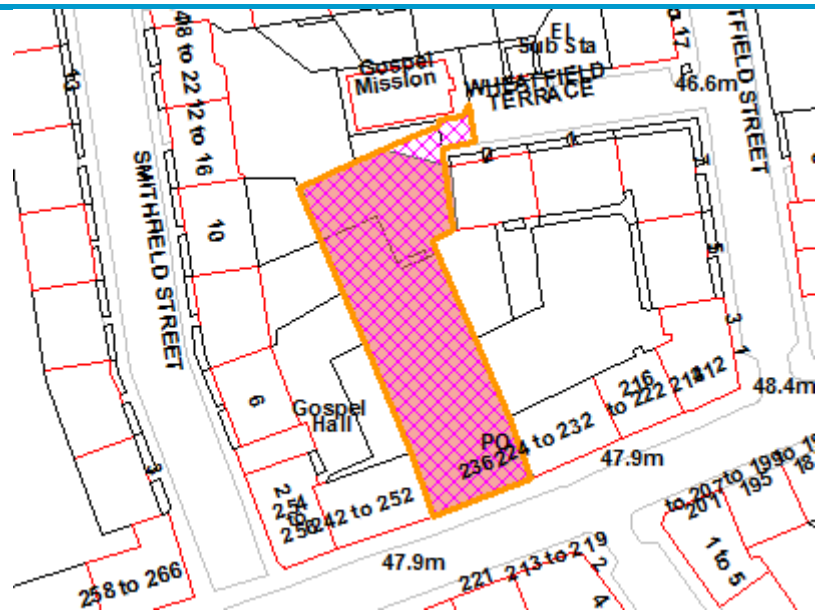
PLACE

The City of Edinburgh Council

Contact: Sean Fallon, Planning Officer

E-mail: sean.fallon@edinburgh.gov.uk Tel: 0131 469 3723

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

**Application for Planning Permission 17/05879/FUL
At 32 - 36 Great King Street, Edinburgh, EH3 6QH
Change of Use + alteration of existing hotel to form 9x
dwellings; works include single storey extensions to rear +
associated external works to form private gardens with
access from adjacent parking area. (as amended)**

Item number	4.8(a)
Report number	
Wards	B11 - City Centre

Summary

The amended proposals comply with the adopted Local Development Plan and non-statutory policies, have no adverse effect on the character or appearance of the conservation area or the character of the listed building and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on residential amenity or road safety. There are no material considerations that outweigh this conclusion.

Links

Policies and guidance for this application	LDPP, LHOU05, LEN01, LEN03, LEN04, LEN06, NSGD02, NSLBCA, CRPNEW,
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Report

Application for Planning Permission 17/05879/FUL At 32 - 36 Great King Street, Edinburgh, EH3 6QH Change of Use + alteration of existing hotel to form 9x dwellings; works include single storey extensions to rear + associated external works to form private gardens with access from adjacent parking area. (as amended)

Recommendations

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

Background

2.1 Site description

The application site is a disused hotel on the north side of Great King Street. The building has a car park to the rear and a small garden area. The wider area is characterised by residential and commercial properties.

A-listed building - Robert Reid and William Sibbald, 1814-23. 3-storey and basement, 59-bay (9-bay central pavilion, flanked by 18-bay blocks, flanked in turn by 7-bay terminal pavilions) classical palace block terrace, with 3-storey, attic and basement central and terminal pavilions; double main door tenements to central and terminal pavilions, single houses in between. Sandstone ashlar principal elevation, with polished V-jointed rustication to principal floor, broached ashlar to upper floors, rock-faced rustication to basement. Continual cornice, returned and terminated at corners; blocking course to central and terminal pavilions, with wallhead panels at centre; cill course to 1st and 2nd floors. Ashlar steps and entrance platts oversailing basement.

The site is within the World Heritage Site.

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

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

Planning permission is sought for the change of use of a hotel to nine flats including the addition of three extensions at garden level with additional garden ground. This will result in 3no four and 3no three bedroom maisonettes being situated at the lower and upper floors and 3no one bedroom flats at the ground floor. The proposal will also involve internal alterations which are subject to a separate application for Listed Building Consent.

Scheme One

The first scheme proposed a private parking area to the rear and extensions which covered the entire rear of the property. The parking was subsequently removed due to a purchasing issue and it was requested that the extensions were not to cover more than 50% of the rear of the properties. It was also requested that the design of the extensions was to be more "bespoke" to complement the listed building.

Scheme Two

The size and design of the extensions was updated. However, the positioning of the extensions at 34 and 36, side by side, was not acceptable. The length of the extensions extending from the rear was also too large. A design of zinc cladding was proposed also. It was requested that the extensions were shortened and that some timber was added to the cladding to find an acceptable design.

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 a change of use is acceptable;
- b) there is any adverse impact on the character and appearance of the conservation area and Edinburgh World Heritage Site;
- c) there is any adverse impact on the character of the listed building or its setting;
- d) the proposal will result in acceptable living conditions for future occupiers;
- e) there is any adverse impact on neighbouring amenity or road safety;
- f) any impacts on equalities or human rights are acceptable; and
- g) comments raised have been addressed.

a) Principle

Policy Hou 5 supports the proposed conversion to residential as a listed building is being restored to its original use. The proposal is compatible with adjacent residential uses.

The proposal is acceptable in principle.

b) Impact on Conservation Area and Edinburgh World Heritage Site

The New Town Conservation Area Character Appraisal states that:

"The overwhelming retention of buildings in their original design form, allied to the standard format of residential buildings, contributes significantly to the character of the area."

The proposed use is therefore in keeping with the character of the New Town Conservation Area and the conversion of the disused hotel to its original residential use is welcomed. External alterations are restricted to the rear elevation at basement level and will not be easily visible from any public view. The rear extensions are to be finished in black zinc cladding with a small area of natural oak timber cladding. The contemporary design of the extensions shall complement the historic environment.

The character and appearance of the Conservation Area and the World Heritage Site will therefore be preserved. The proposal complies with Local Plan Policies Env 1 and Env 6.

c) Impact on Listed Building or its setting

The proposal will not have an adverse impact on the character of the listed building or its setting. The scheme has been amended, reducing the size and design of the rear extensions providing a clear distinction between the original building and the new development. Historic Environment Scotland has no objections to the proposals. There are minor alterations to reinstate the original light wells to the front elevation. Internal alterations have been considered under the associated application for listed building consent.

The proposal complies with Local Plan policies Env 3 and Env 4.

d) Amenity of Future Occupiers

Size

The Edinburgh Design Guidance requires that a minimum of 91 square metres of floor space should be provided for dwellings with 3 bedrooms or more and 52 square metres of floor space for 1 bedroom dwellings. The proposal will exceed the minimum floorspace requirements.

Open Space

The lower ground/garden flats shall have small rear gardens. No amenity space is provided for the other properties. However, in townscape terms this is considered appropriate.

The proposal complies with the Edinburgh Design Guidance and an appropriate level of amenity is created for the future residents.

e) Impact on Amenity and Road Safety

The proposed extensions are at garden level and will not cause any overshadowing or overlooking to neighbouring properties. Elsewhere there are no physical changes that will cause loss of amenity.

Transport have raised no objections to the proposal. The parking area was removed from the proposal and complies with the Council's parking standards. Cycle provision can be accommodated within the units.

f) Equalities and Human Rights

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

g) Public Comments

Material Considerations

- Conversion to three townhouses would be more appropriate: this has been addressed in section 3.3(a).
- Extensions not in keeping with the character of area: this has been addressed in section 3.3(b).
- Various issues relating to proposed parking area: The scheme was amended and no parking is now proposed.
- Loss of amenity: this has been addressed in section 3.3(e).
- Loss of wall: Part of the wall to be removed is not included in the listing of the site and no objections were raised by Historic Environment Scotland.

Non-Material Considerations

- Existence of Japanese Knotweed under the tarmac: this is a private legal matter.
- Potential to be used as short term lets: this is not the subject of this application.

Conclusion

The amended proposals comply with the adopted Local Development Plan and non-statutory policies, have no adverse effect on the character or appearance of the conservation area or the character of the listed building and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on residential amenity or road safety. There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.

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 applicant should be advised that as the development is located in Zones 1 to 8, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category B - Newly sub-divided or converted);
5. The applicant is required to provide a minimum of 24 cycle spaces based on the Council's 2017 parking standards in Zone 1.

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

The application was advertised 19 January 2018. Following this 53 letters of representation were received. 52 objecting to the proposal and one making neutral comments.

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, World Heritage Site and New Town Conservation Area.

Date registered

19 December 2017

Drawing numbers/Scheme

01B-03B, 04, 05A, 06-08, 09A-13A, 14-16, 17B, 18B, 19, 20A,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Murray Couston, Planning Officer

E-mail:murray.couston@edinburgh.gov.uk Tel:0131 529 3594

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Hou 5 (Conversion to Housing) sets out the criteria for change of use of existing buildings to housing.

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 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.

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

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

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

Appendix 1

Application for Planning Permission 17/05879/FUL At 32 - 36 Great King Street, Edinburgh, EH3 6QH Change of Use + alteration of existing hotel to form 9x dwellings; works include single storey extensions to rear + associated external works to form private gardens with access from adjacent parking area. (as amended)

Consultations

Historic Environment Scotland

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 listed building/conservation area consent, together with related policy guidance.

Transport

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

1. The applicant should be advised that as the development is located in Zones 1 to 8, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category B - Newly sub-divided or converted);
2. The applicant is required to provide a minimum of 24 cycle spaces based on the Council's 2017 parking standards in Zone 1.

Note:

The applicant proposes no parking provision and complies with the Council's 2017 parking standards for Zone 1 which allows for a maximum of 9 parking spaces.

Environmental Health

The applicant proposes the conversion of several Georgian townhouses, which had previously made-up a hotel into 9 residential dwellings. There are a mixture of offices and residential properties at either side and to the rear of the proposed application.

Environmental Protection has no objections to this proposed development.

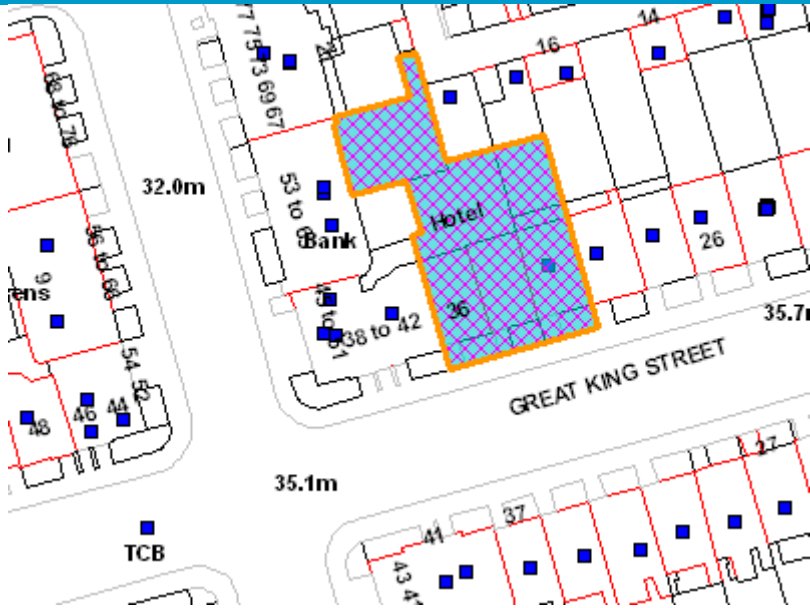
It is highlighted in Edinburgh's Local Transport Strategy 2014-2019 that the Council seeks to support increased use of low emission vehicles and support the extension of the network of Electric Vehicle (EV) charging points. Whilst this proposal falls short of the specified number of parking spaces outlined in the current Edinburgh Design Guidance to insist upon electric vehicle charging points, we would encourage the developer to consider the potential for EV charging.

Communities and Families

The Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that no contribution towards education infrastructure is required from developments that are not expected to generate at least one additional primary school pupil.

Using the pupil generation rates set out in the Supplementary Guidance, the development of 9 flats is not expected to generate at least one additional pupil. A contribution towards education infrastructure is therefore not required.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

**Application for Listed Building Consent 17/05880/LBC
At 32 - 36 Great King Street, Edinburgh, EH3 6QH
Change of Use + alteration of existing hotel to form 9x
dwellings; works include single storey extensions to rear +
associated external works to form private gardens with
access from adjacent parking area. (as amended)**

Item number	4.8(b)
Report number	
Wards	B11 - City Centre

Summary

The amended proposals comply with the adopted Local Development Plan and non-statutory policies, have no adverse effect on the character or appearance of the conservation area or the character of the listed building and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on residential amenity or road safety. There are no material considerations that outweigh this conclusion.

Links

Policies and guidance for this application	LDPP, LEN01, LEN03, LEN04, LEN06, NSLBCA, NSGD02, CRPNEW,
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Report

Application for Listed Building Consent 17/05880/LBC At 32 - 36 Great King Street, Edinburgh, EH3 6QH Change of Use + alteration of existing hotel to form 9x dwellings; works include single storey extensions to rear + associated external works to form private gardens with access from adjacent parking area. (as amended)

Recommendations

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

Background

2.1 Site description

The application site is a disused hotel on the north side of Great King Street. The building has a car park to the rear and a small garden area. The wider area is characterised by residential and commercial properties.

A-listed building - Robert Reid and William Sibbald, 1814-23. 3-storey and basement, 59-bay (9-bay central pavilion, flanked by 18-bay blocks, flanked in turn by 7-bay terminal pavilions) classical palace block terrace, with 3-storey, attic and basement central and terminal pavilions; double main door tenements to central and terminal pavilions, single houses in between. Sandstone ashlar principal elevation, with polished V-jointed rustication to principal floor, broached ashlar to upper floors, rock-faced rustication to basement. Continual cornice, returned and terminated at corners; blocking course to central and terminal pavilions, with wallhead panels at centre; cill course to 1st and 2nd floors. Ashlar steps and entrance platts oversailing basement.

The site is within the World Heritage Site.

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

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

Listed building consent is sought for internal alterations to subdivide a disused hotel to nine residential flats. This will include the addition of three extensions to the three flats at garden level. The proposal will also involve the reinstatement of original lightwells to the front of the property. The internal alterations are primarily focused on the removal of bathrooms and facilities associated with the hotel use.

Scheme One

The first scheme proposed a private parking area to the rear and extensions which covered the entire rear of the property. The parking was subsequently removed due to a purchasing issue and it was requested that the extensions were not to cover more than 50% of the rear of the properties. It was also requested that the design of the extensions was to be more "bespoke" to complement the listed building.

Scheme Two

The size and design of the extensions was updated. However, the positioning of the extensions at 34 and 36, side by side, was not acceptable. The length of the extensions extending from the rear was also too large. A design of zinc cladding was proposed also. It was requested that the extensions were shortened and that some timber was added to the cladding to find an acceptable design.

3.2 Determining Issues

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

3.3 Assessment

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

- a) there is any adverse impact on the character and appearance of the conservation area and Edinburgh World Heritage Site;
- b) there is any adverse impact on the character of the listed building or its setting;
- c) any impacts on equalities or human rights are acceptable; and
- d) comments raised have been addressed.

a) Impact on Conservation Area and Edinburgh World Heritage Site

The New Town Conservation Area Character Appraisal states that:

"The overwhelming retention of buildings in their original design form, allied to the standard format of residential buildings, contributes significantly to the character of the area."

The proposed use is therefore in keeping with the character of the New Town Conservation Area and the conversion of the disused hotel to its original residential use is welcomed. External alterations are restricted to the rear elevation at basement level and will not be easily visible from any public view. The rear extensions are to be finished in black zinc cladding with a small area of natural oak timber cladding. The contemporary design of the extensions shall complement the historic environment.

The character and appearance of the Conservation Area and the World Heritage Site will therefore be preserved. The proposal complies with Local Plan Policies Env 1 and Env 6.

b) Impact on Listed Building or its setting

The proposal will not have an adverse impact on the character of the listed building or its setting. The scheme has been amended, reducing the size and design of the rear extensions providing a clear distinction between the original building and the new development. Historic Environment Scotland has no objections to the proposals. There are minor alterations to reinstate the original light wells to the front elevation. Internal alterations have been considered under the associated application for listed building consent.

The proposal complies with Local Plan policies Env 3 and Env 4.

c) Equalities and Human Rights

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

d) Public Comments

Material Considerations

- Impact on architectural integrity: this has been addressed in section 3.3(b).
- Extensions not in keeping with the character of area: this has been addressed in section 3.3(a) and (b).
- Redevelopment into flats instead of three townhouses: The principle of the development is acceptable at this location.
- Loss of wall: Part of the wall to be removed is not included in the listing of the site and no objections were raised by Historic Environment Scotland.
- Various issues relating to proposed parking area: The scheme was amended and no parking is now proposed.

Non-Material Considerations

- Existence of Japanese Knotweed under the tarmac: this is a private legal matter.
- Potential to be used as short term lets: this is not the subject of this application.

Conclusion

The amended proposals comply with the adopted Local Development Plan and non-statutory policies, have no adverse effect on the character or appearance of the conservation area or the character of the listed building and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on residential amenity or road safety. There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. The works 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 19 January 2018. Following this, 28 letters of representation objecting to the 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 site is within the Urban Area, World Heritage Site and New Town Conservation Area.

Date registered

19 December 2017

Drawing numbers/Scheme

01B-03B, 04, 05A, 06-08, 09A-13A, 14-16, 17B, 18B, 19, 20A,,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Murray Couston, Planning Officer

E-mail:murray.couston@edinburgh.gov.uk Tel:0131 529 3594

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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 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.

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

Non-Statutory guidelines 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.

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

Appendix 1

**Application for Listed Building Consent 17/05880/LBC
At 32 - 36 Great King Street, Edinburgh, EH3 6QH
Change of Use + alteration of existing hotel to form 9x
dwellings; works include single storey extensions to rear +
associated external works to form private gardens with
access from adjacent parking area. (as amended)**

Consultations

Historic Environment Scotland

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 listed building/conservation area consent, together with related policy guidance.

Location Plan



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Development Management Sub Committee

Wednesday 25 April 2018

**Application for Planning Permission 17/04434/FUL
At 540A Lanark Road, Edinburgh, EH14 5EL
Extension of Existing Class 2 Use Premises to form new
Class 3 Hot Food Takeaway (Sui Generis). (Change of Use
from Bank Class 2 to Class 1 is permitted development).**

Item number	4.9
Report number	
Wards	B02 - Pentland Hills

Summary

The application complies with the development plan and the relevant non statutory guidelines. The proposal is an acceptable form and scale of development within the local centre and accords with Edinburgh City Local Plan Policy Ret 5. The scale and design of the proposed development would not result in an adverse impact on the character and appearance of the conservation area or result in a harmful loss to neighbouring amenity. The proposed development would not result in adverse traffic impacts. There are no material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	LDPP, LDES05, LDES12, LEN06, LRET05, LRET11, LTRA02, LTRA03,
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Report

Application for Planning Permission 17/04434/FUL At 540A Lanark Road, Edinburgh, EH14 5EL Extension of Existing Class 2 Use Premises to form new Class 3 Hot Food Takeaway (Sui Generis). (Change of Use from Bank Class 2 to Class 1 is permitted development).

Recommendations

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

Background

2.1 Site description

The application site lies on the north side of Lanark Road at the corner with Baberton Avenue. The existing single storey building was previously in use as a bank and is now currently vacant. Access to the site is from Lanark Road and Baberton Avenue with one disabled parking space provided within the site. The area is a mixture of residential and commercial uses and the site lies adjacent to a pub with residential properties located directly behind the site.

This application site is located within the Juniper Green Conservation Area.

2.2 Site History

27 June 2014 - Advertisement consent granted for the installation of internally illuminated fascia signs to front and side, install new ATM panels, window vinyls, welcome signage panel and internally illuminated projecting sign on existing flagpole (application number 14/01923/ADV).

6 June 2017 - Planning permission granted for the removal of the existing brand signage, ATM + night safe, infill apertures with stainless steel blanking plate (application number 17/01583/FUL).

Main report

3.1 Description Of The Proposal

The application is for a change of use from class 2 to class 1 (Retail) within the existing unit. A single storey extension is proposed to the side of the existing building to form a separate new hot food takeaway unit.

The extension measures 7.5 metres wide by 15.4 metres in length with a pitched roof measuring 3.8 to the eaves and 6.3 metres overall.

Materials proposed are facing brick, trespa panels and aluminium glazed screens.

Scheme 1

The building is no longer flat roofed.

Supporting Information

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

Noise Impact Assessment.

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 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 proposals would have a detrimental impact upon the adjacent local retail centre;
- b) the proposal is of an appropriate scale, form and design and does not detract from the character and appearance of the conservation area;
- c) the proposal will not result in an unreasonable loss of neighbouring amenity;
- d) the proposal is acceptable in terms of road safety;
- e) any impacts on equalities or human rights are acceptable; and
- f) comments raised have been addressed.

a) Local Centre

The change of use from class 2 (financial, professional and other services) to retail class 1 within the existing building is permitted development under Class 10 of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) and is not being assessed as part of this application.

The proposed site lies within the Juniper Green Local Centre. Edinburgh Local Development Plan (LDP) Policy Ret 5 applies and sets out four requirements for acceptability:

- i) that the proposal can be satisfactorily integrated into the centre.
- ii) is compatible, in terms of scale and type, with the character and function of the centre.
- iii) makes a positive contribution to the shopping environment and appearance of the centre.
- iv) would not have a significant adverse impact on the city centre or any town centre.

The local centre has a wide range of shopping and other uses ranging from pharmacy, barbers, bike repair shop, pub, Italian restaurant, fish and chip shop and a chinese takeaway. The role of local centres is to provide a basic level of shopping services within walking distances of all homes.

The new unit will provide 98 sqm of floor space and within the context of the centre as a whole, the proposal is considered compatible in terms of scale and type.

The proposal improves the overall appearance of the building within the context of the existing local centre. The scale, form and design of the extension are considered further in section 3.3 b).

The scale and form of this proposal will not impact on the city centre retail core or any town centre.

In addition, Policy Ret 11 and the Non Statutory Business Guidance supports hot food takeaways in existing shopping centres as long as the property is not within an area of restriction, there is not an excessive concentration of uses and there will be no adverse impact on residential amenity. The property is not within an area of restriction, it will result in an additional hot food use within the local centre but this is not considered to be excessive, and the impact on residential amenity is considered further in section 3.3 c).

In conclusion, the hot food takeaway is an appropriate use in principle and would complement the function of the local retail centre. The proposal complies with LDP Policy Ret 5, Ret 11 and the non-statutory guidance.

b) Scale, Form and Design and Impact on the Conservation Area

The Juniper Green Conservation Area Character Appraisal states that, *A wide and interesting mix of architectural styles and form ranging from original farm buildings with vernacular construction, to Georgian, Victorian Edwardian and modern developments.*

LDP Policy Env 6 requires development to preserve or enhance the special character and appearance of the conservation area and to contribute positively to the character of the area. The proposed extension has been designed so that it will not detract from the character of the immediate area or the appearance of the original modern building and is of an acceptable scale and design. The materials will match the existing building and provide visual continuity.

The proposal will not have an adverse impact on the character and appearance of the conservation area and complies with LDP Policy Env 6 and Des 12.

c) Amenity

The extension will not result in overshadowing to the neighbouring residential properties and no privacy issues arise from the proposal.

The property is located adjacent to other commercial uses and residential properties. The applicant has submitted a Noise Impact Assessment (NIA) to assess the noise from the kitchen ventilation extraction system.

Environmental Protection raised no objections to the application subject to conditions on hours of operation and deliveries.

The proposed conditions need to meet the six tests for conditions as outlined within the Scottish Governments Circular 4/1998, 'Use of Conditions in Planning Permissions'. The requirement for a condition to control the ventilation within the kitchen is unnecessary as any ventilation system could be removed without the benefit of planning permission. Whilst the conditions relating to odours are deemed unnecessary it is considered that if there are any ongoing issues relating to this it would be covered under the Environmental Protection Act and would be pursued by Environmental Services. The conditions covering sound insulation, noise from plant and machinery and deliveries are deemed sufficient to protect amenity.

The control of deliveries and collections, including waste, are out with the control of the applicant and it is therefore unreasonable and unenforceable to add conditions relating to these matters. It should be noted that the application site is located on a main thoroughfare which is characterised by commercial uses at ground floor with residential above. The need to restrict delivery hours in this instance is unnecessary as the other business premises are not subject to these conditions.

The site is not located within an area of restriction as set out in the Non Statutory Business Guidance therefore a condition on hours of operation is not appropriate as there are other late night uses within the Local Centre.

The proposal complies with LDP Policy Ret 11.

d) Road Safety

The Roads Authority has raised no objections to the application. The former use (class 2) provided one formal disabled space and approximately four additional informal spaces on the site. Current Council parking standards (October 2017) permit up to 1 space per 14 square metres for Class 3 (hot food takeaway). The total proposed floor area is estimated at 300 square metres, including the additional 98 square metres extension and this would permit up to 21 spaces. Given the size of the site, scale of the development and its location this number of parking spaces cannot be accommodated and therefore the provision of one disabled space and cycle parking within the site is acceptable.

e) Equalities and Human Rights

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

f) Public comments

The material objections raised were:

- too many food outlets - addressed in section 3.3 a).
- not in keeping with the character and appearance of the conservation area - addressed in section 3.3 b).
- cooking odours - this is addressed in section 3.3 c).
- traffic and parking - this is assessed in section 3.3 d).

Community Council

Juniper Green and Baberton Mains Community Council objected to the application. It raised concerns regarding the overprovision of food outlets, parking, traffic and inappropriate design in the conservation area.

Conclusion

The proposal is an acceptable form and scale of development within the local centre and accords with Local Plan Policy Ret 5. The scale and design of the proposed development would not result in an adverse impact on the character and appearance of the conservation area or result in a harmful loss of amenity to neighbouring properties. The proposed development would not result in adverse traffic impacts. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

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:

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 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 20 October 2017 and attracted a total of nine letters of representation. Neighbours and objectors were re-notified of the amended scheme on the 14 February and a further ten letters were 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 - Local Centre.

Date registered

27 September 2017

Drawing numbers/Scheme

01-04,05A,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

LDP Policy Ret 5 (Local Centres) sets criteria for assessing proposals in or on the edge of local centres.

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

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.

Appendix 1

Application for Planning Permission 17/04434/FUL At 540A Lanark Road, Edinburgh, EH14 5EL Extension of Existing Class 2 Use Premises to form new Class 3 Hot Food Takeaway (Sui Generis). (Change of Use from Bank Class 2 to Class 1 is permitted development).

Consultations

Roads Authority

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

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

Note:

Current Council parking standards (October 2017) permit up to 1 space per 14m² for Class 3 (hot food takeaway). The total proposed space is estimated at 300m², including the proposed additional 99m², permitting up to 21 spaces. The existing estimated 200m² Class 2 (former bank) would permit up to 4 spaces and currently provides 1 formal space with approximately 4 additional informal spaces on site. Given the nature and scale of the development, its location and the provision of cycle parking, the proposed 1 disabled space is considered acceptable.

Environmental Protection

Planning application 17/04434/FUL is for the extension of an existing Class 2 premises, to form a new class 3 hot food takeaway. The proposed change of use of the existing part of the building from Class 2 to Class 1 is permitted development.

The development site is an existing detached single storey, flat roofed property which was previously used as a Bank. The building is positioned on the corner of Lanark Road and Baberton Avenue in the village of Juniper Green. Juniper Green is a relatively quiet suburban village on the outskirts of Edinburgh. Lanark Road is a main thoroughfare and traffic can be very busy at peak times. Therefore, the predominant background noise in the area during the daytime will be traffic noise.

Immediately to the south west of the site on the same side of Lanark Road, is a Public House over two and ½ storeys, this adjoins to an IT repair shop with what appears to be a residential flat located above. Further south west are a hairdressers and bookmakers with residential accommodation on the two floors above.

Immediately to the north and north east, behind the development site are two semi-detached one and a half storey residential properties at Baberton Park. To the east, on the other side of Baberton Park is a hairdresser with what appears to be residential accommodation on the floor above. Heading further north east along Baberton Park is a two storey residential building adjoining a 2 and a half storey residential accommodation.

On the opposite side of Lanark Road to no. 540a, to the south is a restaurant and chip shop. Further east, directly opposite the site is a one and a half storey residential property. This is adjacent to a vacant single storey building formerly used as a public toilet. Further east is a single storey bike repair shop.

The main concerns regarding this application relate to noise from associated activities as well as odour from cooking affecting neighbouring residential accommodation. Following discussions, the agent amended the plans in order that the kitchen extract fan duct would clear the ridge height of the two and a half storey residential property in Baberton Avenue, which was within a 30m radius of the extract duct.

With regard to noise, the agent submitted a Noise Impact Assessment (NIA) to assess the noise from the kitchen ventilation extraction system. The NIA concluded that a silencer was required to ensure compliance with our noise standard. Therefore, the same specification of fan and silencer have been recommended as conditions.

The proposal is that the premises will only operate until 23.00 hours at night. However, it is possible that a future business could decide to trade later or operate a delivery only service after this time. Take-aways can generate significant late-night street noise with delivery vehicles arriving and leaving as well as noise from customers etc. It is not possible to mitigate against this type of street noise. After 23.00 hours, Juniper Green is very quiet with little traffic to mask this noise. Therefore, it is considered appropriate to recommend a condition to protect nearby residents from late night noise.

Similarly, early morning / late night deliveries or waste collections can also cause noise disturbance to residents that is difficult to mitigate against, therefore a condition is recommended.

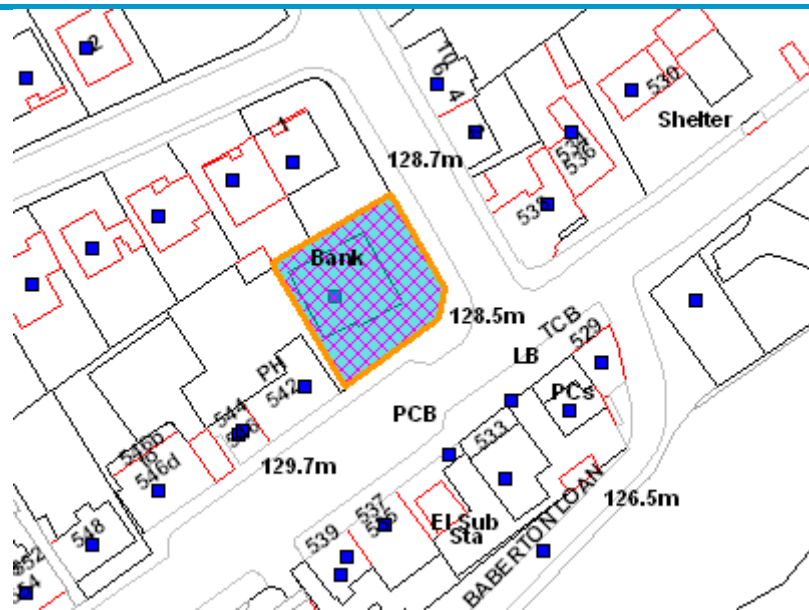
Therefore, I have no objections to this planning application, subject to the following conditions:

Conditions

- 1. Prior to the Class 3 use being taken up, the kitchen ventilation extract system, capable of 30 air changes per hour, shall be installed as show on drawing no. 5660(2)GA010 rev. c.*
- 2. The ventilation system shall be installed, tested and operational, prior to the use hereby approved being taken up.*

3. Prior to the Class 3 use being taken up, the ventilation extract fan installed, shall produce no more noise at any octave band frequency than the model proposed and used in the Noise Impact Assessment, R-8045-ST1-MI, 7th February 2018; (Vent Axia, Black Sabre Slim: BSC500/4).
4. Prior to the Class 3 use being taken up, a silencer of the same specification as that detailed in the Noise Impact Assessment, R-8045-ST1-MI, 7th February 2018; (Silencer - VentDirect CP03-C*P-0500-2D) shall be installed.
5. The hours of operation of the premises shall be restricted to between the hours of 07.00 hours and 23.00 hours, in order to protect the amenity of nearby residents.
6. Deliveries and collections, including waste collections, to be restricted to between the hours of 07.00 hours and 21.00 hours; Monday to Saturday and between 08.00 hours and 21.00 hours on Sundays.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

Application for Advert Consent 17/05303/ADV At Bus Shelters, Leith Street, Edinburgh Double sided advertisement panel forming part of a new bus shelter

Item number	4.10
Report number	
Wards	B11 - City Centre

Summary

Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) states that advertisement control shall be exercisable only in the interests of amenity and public safety.

The proposal would not adversely affect the amenity of the location or raise issues in respect of public safety. The proposals accord with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

Links

Policies and guidance for this application	NSG, NSADSP, NSGD02, NSGSTR, CRPNEW, CRPWHS,
--	--

Report

Application for Advert Consent 17/05303/ADV At Bus Shelters, Leith Street, Edinburgh Double sided advertisement panel forming part of a new bus shelter

Recommendations

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

Background

2.1 Site description

The application site relates to a new bus shelter located on the west side of Leith Street.

Leith Street is a busy principal thoroughfare to and from Princes Street and contains a mix of uses including retail, office and leisure.

The application site lies within the Edinburgh World Heritage Site.

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

2.2 Site History

Three other applications for advertisement consent are pending decision for digital advertisements along Leith Street (application numbers 17/05443/ADV, 17/05444/ADV, 17/05445/ADV).

Main report

3.1 Description Of The Proposal

The advertising panel will be double sided and situated on the trailing end of a bus shelter, facing north and south along Leith Street. Both sides of the panel will contain a digital LED display with moving images.

The panel will be designed to fit the shelter but will not be reliant upon it for support. The panel structure will measure approximately 2.1 metres high, 1.33 metres wide and 0.25 metres deep. The display screen areas will be approximately 1.9 square metres and the panel will be constructed from aluminium with a matt grey finish.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JCDecaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

3.2 Determining Issues

Do the proposals affect the amenity of the locality? In the determination of the suitability of the site for the display of advertisements, the Planning Authority shall have regard to the general characteristics of the locality including the presence of any feature of historical, architectural, cultural or similar interest. The authority may disregard any advertisements displayed in the locality.

Do the proposals affect public safety? The Planning Authority shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

3.3 Assessment

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

- a) the proposal has an acceptable impact on amenity;
- b) the proposal would compromise public safety;
- c) the proposal would have any equalities or human rights impacts; and
- d) public comments have been addressed.

a) Amenity

Principle

The Council's Guidance on Advertisements, Sponsorship and City Dressing states that advertisements are, by their nature, designed to create a high impact in visual terms, which may be inappropriate in sensitive environments. Careful control is therefore required to ensure that advertising is not detrimental to the amenity of these locations.

The Guidance states that advertising on bus shelters will not be allowed in visually sensitive locations including certain parts of the World Heritage Site where the streets are of primary historic importance (e.g. George Street or Royal Mile) or where advertising would disturb important views or the setting of individual listed buildings. This restriction relates to any form of advertising within bus shelters including digital, illuminated and non-illuminated static and scrolling advertisements. Where acceptable within less sensitive areas of the World Heritage Site, digital advertising will normally only be acceptable as an integral part of a bus shelter subject to normal amenity and public safety assessments.

The proposal seeks to impose digital advertising as part of a bus shelter along Leith Street.

Impact on Conservation Area and World Heritage Site

Relevant extracts from the New Town Conservation Area Character Appraisal are set out as follows:

The use of grid layout forms throughout the area provides a formal hierarchy of streets with controlled vistas and planned views.

Within the grid layouts, terminated vistas have been planned, using churches, monuments, buildings and civic statuary, resulting in a plethora of landmark buildings.

Terminated vistas within the grid layouts and the long distance views across and out of the conservation area are an important feature.

The designed relationship of stone buildings, pavements and setted roads gives a disciplined unity and cohesion to the conservation area.

The streets of the New Town form a key component of the geometric hierarchy of the area. The public realm should be of the highest quality in terms of the materials used.

Street furniture and road markings can detract substantially from the public realm.

Strong efforts should be made to reduce the clutter that currently exists.

The Outstanding Universal Value of the Edinburgh World Heritage Site is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides a clarity of urban structure unrivalled in Europe.

The Council's Street Design Guidance identifies that Edinburgh has a considerable number of areas that are specially protected. Edinburgh's network of streets pass through many of these protected areas which means that the choice of layout, the materials used and street furniture / features; such as street lighting; have to take into account the character and potential impact of any changes being made.

The double sided digital advertising panel will be set perpendicular to the street within the bus shelter, as will the other three bus shelter panels subject of the associated applications. The digital advert will be positioned on the south side of the shelter adjacent to John Lewis. The area is undergoing significant change and the introduction of illuminated advertising will be set against the backdrop of a modern development which will not detract from the area's urban character. The positioning of the advert ensures it will not detract from views to the Cathedral and surrounding spaces. The panel will form an integral part of the shelter design, with the structure providing a level of visual containment to the displays.

The proposal will not have a detrimental impact on the defining characteristics and appearance of this part of the New Town Conservation Area and World Heritage Site. The proposal complies with the Council's guidance on Listed Buildings and Conservation Areas.

b) Public Safety

The Roads Authority raises no objection to the proposal.

The Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting.

The proposal is acceptable on public safety grounds.

c) Equalities and Human Rights

This application has no impacts on equalities and human rights.

d) Public Comments

Ten letters of representation were received. The following issues were raised:

Material Considerations

- The proposal would detract from the nearby sculpture - this has been addressed in section 3.3 a) of the assessment.
- The proposal would be visually intrusive - this has been addressed in section 3.3 a) of the assessment.
- The proposal would result in light pollution - this has been addressed in section 3.3 b) of the assessment.

Non-Material Considerations

- Application should be withdrawn until St James' redevelopment is complete - not relevant to the planning process.

Conclusion

Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) states that advertisement control shall be exercisable only in the interests of amenity and public safety.

The proposal would not adversely affect the amenity of the location or raise issues in respect of public safety. The proposals accord with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Consent is granted for a period of five years from the date of consent.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finances and Resources Committee on 5 June 2014.

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

Ten Letters of representation have been received from members of the public.

Background reading/external references

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

**Statutory Development
Plan Provision**

The site is located within the New Town Conservation Area and the Edinburgh World Heritage site. The site is also part of the Central Area.

Date registered

15 November 2017

Drawing numbers/Scheme

01-05,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'ADVERTISEMENTS, SPONSORSHIP AND CITY DRESSING' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

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

Non-statutory guidelines - EDINBURGH STREET DESIGN GUIDANCE - Edinburgh Street Design Guidance supports proposals that create better places through the delivery of vibrant, safe, attractive, effective and enjoyable streets in Edinburgh. It sets out the Council's expectations for the design of streets and public realm.

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

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

Appendix 1

Application for Advert Consent 17/05303/ADV At Bus Shelters, Leith Street, Edinburgh Double sided advertisement panel forming part of a new bus shelter

Consultations

Roads Authority

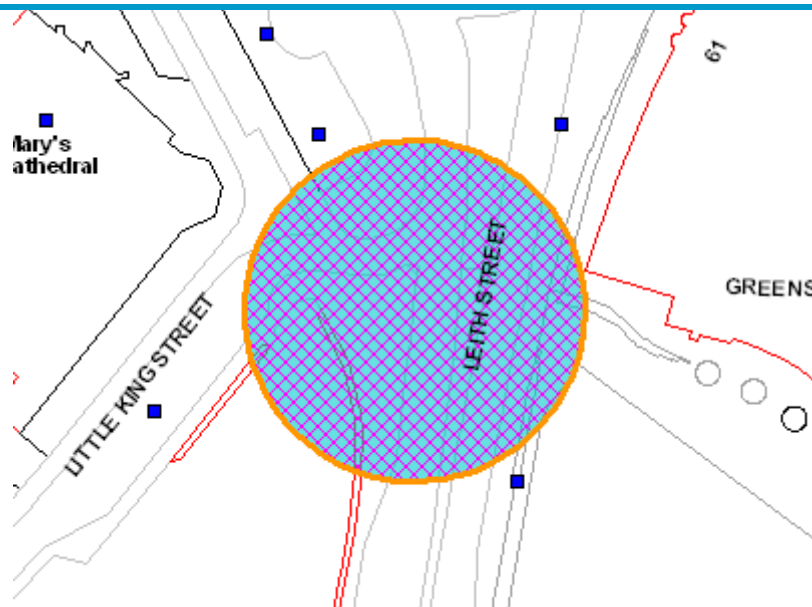
No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.*

Note:

Approval of the advertisement panel does not constitute approval of the location of the bus shelter which should be understood to have been agreed by others.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

Application for Advert Consent 17/05443/ADV At Bus Shelters, Leith Street, Edinburgh Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen.

Item number	4.11
Report number	
Wards	B11 - City Centre

Summary

Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) states that advertisement control shall be exercisable only in the interests of amenity and public safety.

The proposal would not adversely affect the amenity of the location or raise issues in respect of public safety. The proposals accord with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

Links

Policies and guidance for this application	NSG, NSADSP, NSGD02, NSGSTR, CRPNEW, CRPWHS,
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Report

Application for Advert Consent 17/05443/ADV At Bus Shelters, Leith Street, Edinburgh Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen.

Recommendations

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

Background

2.1 Site description

The application site relates to a new bus shelter located on the east side of Leith Street. The site is directly opposite Calton Square.

Leith Street is a busy principal thoroughfare to and from Princes Street and contains a mix of uses including retail, office and leisure. The area is currently undergoing redevelopment.

The application site lies within the Edinburgh World Heritage Site.

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

2.2 Site History

Three other applications for advertisement consent are pending decision for digital advertisements along Leith Street (application numbers 17/05444/ADV, 17/05445/ADV, 17/05303/ADV).

Main report

3.1 Description Of The Proposal

The advertising panel will be double sided and situated on the trailing end of a bus shelter, facing north and south along Leith Street. Both sides of the panel will contain a digital LED display with moving images.

The panel will be designed to fit the shelter but will not be reliant upon it for support. The panel structure will measure approximately 2.1 metres high, 1.33 metres wide and 0.25 metres deep. The display screen areas will be approximately 1.9 square metres and the panel will be constructed from aluminium with a matt grey finish.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JCDecaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

3.2 Determining Issues

Do the proposals affect the amenity of the locality? In the determination of the suitability of the site for the display of advertisements, the Planning Authority shall have regard to the general characteristics of the locality including the presence of any feature of historical, architectural, cultural or similar interest. The authority may disregard any advertisements displayed in the locality.

Do the proposals affect public safety? The Planning Authority shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

3.3 Assessment

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

- a) the proposal has an acceptable impact on amenity;
- b) the proposal would compromise public safety;
- c) the proposal would have any equalities or human rights impacts; and
- d) public comments have been addressed.

a) Amenity

Principle

The Council's Guidance on Advertisements, Sponsorship and City Dressing states that advertisements are, by their nature, designed to create a high impact in visual terms, which may be inappropriate in sensitive environments. Careful control is therefore required to ensure that advertising is not detrimental to the amenity of these locations.

The Guidance states that advertising on bus shelters will not be allowed in visually sensitive locations including certain parts of the World Heritage Site where the streets are of primary historic importance (e.g. George Street or Royal Mile) or where advertising would disturb important views or the setting of individual listed buildings. This restriction relates to any form of advertising within bus shelters including digital, illuminated and non-illuminated static and scrolling advertisements. Where acceptable within less sensitive areas of the World Heritage Site, digital advertising will normally only be acceptable as an integral part of a bus shelter subject to normal amenity and public safety assessments.

The proposal seeks to impose digital advertising as part of a bus shelter along Leith Street.

Impact on Conservation Area and World Heritage Site

Relevant extracts from the New Town Conservation Area Character Appraisal are set out as follows:

The use of grid layout forms throughout the area provides a formal hierarchy of streets with controlled vistas and planned views.

Within the grid layouts, terminated vistas have been planned, using churches, monuments, buildings and civic statuary, resulting in a plethora of landmark buildings.

Terminated vistas within the grid layouts and the long distance views across and out of the conservation area are an important feature.

The designed relationship of stone buildings, pavements and setted roads gives a disciplined unity and cohesion to the conservation area.

The streets of the New Town form a key component of the geometric hierarchy of the area. The public realm should be of the highest quality in terms of the materials used.

Street furniture and road markings can detract substantially from the public realm.

Strong efforts should be made to reduce the clutter that currently exists.

The Outstanding Universal Value of the Edinburgh World Heritage Site is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides a clarity of urban structure unrivalled in Europe.

The Council's Street Design Guidance identifies that Edinburgh has a considerable number of areas that are specially protected. Edinburgh's network of streets pass through many of these protected areas which means that the choice of layout, the materials used and street furniture / features; such as street lighting; have to take into account the character and potential impact of any changes being made.

The double sided digital advertising panel will be set perpendicular to the street within the bus shelter, as will the other three bus shelter panels subject of the associated applications. The digital advert will be positioned on the south side of the shelter adjacent to steps leading to the Omni Centre. The area is undergoing significant change and the introduction of illuminated advertising will be set against the backdrop of a modern development which will not detract from the area's urban character. The panel will form an integral part of the shelter design, with the structure providing a level of visual containment to the displays.

b) Public Safety

The Roads Authority raises no objection to the proposal.

The proposal is acceptable on public safety grounds.

c) Equalities and Human Rights

This application has no impacts on equalities and human rights.

d) Public Comments

No letters of representation were received.

Conclusion

Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) states that advertisement control shall be exercisable only in the interests of amenity and public safety.

The proposal would not adversely affect the amenity of the location or raise issues in respect of public safety. The proposals accord with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Consent is granted for a period of five years from the date of consent.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finances and Resources Committee on 5 June 2014.

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

No letters of representation were 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

The site is located within the New Town Conservation Area and the Edinburgh World Heritage site. The site is also part of the Central Area.

Date registered

22 November 2017

Drawing numbers/Scheme

01-10,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'ADVERTISEMENTS, SPONSORSHIP AND CITY DRESSING' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

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

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

Appendix 1

Application for Advert Consent 17/05443/ADV At Bus Shelters, Leith Street, Edinburgh Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen.

Consultations

Roads Authority

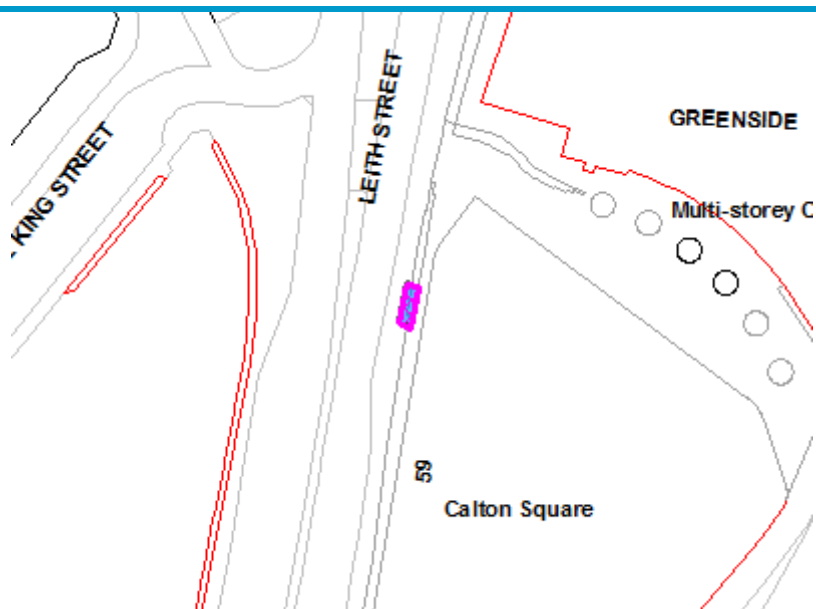
No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.*

Note:

Approval of the advertisement panel does not constitute approval of the location of the bus shelter which should be understood to have been agreed by others.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

Application for Advert Consent 17/05444/ADV At Bus Shelters, Leith Street, Edinburgh Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen

Item number	4.12
Report number	
Wards	B11 - City Centre

Summary

Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) states that advertisement control shall be exercisable only in the interests of amenity and public safety.

The proposal would not adversely affect the amenity of the location or raise issues in respect of public safety. The proposals accord with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

Links

Policies and guidance for this application	NSG, NSADSP, NSGD02, NSG, NSGSTR, NSLBCA, CRPNEW, CRPWHS,
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Report

Application for Advert Consent 17/05444/ADV At Bus Shelters, Leith Street, Edinburgh Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen

Recommendations

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

Background

2.1 Site description

The application site relates to a new bus shelter located on the east side of Leith Street. The site is directly opposite Calton Square.

Leith Street is a busy principal thoroughfare to and from Princes Street and contains a mix of uses including retail, office and leisure.

The application site lies within the Edinburgh World Heritage Site.

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

2.2 Site History

Three other applications for advertisement consent are pending decision for digital advertisements along Leith Street (application numbers 17/05443/ADV, 17/05445/ADV, 17/05303/ADV).

Main report

3.1 Description Of The Proposal

The advertising panel will be double sided and situated on the trailing end of a bus shelter, facing north and south along Leith Street. Both sides of the panel will contain a digital LED display with moving images.

The panel will be designed to fit the shelter but will not be reliant upon it for support. The panel structure will measure approximately 2.1 metres high, 1.33 metres wide and 0.25 metres deep. The display screen areas will be approximately 1.9 square metres and the panel will be constructed from aluminium with a matt grey finish.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JCDecaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

3.2 Determining Issues

Do the proposals affect the amenity of the locality? In the determination of the suitability of the site for the display of advertisements, the Planning Authority shall have regard to the general characteristics of the locality including the presence of any feature of historical, architectural, cultural or similar interest. The authority may disregard any advertisements displayed in the locality.

Do the proposals affect public safety? The Planning Authority shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

3.3 Assessment

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

- a) the proposal has an acceptable impact on amenity;
- b) the proposal would compromise public safety;
- c) the proposal would have any equalities or human rights impacts; and
- d) public comments have been addressed.

a) Amenity

Principle

The Council's Guidance on Advertisements, Sponsorship and City Dressing states that advertisements are, by their nature, designed to create a high impact in visual terms, which may be inappropriate in sensitive environments. Careful control is therefore required to ensure that advertising is not detrimental to the amenity of these locations.

The Guidance states that advertising on bus shelters will not be allowed in visually sensitive locations including certain parts of the World Heritage Site where the streets are of primary historic importance (e.g. George Street or Royal Mile) or where advertising would disturb important views or the setting of individual listed buildings. This restriction relates to any form of advertising within bus shelters including digital, illuminated and non-illuminated static and scrolling advertisements. Where acceptable within less sensitive areas of the World Heritage Site, digital advertising will normally only be acceptable as an integral part of a bus shelter subject to normal amenity and public safety assessments.

The proposal seeks to impose digital advertising as part of a bus shelter along Leith Street.

Impact on Conservation Area and World Heritage Site

Relevant extracts from the New Town Conservation Area Character Appraisal are set out as follows:

The use of grid layout forms throughout the area provides a formal hierarchy of streets with controlled vistas and planned views.

Within the grid layouts, terminated vistas have been planned, using churches, monuments, buildings and civic statuary, resulting in a plethora of landmark buildings.

Terminated vistas within the grid layouts and the long distance views across and out of the conservation area are an important feature.

The designed relationship of stone buildings, pavements and setted roads gives a disciplined unity and cohesion to the conservation area.

The streets of the New Town form a key component of the geometric hierarchy of the area. The public realm should be of the highest quality in terms of the materials used.

Street furniture and road markings can detract substantially from the public realm.

Strong efforts should be made to reduce the clutter that currently exists.

The double sided digital advertising panel will be set perpendicular to the street within the bus shelter, as will the other three bus shelter panels subject of the associated applications. The digital advert will be positioned on the south side of the shelter adjacent to Edinburgh St James, currently under construction. The area is undergoing significant change and the introduction of illuminated advertising will be set against the backdrop of a modern development which will not detract from the area's urban character. The panel will form an integral part of the shelter design, with the structure providing a level of visual containment to the displays.

The proposal will not have a detrimental impact on the defining characteristics and appearance of this part of the New Town Conservation Area and World Heritage Site. The proposal complies with the Council's guidance on Listed Buildings and Conservation Areas.

b) Public Safety

The Roads Authority raises no objection to the proposal.

The proposal is acceptable on public safety grounds.

c) Equalities and Human Rights

This application has no impacts on equalities and human rights.

d) Public Comments

No letters of representation were received.

Conclusion

Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) states that advertisement control shall be exercisable only in the interests of amenity and public safety.

The proposal would not adversely affect the amenity of the location or raise issues in respect of public safety. The proposals accord with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Consent is granted for a period of five years from the date of consent.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finances and Resources Committee on 5 June 2014.

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

No representations were 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

The site is located within the New Town Conservation Area and the Edinburgh World Heritage site. The site is also part of the Central Area.

Date registered

22 November 2017

Drawing numbers/Scheme

01-10,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'ADVERTISEMENTS, SPONSORSHIP AND CITY DRESSING' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

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.

Relevant Non-Statutory Guidelines

Non-statutory guidelines - EDINBURGH STREET DESIGN GUIDANCE - Edinburgh Street Design Guidance supports proposals that create better places through the delivery of vibrant, safe, attractive, effective and enjoyable streets in Edinburgh. It sets out the Council's expectations for the design of streets and public realm.

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

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

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

Appendix 1

Application for Advert Consent 17/05444/ADV At Bus Shelters, Leith Street, Edinburgh Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen

Consultations

Roads Authority

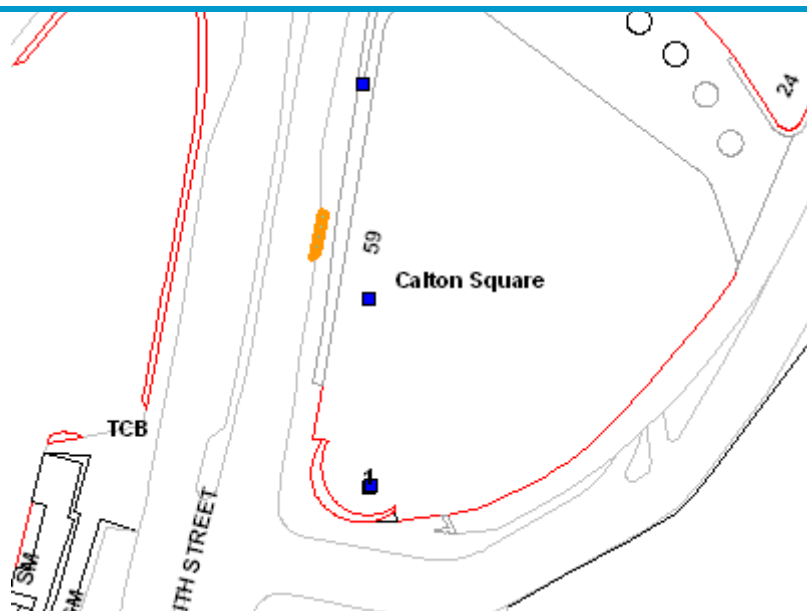
No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.*

Note:

Approval of the advertisement panel does not constitute approval of the location of the bus shelter which should be understood to have been agreed by others.

Location Plan



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Development Management Sub Committee

Wednesday 25 April 2018

Application for Advert Consent 17/05445/ADV At 1 Bus Shelters, Leith Street, Edinburgh Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen.

Item number	4.13
Report number	
Wards	B11 - City Centre

Summary

Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) states that advertisement control shall be exercisable only in the interests of amenity and public safety.

The proposal would not adversely affect the amenity of the location or raise issues in respect of public safety. The proposals accord with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

Links

Policies and guidance for this application	NSG, NSADSP, NSGD02, NSGSTR, CRPNEW, CRPWHS,
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Report

Application for Advert Consent 17/05445/ADV At 1 Bus Shelters, Leith Street, Edinburgh Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen.

Recommendations

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

Background

2.1 Site description

The application site relates to a new bus shelter located on the west side of Leith Street. The site is directly opposite the former King James Hotel which now forms the new Edinburgh St James redevelopment, currently under construction.

Leith Street is a busy principal thoroughfare to and from Princes Street and contains a mix of uses including retail, office and leisure.

The application site lies within the Edinburgh World Heritage Site.

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

2.2 Site History

Three other applications for advertisement consent are pending decision for digital advertisements along Leith Street (application numbers 17/05443/ADV, 17/05444/ADV, 17/05303/ADV).

Main report

3.1 Description Of The Proposal

The advertising panel will be double sided and situated on the trailing end of a bus shelter, facing north and south along Leith Street. Both sides of the panel will contain a digital LED display with moving images.

The panel will be designed to fit the shelter but will not be reliant upon it for support. The panel structure will measure approximately 2.1 metres high, 1.33 metres wide and 0.25 metres deep. The display screen areas will be approximately 1.9 square metres and the panel will be constructed from aluminium with a matt grey finish.

The existing bus stop is being replaced with a new bus shelter as part of the Council's advertising contract with JCDecaux (the Applicant). This application relates to advertisement consent only, with the shelters being installed under the Council's permitted development rights.

3.2 Determining Issues

Do the proposals affect the amenity of the locality? In the determination of the suitability of the site for the display of advertisements, the Planning Authority shall have regard to the general characteristics of the locality including the presence of any feature of historical, architectural, cultural or similar interest. The authority may disregard any advertisements displayed in the locality.

Do the proposals affect public safety? The Planning Authority shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

3.3 Assessment

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

- a) the proposal has an acceptable impact on amenity;
- b) the proposal would compromise public safety;
- c) the proposal would have any equalities or human rights impacts; and
- d) public comments have been addressed.

a) Amenity

Principle

The Council's Guidance on Advertisements, Sponsorship and City Dressing states that advertisements are, by their nature, designed to create a high impact in visual terms, which may be inappropriate in sensitive environments. Careful control is therefore required to ensure that advertising is not detrimental to the amenity of these locations.

The Guidance states that advertising on bus shelters will not be allowed in visually sensitive locations including certain parts of the World Heritage Site where the streets are of primary historic importance (e.g. George Street or Royal Mile) or where advertising would disturb important views or the setting of individual listed buildings. This restriction relates to any form of advertising within bus shelters including digital, illuminated and non-illuminated static and scrolling advertisements. Where acceptable within less sensitive areas of the World Heritage Site, digital advertising will normally only be acceptable as an integral part of a bus shelter subject to normal amenity and public safety assessments.

The proposal seeks to impose digital advertising as part of a bus shelter along Leith Street.

Impact on Conservation Area and World Heritage Site

Relevant extracts from the New Town Conservation Area Character Appraisal are set out as follows:

The use of grid layout forms throughout the area provides a formal hierarchy of streets with controlled vistas and planned views.

Within the grid layouts, terminated vistas have been planned, using churches, monuments, buildings and civic statuary, resulting in a plethora of landmark buildings.

Terminated vistas within the grid layouts and the long distance views across and out of the conservation area are an important feature.

The designed relationship of stone buildings, pavements and setted roads gives a disciplined unity and cohesion to the conservation area.

The streets of the New Town form a key component of the geometric hierarchy of the area. The public realm should be of the highest quality in terms of the materials used.

Street furniture and road markings can detract substantially from the public realm.

Strong efforts should be made to reduce the clutter that currently exists.

The Outstanding Universal Value of the Edinburgh World Heritage Site is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides a clarity of urban structure unrivalled in Europe.

The Council's Street Design Guidance identifies that Edinburgh has a considerable number of areas that are specially protected. Edinburgh's network of streets pass through many of these protected areas which means that the choice of layout, the materials used and street furniture / features; such as street lighting; have to take into account the character and potential impact of any changes being made.

The double sided digital advertising panel will be set perpendicular to the street within the bus shelter, as will the other three bus shelter panels subject of the associated applications. The digital advert will be positioned on the north east side of the shelter adjacent to Edinburgh St James, currently under construction. The area is undergoing significant change and the introduction of illuminated advertising will be set against the backdrop of a modern development which will not detract from the area's urban character. The panel will form an integral part of the shelter design, with the structure providing a level of visual containment to the displays.

The proposal will not have a detrimental impact on the defining characteristics and appearance of this part of the New Town Conservation Area and World Heritage Site. The proposal complies with the Council's guidance on Listed Buildings and Conservation Areas.

b) Public Safety

The Roads Authority raises no objection to the proposal.

The proposal is acceptable on public safety grounds.

c) Equalities and Human Rights

This application has no impacts on equalities and human rights.

d) Public Comments

No representations were received.

Conclusion

Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) states that advertisement control shall be exercisable only in the interests of amenity and public safety.

The proposal would not adversely affect the amenity of the location or raise issues in respect of public safety. The proposals accord with requirements of Council guidance covering Advertisements, Sponsorship and City Dressing.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Consent is granted for a period of five years from the date of consent.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has a contract with the applicant to provide outdoor advertising and street furniture, primarily bus shelters, in the city. The financial impacts to the Council were reported to Finances and Resources Committee on 5 June 2014.

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

No representations were 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

The site is located within the New Town Conservation Area and the Edinburgh World Heritage site. The site is also part of the Central Area and the City Centre Retail Core.

Date registered

22 November 2017

Drawing numbers/Scheme

01-05,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

Links - Policies

Relevant Policies:

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'ADVERTISEMENTS, SPONSORSHIP AND CITY DRESSING' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

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The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

Appendix 1

Application for Advert Consent 17/05445/ADV At 1 Bus Shelters, Leith Street, Edinburgh Foster bus shelter unit incorporating illuminated double digital display double sided advertising screen.

Consultations

Roads Authority

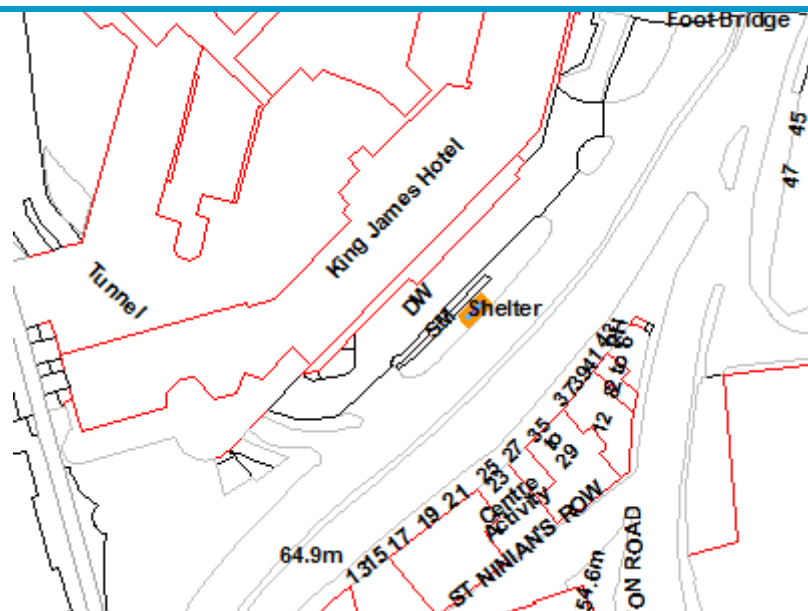
No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.*

Note:

Approval of the advertisement panel does not constitute approval of the location of the bus shelter which should be understood to have been agreed by others.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

Report for forthcoming application by

Drum (Steads Place) Ltd. for Proposal of Application Notice

18/01015/PAN

**At 156, 158B, 160 And 162 Leith Walk, Edinburgh, EH6 5DX
Demolition of existing buildings and erection of a mixed use development including affordable housing (flats), post graduate student accommodation, hotel (Class 7), restaurant (Class 3), space for potential community (Class 10 & 11), retail (Class 1), public house or commercial uses (Class 2 & 4). Includes associated infrastructure, landscaping and car parking.**

Item number	4.14
Report number	
Wards	B12 - Leith Walk

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming detailed application for the demolition of existing buildings and erection of a mixed use development including affordable housing (flats), post graduate student accommodation, hotel (Class 7), restaurant (Class 3), space for potential community (Class 10 & 11), retail (Class 1), public house or commercial uses (Class 2 & 4). This includes associated infrastructure, landscaping and car parking at Leith Walk / Stead's Place.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicant has submitted a Proposal of Application Notice on 6 March 2018 (18/01015/PAN).

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 site covers approximately 1.3 hectares. It consists of a two-storey red sandstone building on Leith Walk which contains a number of shop units in various uses. At the rear of the site there are a number of larger industrial style units that are also in a variety of uses. On a western part of the site there are some existing trees.

The northern boundary is created by the former railway abutment, arches and embankment. Business and industrial uses are further north. To the south is a modern flatted development rising up to six storeys. To the west is a recently completed housing development and Pilrig Park. There is an informal link through the site to the park.

To the east, on the adjacent side of Leith Walk, are a number of buildings with various commercial uses on the ground floor and residential use mostly on the upper floors. Stone is the predominant material on the frontages. Heights range from one storey to four and a half storey.

Vehicular access is from the entrance to Steads Place from Leith Walk at the south of the site.

This application site is located within the Leith Conservation Area.

2.2 Site History

The shop units along the Leith Walk frontage have been subject to a number of applications for alterations and changes of use over the years.

Main report

3.1 Description Of The Proposal

An application for detailed planning permission will be submitted for the demolition of existing buildings and erection of a mixed use development including affordable housing (flats), post graduate student accommodation, hotel (Class 7), restaurant (Class 3), space for potential community (Class 10 & 11), retail (Class 1), public house or commercial uses (Class 2 & 4). This includes associated infrastructure, landscaping and car parking at Leith Walk / Stead's Place.

3.2 Key Issues

The key considerations against which the eventual application will be assessed include whether:

a) the principle of the development is acceptable in this location;

The site is located within the urban area and the proposals should comply with the relevant Local Development Plan (LDP) policies.

LDP Policy Emp 9 Employment Sites and Premises states that such redevelopment proposals should include floorspace designed for a range of business users on sites over one hectare that are currently in or last in employment use.

LDP Policy Hou 8 Student Accommodation sets the approach to student housing, with the non-statutory Student Housing Guidance providing further locational criteria.

The buildings along Leith Walk are within the town centre, where the Leith Town Centre Supplementary Guidance applies. This states that Class 1 (Shops), Class 2 (Financial, professional and other services), Class 3 (Food and drink) or an appropriate commercial or community uses will be generally acceptable at this location.

b) the design, scale and layout are acceptable within the character of the area and whether the proposal complies with the Edinburgh Design Guidance;

The proposal will be considered against the provisions of the LDP, Edinburgh Design Guidance and the Stead's Place/Jane Street Development Brief.

Information will be required to justify the demolition of the unlisted building along Leith Walk (conservation area consent will be required). Any proposed replacement buildings will need to adequately consider the character and appearance of the conservation area.

A Design and Access Statement will be provided with the application.

c) access arrangements are acceptable in terms of road safety and public transport accessibility;

The proposal should have regard to the transport policy of the LDP and Designing Streets.

Consideration should be given to the impact on traffic flows on local roads and access to public transport. Transport information will be required to support the application.

d) there are any other environmental factors that require consideration;

The application will need to be screened for an Environmental Impact Assessment (EIA) including the cumulative impact of the proposals. The applicants will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment. It is anticipated that the following documents will be submitted:

- Pre-application consultation report;

- Design and Access Statement;
- Conservation Area Assessment;
- Planning Statement;
- Transport information;
- Economic Impact information;
- Daylighting and Sunlight Analysis;
- Flood Risk Assessment and Surface Water Management Plan;
- Phase 1 Habitat Survey;
- Tree Survey;
- Noise Impact Assessment; and
- Sustainability Statement.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The public exhibitions on 23 and 24 March 2018 have taken place. Further events are proposed on 4 and 5 May 2018 in the Out of the Blue Drill Hall, Dalmeny Street. Events are also to be arranged with the relevant community councils.

Also notified of the proposals were the local and neighbouring ward councillors, MPs, MSPs and Leith Central, Leith Links and Leith Harbour and Newhaven Community Councils.

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

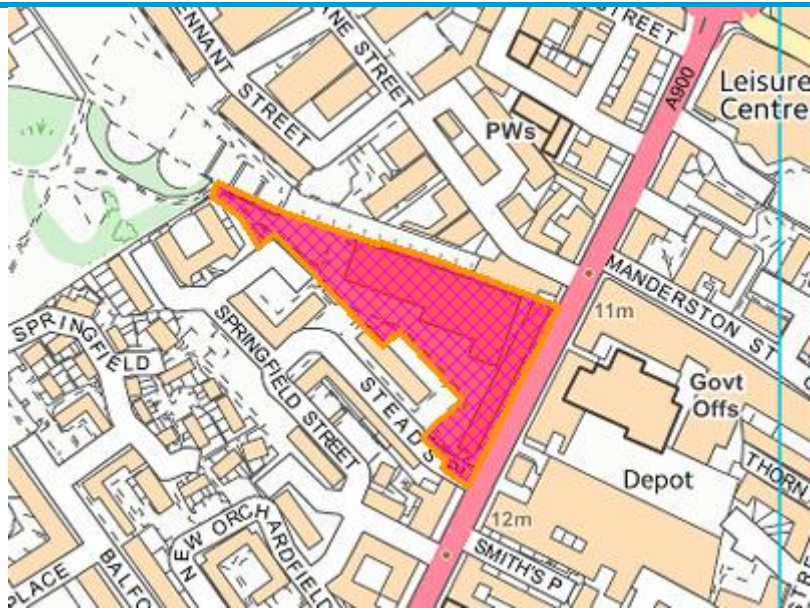
PLACE

The City of Edinburgh Council

Contact: Kenneth Bowes, Senior Planning Officer

E-mail:kenneth.bowes@edinburgh.gov.uk Tel:0131 529 6724

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

Report for forthcoming application by

Parabola Edinburgh Ltd. for Proposal of Application Notice

18/01012/PAN

**At Land Adjacent To, Lochside Way, Edinburgh
Application for PPP proposing the development of the southern phase of Edinburgh Park to comprise a mix of uses including offices (Class 4), residential (Class 9 houses & Sui Generis flats), creche (Class 10) leisure (Class 11), hotel (Class 7), ancillary Class 1, 2 and 3, energy centre, car parking, landscaping and associated works.**

Item number	4.15
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 the development of the southern phase of Edinburgh Park on land adjacent to Lochside Way, Edinburgh. The mix of uses proposed includes office, housing, crèche, leisure, hotel, ancillary Classes 1, 2 and 3, energy centre, car parking, landscaping and associated works.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicant submitted a proposal of application notice (application reference: 18/01012/PAN) on 5 March 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 site comprises approximately 17 hectares of land between Edinburgh Park North and Edinburgh Park Rail Station on the south. The City Bypass lies directly to the west, with East of Milburn and a poultry farm beyond. The South Gyle Business Park is to the east. There is an electricity substation adjacent to the east boundary of the site. The Edinburgh tram line runs through the site on a north/ south axis. The partly culverted Gogar Burn flows through the site from west to north. Apart from a hotel in the south east, the site is vacant.

Edinburgh Park is located in West Edinburgh, approximately four miles from the City Centre and two miles from Edinburgh Airport.

2.2 Site History

11 April 2003 - planning permission granted by Scottish Ministers for the Southern Phase of Edinburgh Park to develop offices and other business use, hotel and supporting facilities with associated road works and car parking (application reference: 99/02295/OUT).

12 October 2009 - application granted under section 42 of the Town and Country Planning (Scotland) Act 1997 ('section 42') to vary the terms of condition 1 of planning permission 99/02295/OUT by extending the time period by 10 years (application reference: 09/00430/FUL).

A series of applications were submitted and approved between 2003 and 2011 but are not relevant to the current proposals.

11 August 2016 - planning permission granted for erection of five storey extension adjacent to the existing hotel to provide 80 additional bedrooms, A/C compound, single storey extension to restaurant and associated reconfiguration and extension of car park and external landscaping (application reference: 16/02265/FUL).

17 March 2017 - application submitted under section 42 to vary the terms of planning permission 09/00430/FUL, to permit office development up to 102,190sqm gross and hotel development up to 6,479sqm gross (as amended) (application reference: 17/01210/FUL). Planning is considering the application.

20 September 2017 - application submitted for approval of matters specified in condition 5 of planning permission 09/00430/FUL (application reference: 17/04341/AMC). Planning is considering the application.

22 September 2017 - application submitted for planning permission for new and upgraded road and infrastructure works with associated landscaping in Edinburgh Park Southern Phase (application reference: 17/04391/FUL). Relates to approximately 1.7 hectares in the north of Edinburgh Park Southern Phase. Planning is considering the application.

Neighbouring site to west (East of Milburn)

18 April 2016 - application approved for planning permission in principle for proposed residential development, local centre (including Class 1, Class 2 and Class 3 uses), community facilities (including primary school and open space), green network, transport links, infrastructure, ancillary development and demolition of buildings (application reference: 15/04318/PPP). This application was called in by the Scottish Ministers on 25 July 2016 for determination. The Department of Planning and Environmental Appeals is currently considering the application.

Main report

3.1 Description Of The Proposal

An application for planning permission in principle will be submitted for development of the southern phase of Edinburgh Park to comprise a mix of uses including offices (Class 4), residential (Class 9 houses and Sui Generis flats), crèche (Class 10), leisure (Class 11), hotel (Class 7), ancillary Classes 1, 2 and 3, energy centre, car parking, landscaping and associated works. No details have been submitted with the PAN.

3.2 Key Issues

The key considerations against which the eventual application will be assessed include whether:

a) The principle of the development is acceptable in this location;

The site is within Area EPI in the Edinburgh Local Development Plan (LDP). It provides that this part of Edinburgh Park/South Gyle should include residential use along with business and ancillary uses. Due consideration of constraints will need to inform use.

b) The design, scale and layout are acceptable within the character of the area; and does the proposal comply with the Edinburgh Design Guidance;

Regard must be given to the design policies in the LDP and the Edinburgh Design Guidance. Specific LDP principles for Area EP1 apply. Apart from use, they include requirements relating to layout, green space and pedestrian and cycle links.

c) Access arrangements are acceptable in terms of road safety and public transport accessibility;

The proposal should have regard to transport policies of the LDP and the Edinburgh Design Guidance. Consideration should be given to the impact on traffic flows, access to public transport, and sustainable travel.

Transport information will be required to support the application.

d) There are any other environmental factors that require consideration;

The applicants will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment. Potential effects on air quality, ecology, protected species, landscape and the water environment will need to be assessed and addressed. The de-culverting of the Gogar Burn should be considered.

The application will need to be screened under the Environmental Impact Assessment Regulations 2017, to assess whether or not an EIA Report is required.

In order to support the application, it is likely that the following documents will be submitted:

- Air Quality Impact Assessment;
- Archaeology report;
- Flood Risk Assessment and Surface Water Management Plan;
- Habitat and Protected Species Survey;
- Landscape and Visual Impact Assessment;
- Noise Impact Assessment;
- Pre- application consultation report;
- Planning Statement;
- Sustainability Statement;
- Transport Information; and
- Tree 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

Pre-application discussions have taken place.

8.2 Publicity summary of representations and Community Council comments

The proposal of application notice outlined a public exhibition. This is scheduled for Thursday 10 May 2018 between 12 noon and 8 pm at Novotel Edinburgh Park, 15 Lochside Avenue, Edinburgh. The applicant also proposes holding a public drop-in event at Gylemuir Primary School, 10 Wester Broom Place, Edinburgh, on a date and at a time to be confirmed.

The applicant proposes additional community engagement and publicity including:

- Information cards for event attendees, relevant local groups and organisations;
- Promotion through Community Council social media;
- Flyers/posters to local groups and in community and public areas;
- Feature in local newspaper; and
- Online feedback survey.

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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Development Management Sub Committee

Wednesday 25 April 2018

**Application for Planning Permission 17/05827/FUL
At 142 Lothian Road, Edinburgh, EH3 9BQ
Erection of additional office floor with adjusted elevational
details and plant area.**

Item number	4.16
Report number	
Wards	B11 - City Centre

Summary

The principle of additional office accommodation in this city centre location is supported but this benefit does not outweigh the negative townscape and amenity impacts of the proposals. The increase in height creates a building which sits above the adjoining modern buildings and the built historical context. The box like design of the two upper floors of accommodation lacks architectural finesse and represents a negative element within the city's roofscape. The extensive glazed facades, located at high level, are at odds with the characteristics of the wider area resulting in an obtrusive element which will harm the appearance of the established townscape. The height, design and materials proposed detract from Lothian House a category 'B' listed building. The additional east facing glazing and accessible roof terrace will harm neighbouring residents amenity.

The development is contrary to Local Development Plan Policies Des 1, Des 4, Des 5, Des 11, Des 12 and Env 3. It is recommended that this application be refused.

Links

[Policies and guidance for this application](#)

LDPP, LDEL02, LDES01, LDES04, LDES05, LDES11, LDES12, LEN01, LEN03, LEN04, LEN06, LEMP01, LTRA01, NSG, NSGD02, CRPWHS, CRPWEN,

Report

Application for Planning Permission 17/05827/FUL At 142 Lothian Road, Edinburgh, EH3 9BQ Erection of additional office floor with adjusted elevational details and plant area.

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The application site is occupied by a new six storey high office building currently nearing completion, with shops at ground floor level, situated at the junction with Semple Street and Fountainbridge and to the west of Lothian Road. It was previously occupied by a 1950's built addition to the category 'B' listed building at Lothian House.

The original Lothian House building (ref LB30289 added 19.03.1993) fronts on to Lothian Road, with returns on the corners at Morrison Street and Fountainbridge. It was built as an Art Deco style development of offices, retail and cinema with modernist detailing. The architect for this building was Stewart Kaye. Both the original building as well as the 1930's and 1950's additions, are category 'B' listed and are stone built.

The six storey office building at Excel House lies to the north of the site on Semple Street. The modern office development at Exchange Place is situated to the west, on the opposite side of Semple Street. A traditional style tenement building is situated to the south of the site on the opposite side of Fountainbridge.

The site is not located within a conservation area and is immediately outwith the World Heritage Site (WHS). The western boundary of the Old and New Towns of Edinburgh World Heritage Site runs along the front of Lothian House, on Lothian Road, and returns eastwards along east Fountainbridge. The West End Conservation Area is located to the east of the site, on the opposite side of Lothian Road from Lothian House.

2.2 Site History

24 September 2014 - Application for Listed Building Consent granted for partial demolition of listed building and mixed use development (Reference 14/01051/LBC).

26 March 2015 - Planning application granted for partial demolition of the existing building, erection of a replacement new mixed use extension comprising retail, offices, plant, basement parking and associated works (14/01056/FUL).

17 February 2016 - Non material variation agreed for minor amendments to the design of building (14/01056/VARY).

Main report

3.1 Description Of The Proposal

Planning permission is sought for the extension of the approved office development currently under construction at the corner of Semple Street and Fountainbridge. The proposed extension would provide an additional 520 square metres of lettable office space as a seventh storey. The additional storey would be finished as a glass box. An area of plant would be positioned on top of the proposed additional accommodation taking the overall height to 102.145m Above Ordnance Datum(AOD). The main building height will be increased from 97.44m (AOD) on the consented scheme to 100.477 (AOD).

Supporting Documents

- Four supporting documents have been submitted:
- Daylighting Assessment;
- Design and Access Statement;
- Letter outlining office demand in central Edinburgh; and
- Noise Assessment.

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 the proposed development is acceptable;
- b) the scale and design of the proposed extension is compatible with that of the existing building and surrounding area;
- c) the proposal safeguards the architectural character and/or setting of the listed building;
- d) the proposal will safeguard neighbouring amenity;
- e) there are any road safety implications;
- f) the issues raised in the representations are addressed; and
- g) the proposal has any equalities or human rights impacts.

a) Principle of Proposed Use

The proposed additional office accommodation is consistent with the approved use of the upper floors of this office building. Use of the upper floors of buildings in the City Centre is also encouraged under the adopted Edinburgh Local Development Plan policy (LDP) Del 2 and Emp 1 (Office Development). The additional accommodation will contribute to the office provision in the city centre and potentially create additional employment opportunities.

The provision of additional office accommodation at this location is therefore acceptable in principle, subject to compliance with other appropriate LDP policies, as considered elsewhere in this report.

b) Scale and design of the proposed extension

This new building is an extension of Lothian House and replaces a historic section. The additional height proposed within this application would create a building which extends significantly above the height of the remaining Lothian House and the adjoining tenements. The extension would also create a roofline that is above the height of the adjoining modern office buildings which have been erected within the urban block and on the opposite side of Semple Street. These modern buildings have been successfully developed to achieve a balance between the requirements of the modern office and the importance of the historic environment and the wider townscape which is dominated by tenement scale buildings.

The additional height creates an overbearing building which fails to respond positively to the character of the surrounding townscape. The design of the additional accommodation is that of a glass box which will create a highly illuminated space/building rising above the prevailing height and surrounding townscape and will be visible from Edinburgh Castle. This solution, while maximising views out of the building, is an unsympathetic approach which will have a negative impact on the wider townscape including views toward the site. While the additional height has a negative impact on the surrounding townscape it is not considered to have a negative impact on the Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site.

The consented development was terminated at the upper floor by a framing element which allowed the glazed accommodation to be recessive and the overall scale to be more sympathetic to the remaining Lothian House. This frame was subsequently removed and the recess to Semple Street deleted through the NMV. This amendment also reduced the overall height of the building. The proposed change in the design of the top of the building, to a simplistic two storey glass box, with no setback or framing device, lacks the finesse of the original design and creates an uncomfortable relationship between old and new.

The proposal is contrary to Policy Des 1 Design Quality and Context and Des 11 Tall Buildings.

c) Proposal safeguards the architectural character and/or setting of the listed building

The proposal is for an extension to the newly constructed office building which replaced the original extension to the category 'B' listed building at Lothian House. It is therefore appropriate to assess the impact of this proposal in respect of policy Env 3 Listed Building – Setting.

Lothian House is a classically designed building with modernist details which fronts onto Lothian Road and Fountainbridge. It makes a significant contribution to the townscape of this part of Edinburgh. The scale and design of the six storey office is more in keeping with that of the neighbouring, modern office buildings on Semple Street, rather than with Lothian House. However, the set back from the main building line provided at sixth storey level on Fountainbridge allowed for a slight reduction in its visual impact, when viewed from the street frontage. The proposal was subsequently amended through a non-material variation (NMV) reference 14/01056/VARY to remove the setback to Semple Street while reducing the overall building height.

Historic Environment Scotland Managing Change Guidance requires that extensions must protect the character of the existing building and be subordinate in scale and form. The proposed provision of a further storey of accommodation above the height of Lothian House would result in a significant increase in the scale and visual prominence of the overall extension, in relation to the listed building. The extension to the listed building would become the significantly taller and more dominant element of the building, contrary to Historic Environment Scotland Managing Change Guidance: Extensions.

Furthermore, the use of a mainly glazed finish on the sixth floor exterior of this building was accepted as appropriate when set behind a framing element and covering a relatively small area of building fabric, in relation to its overall massing. However, the proposed increase in the size of this element of the building would significantly increase its conspicuousness and highlight its incongruous, box like form at roof level. This would be to the detriment of the character and appearance of the roof form and massing of the original listed building.

In conclusion, this proposed addition to this listed building would diminish the character and setting of the remaining building and detract from the townscape quality of the surrounding area, in conflict with the provisions of LDP policy Env 3 (Listed Buildings – Setting).

Furthermore, the proposed extension is contrary LDP policy Des 4 (Development Design) as it would detract from the positive contribution Lothian House makes to the surrounding townscape.

d) Neighbouring Amenity

At the time of considering the original application, for the partial demolition of the listed building and the erection of the office, the applicant's supporting information demonstrated that for the 44 neighbouring windows tested, 31 would accord with guidance requiring 27% Average Daylight Factor (ADF) or a reduction in daylight of less than 20%.

The office building is erected under design and massing contained within the NMV. The applicants supporting statement for the proposed extension alone demonstrates that of the 44 residential windows considered the additional height would result in eight windows which would not meet the 27% ADF or have a reduction of less than 20%. The cumulative impact of the office and the extension would have an unacceptable impact on neighbouring amenity.

The proposed additional accommodation will not have a significantly greater impact on overshadowing to the neighbouring properties due to the location of the additional massing in relation to the orientation of the site.

The east elevation of the current office is designed with minimal glazing on the main floors to protect the privacy of the neighbouring residents. The upper floor accommodation will have glazing along a section of the east elevation overlooking the residents. The proposed additional floor, with its glazed east elevation will double the amount of accommodation which will overlook the residents and impact on more residents due the increased height. The application also incorporates an accessible roof terrace which will provide outstanding views of Edinburgh Castle but this will be to the detriment of the neighbouring residents amenity. The level of separation to the neighbouring dwellings is minimal and will create privacy and potential noise nuisance. Environmental Assessment have raised concerns about potential loss of amenity from the proposed roof top plant. This is a poor design solution which is inappropriate in this constrained site and is contrary to policy Des 5a).

The cumulative impact of the consented office and the proposed extension results in a significant negative impact on the amenity of the neighbouring residents through a loss in daylight, privacy and potential noise nuisance, and is contrary to policy Des 5a) and Des 12 c).

e) Road Safety

The additional accommodation raises no issues in relation to servicing, parking and road safety.

f) Letters of Representation

Material Objections

- impact on historic skyline – addressed in section 3.3b) and c);
- out of scale and character – addressed in section 3.3b) and c);
- impact on residential amenity in terms of privacy, daylight and overshadowing issue – addressed in section 3.3d);
- impact on listed building – addressed in section 3.3c);
- parking/delivery problems exacerbated – addressed in section 3.3e); and
- issues of neighbour notification - a further neighbour notification was carried out to ensure all properties within Lothian House have been notified of the proposals.

Tollcross Community Council

Letter of objection stating that the proposed extension would dominate the area and is above the existing building heights. – addressed in section 3.3b) and c).

Support Comment

- additional grade A office floor space required in the city – addressed in section 3.3a).

Non-material Objections

- A number of additional points were raised which are not assessed as they were not material to the consideration of this planning application.

g) Equalities or human rights impacts

An Equalities and Rights Impact Assessment has been carried out. There are no issues of equalities and human rights arising from the additional accommodation.

Conclusion

The principle of additional office accommodation in this city centre location is supported but this benefit does not outweigh the negative townscape and amenity impacts of the proposals. The increase in height creates a building which sits above the adjoining modern buildings and the built historical context. The box like design of the two upper floors of accommodation lacks architectural finesse and represents a negative element within the city's roofscape. The extensive glazed facades, located at high level, are at odds with the characteristics of the wider area resulting in an obtrusive element which will harm the appearance of the established townscape. The height, design and materials proposed detract from the Lothian House a category 'B' listed building. The additional east facing glazing and accessible roof terrace will harm neighbouring residents amenity.

The development is contrary to Local Development Plan Policies Des 1, Des 4, Des 5, Des 11, Des 12 and Env 3. It is recommended that this application be refused.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The development is contrary to Local Development Plan Policy Des 1 as its height, design and use of extensive glass at high level are at odds with the positive characteristics of the area, including the historic built environment.
2. The development is contrary to Local Development Plan Policies Des 4 and Env 3 as the overall height will be overbearing in relation to the listed building. The box like design of the upper floors, and extensive use of glazing would create a built element which would be detrimental to the character and appearance of the roof form and massing of the original listed building. The height, form and materials result in a development which would harm the setting of the listed building.
3. The development is contrary to Local Development Plan Policy Des 11 as the proposed additional accommodation will result in a building which sits above the prevailing building height and represents a negative addition to the roofscape impacting on wider views. The scale of the building within this townscape is inappropriate and detrimental to the established character of the area and the listed building.
4. The development is contrary to Local Development Plan Policies Des 5 and Des 12 as the cumulative impact of the redevelopment and the additional roof level accommodation will have a detrimental impact on neighbouring residential amenity through loss of daylight, privacy and potential noise nuisance.

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

The application was advertised on 19 January 2018. A further neighbour notification exercise was carried out from 5 March 2018 due to some properties in Lothian House having been missed during the first neighbour notification. A total of 38 letters of representation have been received, 11 letters of support and 27 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 application site is identified as being in the City Centre in the Edinburgh Local Development Plan, where the principle of providing comprehensively designed schemes, which maximise the site's potential in accordance with any relevant guidance and incorporation of a mix of uses appropriate to the site's location are required under policy Del 2.

The frontage of the site on Fountainbridge lies on the boundary of the West Tollcross Development Brief (approved by Committee in January 2006).

Date registered 12 January 2018

Drawing numbers/Scheme 1 - 20,

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

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Links - Policies

Relevant Policies:**Relevant policies of the Local Development Plan.**

LDP Policy Del 2 (City Centre) sets criteria for assessing development in the city centre.

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

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

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

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

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

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 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 Emp 1 (Office Development) identifies locations and circumstances in which office development will be permitted.

LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

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.

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

The West End Conservation Area Character Appraisal emphasises that the area is characterised by mixed, residential commercial buildings. The central section of the conservation area is a major modern financial area consisting of modern offices. The Georgian and Victorian tenements within the area are mainly 4-6 storeys, and constructed of stone with pitched, slated roofs.

Appendix 1

Application for Planning Permission 17/05827/FUL At 142 Lothian Road, Edinburgh, EH3 9BQ Erection of additional office floor with adjusted elevational details and plant area.

Consultations

Archaeology - response dated 26/01/2018

Further to your consultation request I would like to make the following comments and recommendations concerning this application for erection of additional office floor with adjusted elevational details and plant area.

This application concerns the erection of an upper storey to an ongoing office re-development project covered by planning application 14/01056/FUL and was subject to two archaeological conditions covering archaeological work and re-sighting of decorative panels. Although the archaeological work in relation to the earlier application has been undertaken (AOC report 22630) and discharged the condition (Number 5) relating to the two Pilkington Jackson panels has not fully been discharged. Although the position has been agreed the panels have as far as we are aware not been installed. Accordingly it is recommended that the earlier condition is either reapplied to this one or added as an informative to ensure compliance.

Scottish Water - response dated 29/01/2018

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

- There is currently sufficient capacity in the Glencorse Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

- There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- *Scottish Water asset plans can be obtained from our appointed asset plan providers:*
- *Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.*
- *If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.*
- *Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.*
- *The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.*
- *Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>*

Next Steps:

- *Single Property/Less than 10 dwellings*

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre- Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- *10 or more domestic dwellings:*

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- *Non Domestic/Commercial Property:*

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

- *Trade Effluent Discharge from Non Dom Property:*

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com. If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team.

Environmental Protection

Environmental Protection have looked at this application and noted that plant will be located on the roof with an enclosure surrounding it.

Environmental Protection will need specific details on the proposed noise mitigation measures. Please see the attached Environmental Protections consultation response for the 14/01056/FUL application. The applicant had submitted a noise impact assessment with that application and plant noise was assessed. A number of noise mitigations were highlighted as been capable of ensure noise did not adversely impact neighbouring amenity. This was deemed acceptable by Environmental Protection along with the following condition:

1. Prior to occupation of the development, details demonstrating that noise from all plant complies with NR25 shall be submitted for written approval by the Head of planning and Building Standards

It should be noted that Planning no longer accept this condition, therefore Environmental Protection require specific noise mitigation measures upfront with any application. The applicant has highlighted where the enclosure and plant will be located. Environmental Protection require the applicant to submit a supporting acoustic report. In this case an addendum to the original 14/01056/FUL noise impact assessment will be satisfactory. The assessment must highlight the sound reduction levels and specify the material, height, mass and density of the enclosure.

When this information is submitted we will then be in a position to recommend a specific condition.

This development site is located in very close proximity to the City Centre Air Quality Management Area(AQMA) therefore Environmental Protection have considered the applicants proposals in this regard. The applicant proposes having a very low number of car-parking which is fully supported by Environmental Protection. However Environmental Protection recommends that the applicant installs electric vehicle (EV) charging points for the use of staff especially as they are now increasing the density of the development. Environmental Protection recommend that one rapid electric vehicle charging point is installed to serve two car parking spaces. Details on Electric Vehicle charging points can be found i the Council's new Design Standards.

Environmental Protection had previously advised the applicant that all combined heat and power units must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass. Can the applicant please provide details of the proposed energy centre serving the development and if the power input is greater than 366Kw then the applicant will need to submit a chimney height calculation. If the unit is greater than 1MW then secondary abatement technology will be required to reduce NOX.

Until these issues have been addressed then Environmental Protection cannot support the application.

Environmental Protection, additional comments 5 April 2018

The applicant has consent for partial demolition of the old building, with the erection of a replacement new mixed use extension comprising retail, offices, plant, basement parking and associated works at 142 Lothian Road (14/01056/FUL). This application (17/05827/FUL) proposes the addition of another level to the consented building.

The site of the proposed development is bounded to the west by Semple Street, to the south by Fountainbridge and to the east by Lothian Road. The consented development is to comprise a six-storey new-build construction with retail on the ground floor, with office accommodation above and parking for up to eight vehicles. Some plant will be located on the lower ground level, however, the majority of building services plant is to be located externally at roof level. The nearest existing residential properties are the flats located to the rear of Lothian House (on Lothian Road) and to the southeast of the site on the opposite side of Fountainbridge. The proposed office development will share a party wall with existing residential flats within Lothian House on the Fountainbridge elevation.

This development site is located in very close proximity to the City Centre Air Quality Management Area (AQMA) therefore Environmental Protection have considered the applicants proposals in this regard. The applicant proposes having a very low number of car-parking which is fully supported by Environmental Protection. However Environmental Protection would now insist that rapid 50Kw electric vehicle charging points are installed as this latest proposal will intensify the use of the building. This will also bring the development up to the required Edinburgh Design Standards.

Grants may be available for the installation of EV charge points for workplaces. More information can be found at:

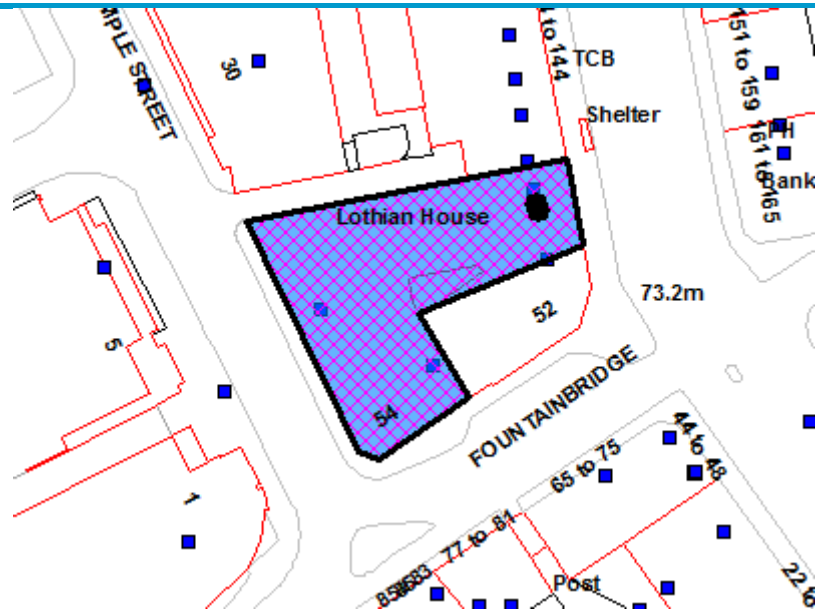
<http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding>

Environmental Protection advise the applicant that all combined heat and power units must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass. If the proposed energy plant exceeds 1MW then the applicant will need to include secondary abatement technology to further reduce NOX.

The applicant has submitted an updated noise impact assessment in support of the application. This has investigated the potential noise impacts that the development may have on the neighbouring residential properties. Environmental Protection has considered noise impact assessment. The noise impact assessment has been modelled and indicates that this latest proposal including the changes in plant will not exceed the noise levels stipulated by Environmental Protection. The assessment predicts it will marginally meet the criteria leaving little scope for failure. Environmental Protection are concerned with the intensification of use in this location. The site is constrained and in very close proximity to existing residential use and will likely adversely impact existing amenity with regards noise.

Therefore on balance Environmental Protection recommends the application is refused due to the likely adverse impacts it will have on residential amenity.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

**Application for Planning Obligation 17/03909/OBL
At 6 - 8 Market Street, Edinburgh,
Application to Discharge the Planning Obligation (Section 75
Agreement) attached to granting of planning permission
14/04962/FUL**

Item number	4.17
Report number	
Wards	00 - No Ward Number

Summary

The applicants' have sufficiently made the case to justify discharging the provisions of the planning obligation and their request can therefore be accepted.

Links

[Policies and guidance for this application](#) LDPP, LDEL01, NSG, NSDCAH,

Report

Application for Planning Obligation 17/03909/OBL At 6 - 8 Market Street, Edinburgh, Application to Discharge the Planning Obligation (Section 75 Agreement) attached to granting of planning permission 14/04962/FUL

Recommendations

- 1.1 It is recommended that this application be accepted and the agreement be discharged

Background

2.1 Site description

The application site extends to 0.35 hectares on the south side of Market Street immediately adjacent to the City Art Centre.

To the west of the site, beyond Craig's Close, is the St Christopher's Hotel. On the opposite side of Market Street, to the north, is a nightclub and the Fruitmarket Gallery. To the south, fronting Cockburn Street, and set at a higher ground level than the application site, are four-storey tenement buildings with commercial uses at street level and residential above.

The site is in the Old and New Towns Edinburgh World Heritage Site.

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

2.2 Site History

25 January 2016 - Planning permission was granted for the demolition of the former garage building and redevelopment of site as a hotel with ground floor retail and commercial units, eight-storeys in height with a total floor area of 4,753 square metres (reference 14/04962/FUL). That permission was subject to a planning obligation requiring that the structure be completed to first floor level by a specific time otherwise the Tram contribution clause would be triggered. The Tram contribution was off-set during the processing of the application following a viability report from the developer.

2 February 2017 - A modification of the planning obligation was granted, seeking an extension of the time period within which the developer was to complete up to the first floor level of the building structure (reference 16/03181/OBL). Although granted the planning obligation has not been modified by the developer.

Main report

3.1 Description Of The Proposal

The application seeks the discharge of the planning obligation, made under the provisions of section 75 of the Town and Country Planning (Scotland) Act 1997.

The planning obligation makes provision for a Tram contribution of £218,667 to be paid so as to off-set the road traffic implications of the development.

However, given the details contained in a viability report from the developer, it was determined that the contribution would only be required to be paid in circumstance where: construction, comprising the below-ground substructure, the ground floor load bearing construction, the ground floor walls, the columns and all other load bearing elements up to the level of the first floor, had not been completed before 24 December 2016.

The Council's principle concern, and the reason for the insertion of this provision, was to encourage the construction of the site; one which had remained undeveloped for a significant period standing within a prominent, central location in the city centre.

The previous determination by the Council (reference 16/03181/OBL) gave permission for the developer to extend the relevant date from 24 December 2016 to 27 April 2017; although the developer has not concluded that modification.

Supporting Statement

The applicant has provided a supporting statement setting out the background context to the application, the reasons for the delays that have been encountered during the construction process, the revision of the construction process whilst on site and their justification for exceeding the revised date of the clause. This is available to view on the Planning and Building Standards Online Services.

3.2 Determining Issues

Section 75A(1)(a) of the Town and Country Planning (Scotland) Act 1997 states - A planning obligation may not be modified or discharged except, by agreement, between the planning authority and a person against whom that obligation is enforceable.

In determining such an application for the modification or discharge of a planning obligation, the specific provision should be considered against the five policy tests set out in Planning Circular 3/2012. These tests relate to: necessity, planning purpose, relationship to the proposed development, relationship to scale and kind and reasonableness.

3.3 Assessment

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

- (a) the discharge of the obligation, as proposed, is considered to be acceptable;

(b) the proposals have any equalities or human rights impacts; and

(c) comments raised have been addressed.

a) Whether the Discharge of the Obligation is Acceptable

The purpose of a planning obligation is to enable the Council to enter into an agreement restricting or regulating development or the use of the land to mitigate against its impact on its immediate surroundings and existing infrastructure. An obligation may not be modified or discharged except by agreement between the planning authority and a person against whom that obligation is enforceable, under the provisions of section 75A of the Town and Country Planning (Scotland) Act 1997, as amended.

Planning permission was granted for the redevelopment of this site as a hotel based on a scheme for which there was no off-street car parking provision and servicing would be carried out from a proposed lay-by within Market Street. A contribution was identified as being necessary towards the repayment of the Council's forward funded construction cost for the existing tram network. This was directly related to the scale of the development and its proximity to the constructed tram line.

As identified in the 'Developer Contributions and Affordable Housing' guidance that contribution equated to £218,667; to be indexed linked from the date of the agreement.

During its determination the developer provided financial viability evidence, reviewed by means of an 'open book' assessment, to support their position that the proposed Tram Contribution would detrimentally impact on the development leaving the hotel development at the margins of viability and therefore the tram contribution should be waived in full.

The Development Management Sub Committee report identified that; *"This information, which has been reviewed on an open book basis by external assessors, demonstrates (to a satisfactory extent) that there are significantly high development costs associated with developing this site which would impact adversely on the viability of the development. External assessors have concluded that the development is at the margins of viability and this viability would be further challenged if the tram contribution is required."* However, given that this *"...prominent gap site within the Old Town has been vacant for many years it is recommended that the developer contribution for tram is not sought if the development can be commenced within an 18 month period of a Committee decision."*

Accordingly, Committee identified very specific circumstances which, if met by the developer, would negate the requirement for the payment of the Tram contribution. Otherwise, the contribution was required to be made in full.

Following a previous application to modify the planning obligation (reference 16/03181/OBL) Committee agreed to extend the relevant date to 24 April 2017.

This application seeks the discharge of the planning obligation. The developer contends that it is no longer reasonable to impose a time limit for the completion of certain works by a specified date and that sufficient grounds exist for the obligation to be discharged in full.

The developer states that in addition to external factors an alternative method of construction was required for this site, compared with the usual method as envisaged in the planning obligation. The rear wall of the former building formed part of a retaining wall. A temporary propping structure had to be erected at ground floor level and parts of the construction process had to be completed from the top-down. Given the limitations of the section 75A determination process there was no recourse to amend the previous application to these changes.

They also state that there has been no material change in circumstances that would alter the terms of the 'open book' appraisal of relevant financial information as originally submitted and assessed by the Council.

On the facts of the matter the developer has failed to comply with the provisions of the planning obligation, as originally set out, or those as agreed by Committee in February 2017. Therefore, unless it is now determined to agree to discharge the planning obligation, the Council would be entitled to enforce the payment of the Tram contribution.

However, in the circumstances as set out in the planning application 'Report of Handling' (reference 14/04962/FUL) and the developer's financial viability analysis, the planning obligation requirement to have the first floor level of the building constructed by the end of 2016 was reasonable and met the provisions of the Circular tests. It is now evident that significant construction work has progressed on site, albeit not the works specifically required by the planning obligation, and that the initial concerns that the site would remain a prominent gap site have now been suitably allayed.

Having accepted the developer's original financial viability analysis, and given the evidence of progress on site, it is considered appropriate for the Council to accept the developers' contentions here and to accept the terms of this application and to agree to the discharge of the planning obligation without the payment of the Tram contribution.

b) Equalities and Human Rights Impacts

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

c) Public Comments

No representations were received concerning this proposal.

Conclusion

In conclusion, the applicants' original viability case and the extent of development progress on the site are deemed to be sufficient justification for the removal of the Tram Contribution clauses and that the request for the discharge of this obligation can therefore be accepted.

It is recommended that this application be accepted and the agreement be discharged

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

1. Please submit an engrossed Discharge or Minute of Variation (as appropriate) in accordance with the terms of this Decision Notice for execution and registration by the City of Edinburgh Council along with the required registration forms and registration fee. Submissions should be sent to The City of Edinburgh Council, Legal Services, 4 East Market Street, Edinburgh, EH8 8BG.

Financial impact

4.1 The financial impact has been assessed as follows:

In permitting the obligation to be discharged the financial contribution of £218,667 towards the tram network will not be paid. The developer's financial viability case was originally accepted by Committee in its determination of the grant of planning permission for the development in January 2016.

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

All the parties required to be notified in accordance with the provisions of Regulation 5 of the Town and Country Planning (Modification and Discharge of Planning Obligations) (Scotland) Regulations 2010 have been notified and there has been no further correspondence 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 - Urban Area.

Date registered

22 August 2017

Drawing numbers/Scheme

01,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: John Maciver, Senior Planning Officer

E-mail:john.maciver@edinburgh.gov.uk Tel:0131 529 3918

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.

Relevant Non-Statutory Guidelines

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

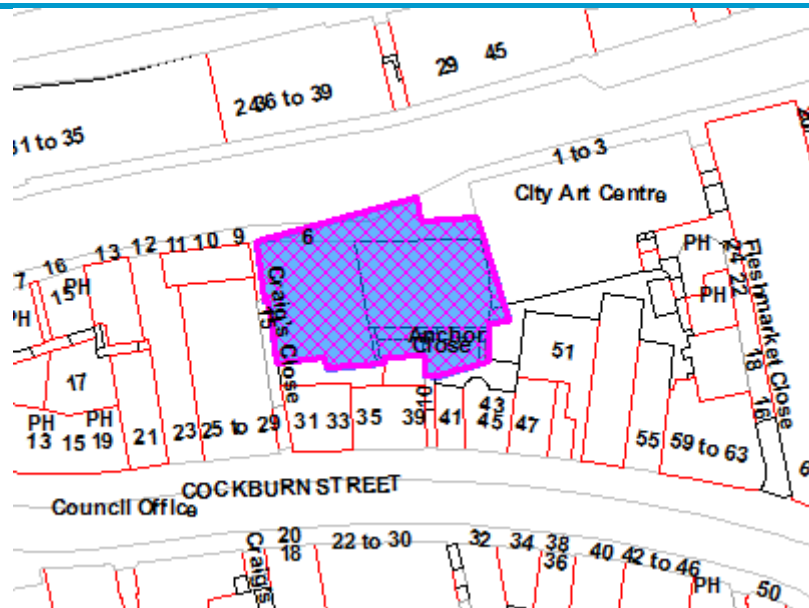
Appendix 1

**Application for Planning Obligation 17/03909/OBL
At 6 - 8 Market Street, Edinburgh,
Application to Discharge the Planning Obligation (Section 75
Agreement) attached to granting of planning permission
14/04962/FUL**

Consultations

No consultations undertaken.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

Application for Planning Obligation 17/05746/OBL At Land Adjacent To, New Street, Edinburgh To discharge various obligations in S75 agreement (2013)

Item number	4.18
Report number	
Wards	00 - No Ward Number

Summary

It is confirmed that the 2013 legal obligation has been superseded by the 2014 legal obligation and that the applicants' request for the discharge of the 2013 obligation can therefore be accepted.

Links

[Policies and guidance for this application](#)

Report

Application for Planning Obligation 17/05746/OBL At Land Adjacent To, New Street, Edinburgh To discharge various obligations in S75 agreement (2013)

Recommendations

1.1 It is recommended that this application be accepted and the agreement be discharged

Background

2.1 Site description

The site comprises the Caltongate/New Waverley development an overall area of some 2.35 hectares.

It is bounded to the North by Calton Road, to the East by Tolbooth Wynd, to the South by the Canongate and to the West by New Street and Cranston Street.

A number of the elements of this overall development have now been completed including the hotel fronting Canongate, the two hotels on East Market Street and the redevelopment of the Arches fronting Jeffrey Street and East Market Street.

The site is within the Edinburgh World Heritage Site and the Old Town Conservation Area.

2.2 Site History

The relevant site history is:

2013 Obligation

22 May 2013 - Development Management Sub Committee were minded to grant planning permission subject to an appropriate legal obligation and for the renewal of application number 07/01287/FUL (the PA3 permission) for the development of the land to the east of New Street for offices and residential development (application numbers 13/00088/FUL and 13/00095/FUL).

22 May 2013 - Development Management Sub Committee were minded to grant planning permission subject to an appropriate legal obligation and for the renewal of application number 07/04400/FUL (the PA4A permission) for the development of the land to the east of New Street for offices and residential development (application number 13/00090/FUL and 13/00096/FUL).

22 May 2013 - Development Management Sub Committee were minded to grant planning permission subject to an appropriate legal obligation and for the renewal of application number 07/01237/FUL (the PA5 permission) for the development of the land to the north of East Market Street and south of Canongate for hotel development (application number 13/00091/FUL).

22 May 2013 - Development Management Sub Committee were minded to grant planning permission subject to an appropriate legal obligation and for the renewal of application number 07/01288/FUL (the PA6 permission) for the development of the land to the north of East Market Street and east of Jeffrey Street for hotel development (application number 13/00092/FUL).

22 May 2013 - Development Management Sub Committee were minded to grant planning permission subject to an appropriate legal obligation and for the renewal of application number 07/01241/FUL (the PA7 permission) for the development of the arches to the north of East Market Street for retail development (application number 13/00093/FUL).

22 May 2013 - A single legal obligation was concluded and planning permission granted for all of the above developments.

2014 Obligation

29 January 2014 - Development Management Sub Committee were minded to grant planning permission subject to an appropriate legal obligation for development on the southern part of the wider Caltongate/New Waverley development (the PA5, PA6 and PA7 applications) (application number 13/03406/FUL).

29 January 2014 - Development Management Sub Committee were minded to grant planning permission subject to an appropriate legal obligation for development on the northern part of the wider Caltongate/New Waverley development (the PA3 and PA4A applications) (application number 13/03407/FUL).

27 March 2014 - A single legal obligation, replacing that concluded on 22 May 2013, was concluded and planning permission granted for both of the above Caltongate applications.

Main report

3.1 Description Of The Proposal

The application seeks to discharge the planning obligation, made under the provisions of section 75 of the Town and Country Planning (Scotland) Act 1997, regarding the development of the Caltongate/New Waverley and concluded with the Council on 22 May 2013.

3.2 Determining Issues

Section 75A(1)(a) of the Town and Country Planning (Scotland) Act 1997 states - A planning obligation may not be modified or discharged except, by agreement, between the planning authority and a person against whom that obligation is enforceable.

In determining such an application for the modification or discharge of a planning obligation, the specific provision should be considered against the five policy tests set out in Planning Circular 3/2012. These tests relate to: necessity, planning purpose, relationship to the proposed development, relationship to scale and kind and reasonableness.

3.3 Assessment

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

- (a) the discharge of the obligation, as proposed, is considered to be acceptable;
- (b) the proposals have any equalities or human rights impacts;
- (c) comments raised have been addressed; and
- (d) finance implications of the decision.

a) The Discharge of the Obligation is Acceptable

The Council's planning records confirm that the 2013 grants of planning permission for the redevelopment of the Caltongate/New Waverley site, and their associated section 75 obligation, were superseded in full by the subsequent grants of planning permission for the development of the same site, together with their separate section 75 obligation, by the same developer on 27 March 2014.

Accordingly, the proposed discharge of the planning obligation is appropriate and can be agreed in this instance.

b) Equalities and Human Rights Impacts

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

c) Public Comments

No representations were received concerning this proposal.

d) Finance

If the 2013 obligation is discharged there would be no financial implications to that decision. Those same provisions, together with additional clauses, were incorporated into the superseding 2014 legal obligation associated with the redevelopment of this site.

Conclusion

In conclusion, the applicants' request for the discharge of the 2013 legal obligation for the development of this site is accepted and accordingly the application should be approved.

It is recommended that the planning obligation to which this application refers is discharged.

It is recommended that this application be accepted and the agreement be discharged

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

1. Please submit an engrossed Discharge or Minute of Variation (as appropriate) in accordance with the terms of this Decision Notice for execution and registration by the City of Edinburgh Council along with the required registration forms and registration fee. Submissions should be sent to The City of Edinburgh Council, Legal Services, 4 East Market Street, Edinburgh, EH8 8BG.

Financial impact

4.1 The financial impact has been assessed as follows:

If the 2013 obligation is discharged there would be no financial implications to that decision. Those same provisions, together with additional clauses, were incorporated into the superseding 2014 legal obligation associated with the redevelopment of this 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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

All the parties required to be notified in accordance with the provisions of Regulation 5 of the Town and Country Planning (Modification and Discharge of Planning Obligations) (Scotland) Regulations 2010 have been notified and there has been no further correspondence 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 - Urban Area.

Date registered

7 December 2017

Drawing numbers/Scheme

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David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: John Maciver, Senior Planning Officer

E-mail:john.maciver@edinburgh.gov.uk Tel:0131 529 3918

Links - Policies

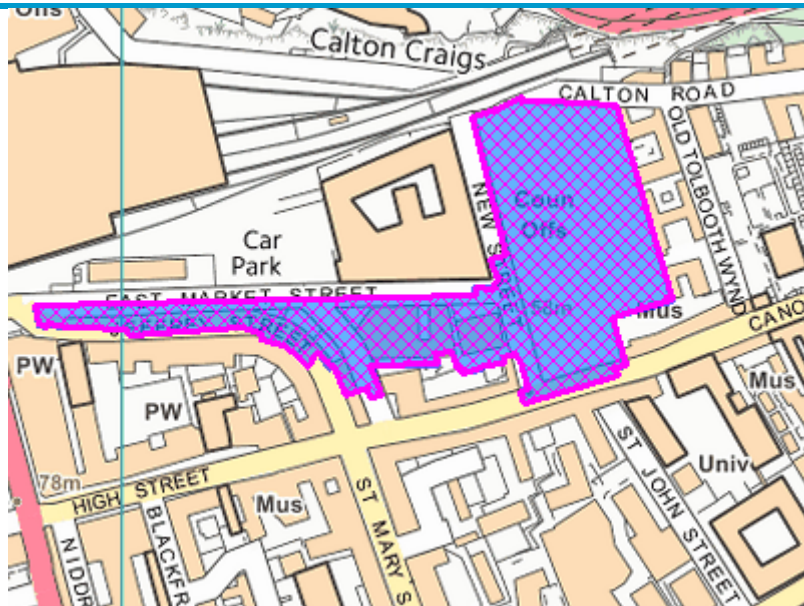
Appendix 1

Application for Planning Obligation 17/05746/OBL At Land Adjacent To, New Street, Edinburgh To discharge various obligations in S75 agreement (2013)

Consultations

No consultations undertaken.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

Application for Planning Obligation 17/05747/OBL At Land Adjacent To, New Street, Edinburgh To discharge various obligations in S75 agreement (2014)

Item number	4.19
Report number	
Wards	00 - No Ward Number

Summary

The proposed modified clauses are acceptable and the applicants' request for the modification of the 2014 planning obligation can therefore be accepted.

Links

[Policies and guidance for this application](#)

Report

Application for Planning Obligation 17/05747/OBL At Land Adjacent To, New Street, Edinburgh To discharge various obligations in S75 agreement (2014)

Recommendations

1.1 It is recommended that this application be accepted and the agreement be modified

Background

2.1 Site description

The site comprises the Caltongate/New Waverley development an overall area of some 2.35 hectares.

It is bounded to the North by Calton Road, to the East by Tolbooth Wynd, to the South by the Canongate and to the West by New Street and Cranston Street.

A number of the elements of this overall development have now been completed including the hotel fronting Canongate, the two hotels on East Market Street and the redevelopment of the Arches fronting Jeffrey Street and East Market Street.

The site is within the Edinburgh World Heritage Site and the Old Town Conservation Area.

2.2 Site History

The relevant site history is:

29 January 2014 - Development Management Sub Committee were minded to grant planning permission subject to an appropriate legal obligation for development on the southern part of the wider Caltongate/New Waverley development (the PA5, PA6 and PA7 applications) (application number 13/03406/FUL).

29 January 2014 - Development Management Sub Committee were minded to grant planning permission subject to an appropriate legal obligation for development on the northern part of the wider Caltongate/New Waverley development (the PA3 and PA4A applications) (application number 13/03407/FUL).

27 March 2014 - A single legal obligation, replacing that concluded on 22 May 2013, was concluded and planning permission granted for both of the above Caltongate applications.

Main report

3.1 Description Of The Proposal

The application seeks the modification of the planning obligation, made under the provisions of section 75 of the Town and Country Planning (Scotland) Act 1997, regarding the development of the Caltongate/New Waverley and concluded with the Council on 27 March 2014.

A number of the obligation clauses have been complied with and there are clauses that have been overtaken by events, relating to the development of the site. Accordingly, the developer seeks a formal discharge of the following matters:

Clauses 6.1 to 6.4 relating to works for the provision of a pedestrian Toucan Crossing in the Canongate and pedestrian crossing in East Market Street.

Clause 6.5 relates to the provision of real time bus information in the proposed public square.

Clauses 7.1 to 7.5 require the developer to pay the Junction Works of £40,000 towards the improvement of the junction of St Mary's Street, Jeffrey Street, Canongate and High Street.

Clauses 7.6 to 7.7 requires a road traffic regulation order (TRO) to make New Street, from its junction with East Market Street to its junction with Canongate, one way in a southerly direction; and a redetermination of a section of New Street, from its junction with East Market Street to Canongate, to change to a shared surface over the full length.

Clause 11 requires the re-use of stone from the demolished vehicle depot at East Market Street to be made available for Council use.

Clause 14 requires the developer to make the Tram contribution payment.

Schedules Part 4, Part 5 and Part 6 each required public realm and education contributions to be made to the Council.

All other clauses and schedules are to remain in force.

3.2 Determining Issues

Section 75A(1)(a) of the Town and Country Planning (Scotland) Act 1997 states - A planning obligation may not be modified or discharged except, by agreement, between the planning authority and a person against whom that obligation is enforceable.

In determining such an application for the modification or discharge of a planning obligation, the specific provision should be considered against the five policy tests set out in Planning Circular 3/2012. These tests relate to: necessity, planning purpose, relationship to the proposed development, relationship to scale and kind and reasonableness.

3.3 Assessment

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

- (a) the modification of the obligation, as proposed, is considered to be acceptable;
- (b) the proposals have any equalities or human rights impacts;
- (c) comments raised have been addressed; and
- (d) finance implications of the decision.

a) The Modification of the Obligation is Acceptable

The Council's planning records confirm that:

Clauses 6.1 to 6.4: The pedestrian Toucan Crossing in the Canongate and pedestrian crossing in East Market Street have been completed in full.

Clause 6.5: The Council officers have confirmed to the developer that the provision of real time bus information in the proposed public square is no longer required.

Clauses 7.1 to 7.5: The financial contribution towards the junction improvements has been paid in full; 8 December 2016.

Clauses 7.6 to 7.7: The TROs for the road works have been paid in full and those works undertaken.

Clause 11: The stone from the demolition of the vehicle depot at East Market Street has been made available for Council use.

Clause 14: The Tram contribution payment has been paid in full; 29 July 2016.

Schedules Part 4, Part 5 and Part 6: Public realm and education contributions. The related permissions have lapsed without being implemented. Accordingly, those clauses have fallen.

Accordingly, it is appropriate for the proposed modification, to delete these specific clauses from the 2014 planning obligation is appropriate. Therefore this request can be agreed in this instance.

b) Equalities and Human Rights Impacts

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

c) Public Comments

No representations were received concerning this proposal.

d) Finance

All of these payment clauses and work requirements, subject of this application, have been fulfilled by the developer or the permissions to which they relate have lapsed. Accordingly, there would be no financial implications to granting these modifications to the 2014 obligation.

Conclusion

In conclusion, the applicants' request for these modification to the 2014 legal obligation for the development of this site are accepted and accordingly this application should be approved.

It is recommended that the planning obligation to which this application refers is modified accordingly.

It is recommended that this application be accepted and the agreement be modified

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

1. Please submit an engrossed Discharge or Minute of Variation (as appropriate) in accordance with the terms of this Decision Notice for execution and registration by the City of Edinburgh Council along with the required registration forms and registration fee. Submissions should be sent to The City of Edinburgh Council, Legal Services, 4 East Market Street, Edinburgh, EH8 8BG.

Financial impact

4.1 The financial impact has been assessed as follows:

All of these payment clauses and work requirements, subject of this application, have been fulfilled by the developer or the permissions to which they relate have lapsed. Accordingly, there would be no financial implications to granting these modifications to the 2014 obligation.

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

The application, to modify and discharge an obligation, is required to be notified to any other parties to the original agreement, in accordance with the provisions of Regulation 5 of the Town and Country Planning (Modification and Discharge of Planning Obligations) (Scotland) Regulations 2010.

The necessary notifications were carried out under the Regulations and no representations have 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 - Urban Area.

Date registered

7 December 2017

Drawing numbers/Scheme

,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: John Maciver, Senior Planning Officer

E-mail:john.maciver@edinburgh.gov.uk Tel:0131 529 3918

Links - Policies

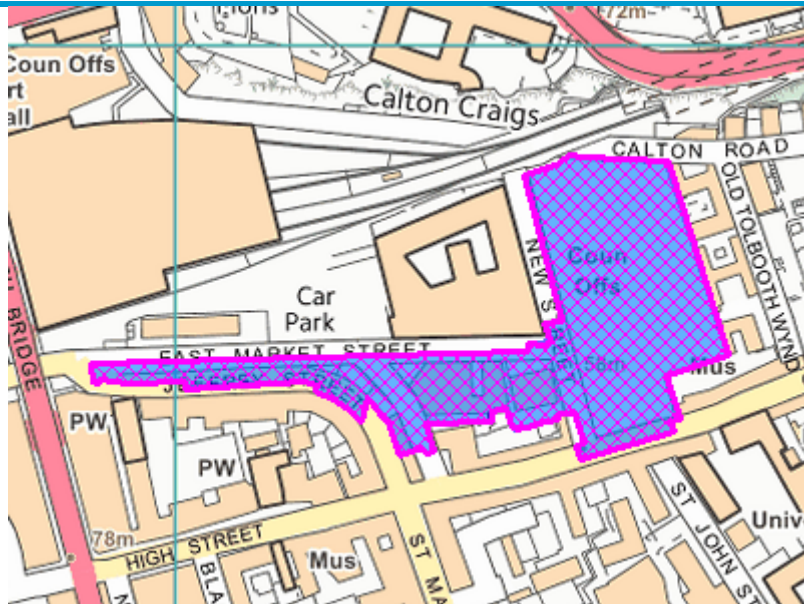
Appendix 1

Application for Planning Obligation 17/05747/OBL At Land Adjacent To, New Street, Edinburgh To discharge various obligations in S75 agreement (2014)

Consultations

No consultations undertaken.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

**Application for Advert Consent 18/00810/ADV
At Proposed Advertising 69 Metres North Of 80, Newcraighall
Road, Edinburgh
Internally illuminated LED 48 sheet advertisement hoarding
in landscape orientation.**

Item number	4.20
Report number	
Wards	B17 - Portobello/Craigmillar

Summary

The proposed digital display hoarding has an acceptable impact on the amenity of the location and on public safety. It accords with Regulation 4(1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), taking account of the Council's guidance on Advertisements, Sponsorship and City Dressing. There are no material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	NONE, NSADSP,
--	---------------

Report

Application for Advert Consent 18/00810/ADV At Proposed Advertising 69 Metres North Of 80, Newcraighall Road, Edinburgh Internally illuminated LED 48 sheet advertisement hoarding in landscape orientation.

Recommendations

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

Background

2.1 Site description

The site is located on a raised grass verge on the northern side of Newcraighall Road, with oncoming traffic towards the A1 slip road and Newcraighall. The Fort Kinnaird commercial centre immediately surrounds the site to the north, west and south.

2.2 Site History

27 March 2017 - Advertisement Consent granted for an internally illuminated digital led 48 sheet hoarding (reference, 17/00491/ADV).

Main report

3.1 Description Of The Proposal

Advertisement Consent was granted by the Development Management Sub Committee on 27 March 2017 (reference, 17/00491/ADV). However, due to the site being above a large sewer, the consent cannot be implemented. The current application is for an alternative location nearby.

The application is for the erection of one internally illuminated LED 48 sheet digital advertisement hoarding in landscape format. The advertisement is single sided, orientated in a westward direction on the north side of Newcraighall Road and will be seen by those travelling north east into the city centre or towards Newcraighall.

The proposed hoarding will measure 6.5 metres wide by 3.4 metres high and it will be fixed onto a 2.2 metres high steel support frame, with a total height of 5.6 metres. The hoarding will have a depth of 600mm.

3.2 Determining Issues

Do the proposals affect the amenity of the locality? In the determination of the suitability of the site for the display of advertisements, the Planning Authority shall have regard to the general characteristics of the locality including the presence of any feature of historical, architectural, cultural or similar interest. The authority may disregard any advertisements displayed in the locality.

Do the proposals affect public safety? The Planning Authority shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

3.3 Assessment

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

- a) the proposal will have an adverse impact on amenity;
- b) the proposal will have an adverse impact on public safety;
- c) any impacts on equalities or human rights are acceptable; and
- d) any public comments raised have been addressed.

a) Amenity

The proposed site lies within the Fort Kinnaird commercial centre, on the south east edge of the city. Existing trees and the A1 Musselburgh Bypass road provide a backdrop to the advertisement hoarding in this roadside location. As such, the characteristics of the site do not raise any amenity issues.

The proposal is in accordance with the Council's guidance on Advertisements, Sponsorship and City Dressing.

To ensure the impacts on amenity at night time are acceptable, a condition is recommended to control light levels from the advertisement.

The proposal will have acceptable impact on the amenity of the location, in accordance with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

b) Public Safety

The proposed location of the hoarding has been assessed as low risk in regards to road safety.

Subject to the images being static only, the advertisement would be acceptable with regard to public safety. A condition is recommended in this regard.

The frequency of change of any images is not a matter that can be controlled under the Advertisement Regulations. With respect to road safety, more appropriate controls exist under section 93 of the Roads (Scotland) Act 1984 (as amended).

The proposal will have an acceptable impact on public safety, in accordance with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

c) Equalities and Human Rights

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

d) Public comments

No representations have been received.

Conclusion

The proposal will have an acceptable impact on the amenity of the location and on public safety. The proposal accords with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended), taking account of the Council's guidance on Advertisements, Sponsorship and City Dressing.

There are no material considerations which outweigh this conclusion as advertisement control shall be exercisable only in the interests of amenity and public safety.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Consent is granted for a period of five years from the date of consent.
2. Advertisements shall be static images only.
3. The intensity of illumination of the advertisement display shall be restricted to 75 candelas per square metre during night time hours, these hours being 30 minutes after sunset to 30 minutes before sunrise each day.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. To safeguard public safety.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.

Informatives

It should be noted that:

1.
 - a) Adverts must not contain moving images or sequencing of images over more than one advert;
 - b) Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;
 - c) There should be no message sequencing where a message is spread across more than one screen;
 - d) Phone numbers, web addresses details etc should be avoided;
 - e) It is recommended that the speed of change of image should be set to be in effect instantaneous;
 - f) Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;
 - g) Adverts should not resemble existing traffic signs or provide directional advice;
 - h) Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits; and
 - i) The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened,. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.

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

No representations have 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

Date registered 22 February 2018

Drawing numbers/Scheme 01-07,

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:

Policies not applicable

Non-statutory guidelines 'ADVERTISEMENTS, SPONSORSHIP AND CITY DRESSING' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

Appendix 1

Application for Advert Consent 18/00810/ADV At Proposed Advertising 69 Metres North Of 80, Newcraighall Road, Edinburgh Internally illuminated LED 48 sheet advertisement hoarding in landscape orientation.

Consultations

Transport Planning

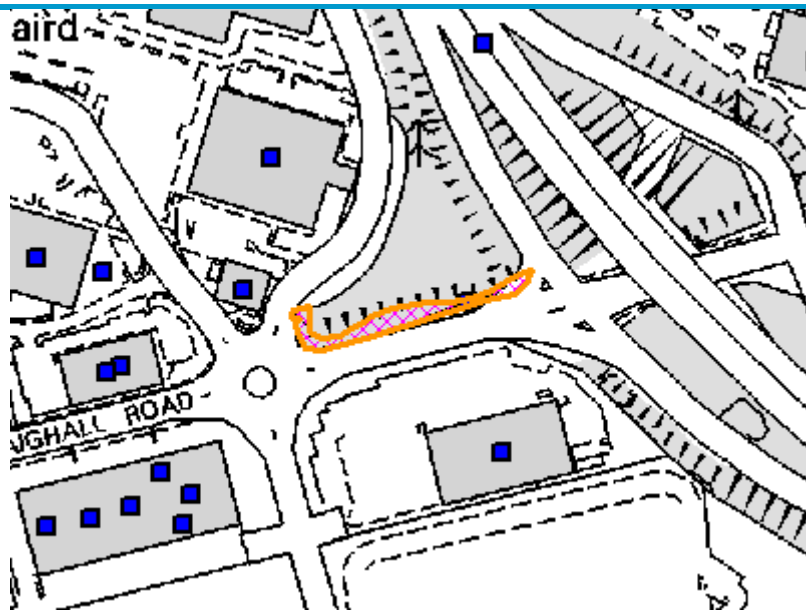
No objections to the application.

Note:

1. This location has been assessed as low risk;
2. As outlined in the Council's report to Planning Committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital large format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:
 - a) there shall be no moving images, animation, video or full motion images displayed unless consent has been granted for such displays;
 - b) digital roadside billboards/hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays;
 - c) the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);
 - d) Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984.With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above a maximum change rate of one static advert every 15 seconds will be permitted at this location (i.e. 4 adverts a minute). If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;
3. Adverts must not contain moving images or sequencing of images over more than one advert;
4. Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;
5. There should be no message sequencing where a message is spread across more than one screen;
6. Phone numbers, web addresses details etc should be avoided;
7. It is recommended that the speed of change of image should be set to be in effect instantaneous;

8. Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;
9. Adverts should not resemble existing traffic signs or provide directional advice;
10. Night time levels of luminance should be based on the luminance of other signs and surfaces in the area. Typical values in urban areas would be in the range of 75-300Cd/m²;
11. Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits;
12. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

Application for Planning Permission 18/00594/FUL

At 63 Nile Grove, Edinburgh, EH10 4SN

Sub-divide basement from ground floor to form separate dwelling. Internal alterations to basement floor layout. Form external glazed french doors from ground floor with new access staircase to rear garden. Form new entrance doorway from enlarged existing window opening at basement level.

Item number	4.21
Report number	
Wards	B10 - Morningside

Summary

The proposal complies with the adopted Local Development Plan and the Council's Edinburgh Design Guidance. The proposal is acceptable in principle, preserves the character and appearance of the conservation area and is of suitable quality in terms of design and form, choice of materials and positioning. The proposal will not result in any unreasonable loss of residential amenity, and will not have any detrimental impact on neighbourhood character. No impact on equalities and human rights was identified. There are no material considerations which outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LHOU01, LEN06, LDES12, NSG, NSGD02, NSLBCA, OTH, CRPMON,
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Report

**Application for Planning Permission 18/00594/FUL
At 63 Nile Grove, Edinburgh, EH10 4SN
Sub-divide basement from ground floor to form separate dwelling. Internal alterations to basement floor layout. Form external glazed french doors from ground floor with new access staircase to rear garden. Form new entrance doorway from enlarged existing window opening at basement level.**

Recommendations

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

Background

2.1 Site description

The site is on the north side of Nile Grove and relates to an end terraced two storey stone built dwellinghouse. The land drops to the north creating a basement level which accesses the garden ground to the rear. The site is bounded by other similar sized residential properties. It is located in a well established residential area where many of the properties have been extended or altered in some way.

This application site is located within the Morningside Conservation Area.

2.2 Site History

27 August 2004 - Planning permission was granted for alteration to upgrade, form new windows and form front garden lightwell (application number 04/02531/FUL).

17 January 2018 - Planning permission was refused to sub-divide basement to form separate dwelling, form external glazed french doors, new balcony and access staircase to rear garden (application number 17/02611/FUL).

Main report

3.1 Description Of The Proposal

The proposal is to sub-divide the basement of the house to form a separate dwelling. It is also proposed to form external glazed french doors with an access staircase leading to the rear garden.

The staircase would be constructed in galvanised steel finished in powder coated black. The new doors would be finished in timber.

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 subdivision of the property is acceptable;
- b) the proposal will preserve or enhance the character or appearance of the conservation area;
- c) the proposal will be of a suitable quality in terms of design;
- d) the proposal will cause unacceptable loss of residential amenity;
- e) the proposals affect road safety and car parking;
- f) any impacts on equalities or human rights are acceptable; and
- g) any comments raised have been addressed.

a) Sub Division of Property

Policy Hou 1 of Edinburgh Local Development Plan (LDP) supports housing development on suitable sites in the urban area provided proposals are compatible with other policies in the plan.

The new dwelling would be in the basement of the existing residential property which is surrounded by other residential properties. It would have two bedrooms, a living room and a kitchen. It would have dual aspect. To ensure satisfactory amenity, the Council's Edinburgh Design Guidance seeks dwellings of this size to have a minimum internal floor area of 66 square metres. The proposal complies with this requirement. There is adequate garden ground to the rear of the building to serve both dwellings. The subdivision is acceptable and will create an acceptable amenity for the future residents.

b) Conservation Area

The site lies within Morningside Conservation Area where the Conservation Area Character Appraisal emphasises the architectural character as *being largely composed of Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of private open space. The villa streets are complemented by the profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas are in variety of architectural styles, unified by the use of local building materials.*

In terms of LDP Policy Env 6, the proposed access stair leading to the garden ground has been reduced in scale from the previous refusal of planning permission. The purpose of the proposed staircase is entirely for rear garden access only. The Council's Guidance on Listed Buildings and Conservation Areas supports access stairs to the floor above the lowest habitable floor level provided they are a lightweight modern addition in keeping with the character of the building. This is a straight flight of stairs made of galvanised steel. The design retains the vertical proportions of building. The proposal will not have a significant impact on the character and appearance of the conservation area.

The proposal complies with LDP Policy Env 6.

c) Design, Form, Materials and Positioning

The proposed staircase would be accessed directly from the proposed french doors with a smaller landing area of a size as necessary to comply with Building Regulations (Scotland). The original elevated handrail around the perimeter of the existing outshot has been removed. The access stair has less of a projection into the rear garden from the original design, along the side of the outshot resulting in a far less prominent feature than before and would be considered more in-keeping with the character of the property. The proposed materials are compatible with the character of the building.

The proposals complies with LDP Policy Des 12.

d) Residential Amenity

The new dwelling at basement level would not result in an unacceptable change to residential amenity.

The replacement of an existing window with french doors will not cause an acceptable loss of residential amenity.

To the rear of the building at basement level there is an existing outshoot with a flat roof. The new access stair has been designed around this outshoot and includes a landing area of a size required by Building Regulations (Scotland). The surrounding properties currently overlook the application site and the gardens of neighbouring properties. Residential amenity will not be adversely affected by the new staircase.

There is no unacceptable loss of residential amenity.

e) Road Safety

The site is in an area where there is both unrestricted and restricted car parking. There is an existing driveway serving the property but the proposals do not include any provision for car parking for the new dwelling. The site is well served by public transport.

The proposal is satisfactory in terms of parking and traffic implications.

f) Equalities and human rights

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

g) Public comments

Material Considerations

- loss of privacy - addressed in section 3.3c).
- detracts from character of the area - addressed in section 3.3b).
- metal staircase out of character with the area - addressed in section 3.3b).
- an additional property will lead to increased parking issues – addressed in section 3.3d).

Non-material considerations

- setting a precedent for similar developments in the future.
- loss of property value.
- noise and disturbance.

Community Council

No comments were received.

Conclusion

The proposal is of an appropriate scale and design which complies with the development plan and relevant non-statutory guidelines. The proposal preserves the character and appearance of this part of Morningside Conservation Area. The proposal will not result in an unreasonable loss of residential amenity. There are no road safety issues. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 23 February 2018 and nine representations were received objecting to the proposals.

A full assessment of the representations can be found in the Assessment section in the main 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 lies within the urban area of the Edinburgh Local Development Plan where it is designated as lying within Morningside Conservation Area.

Date registered

16 February 2018

Drawing numbers/Scheme

1-9,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jennifer Zochowska, Senior Planning Officer

E-mail:jennifer.zochowska@edinburgh.gov.uk Tel:0131 529 3793

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

Relevant Non-Statutory Guidelines

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

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

Other Relevant policy guidance

The Morningside Conservation Area Character Appraisal emphasises that the architectural character of the conservation area is largely composed of Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of private open space. The villa streets are complemented by the profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas which are in variety of architectural styles are unified by the use of local building materials.

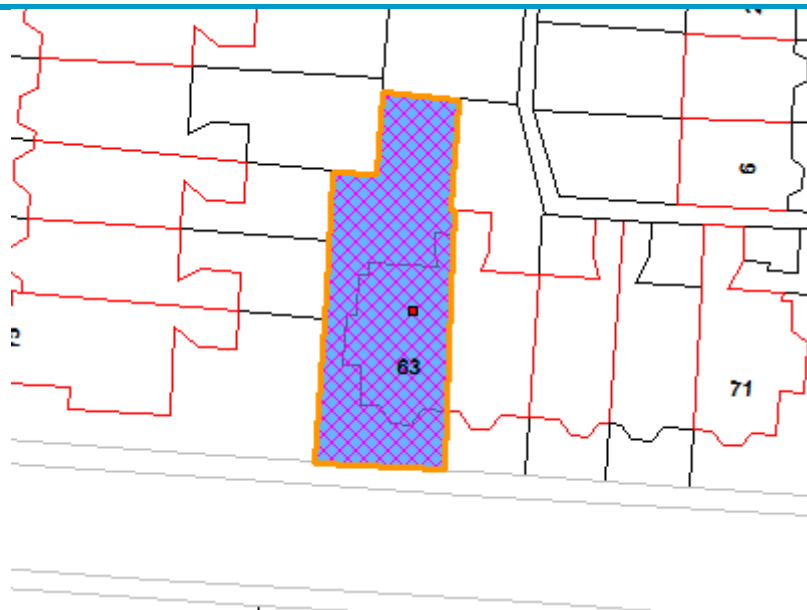
Appendix 1

**Application for Planning Permission 18/00594/FUL
At 63 Nile Grove, Edinburgh, EH10 4SN
Sub-divide basement from ground floor to form separate dwelling. Internal alterations to basement floor layout. Form external glazed french doors from ground floor with new access staircase to rear garden. Form new entrance doorway from enlarged existing window opening at basement level.**

Consultations

No consultations undertaken.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

**Application for Advert Consent 18/00526/ADV
At Advertising Hoarding 8 Metres North Of 6, Pilton Drive
North, Edinburgh
Internally LED illuminated 48 sheet digital advertisement in
landscape orientation.**

Item number	4.22
Report number	
Wards	B04 - Forth

Summary

The proposal does not raise any issues in respect of public safety. However, the proposal would have an adverse impact on amenity due to the close proximity of the proposed digital advertisement to nearby residential properties. Therefore, the proposal does not comply with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and it is recommended that express consent for the proposal is refused. There are no material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	NSADSP, NSBUS,
--	----------------

Report

Application for Advert Consent 18/00526/ADV At Advertising Hoarding 8 Metres North Of 6, Pilton Drive North, Edinburgh Internally LED illuminated 48 sheet digital advertisement in landscape orientation.

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The site comprises an existing 96 sheet, internally illuminated advertisement hoarding, located at the junction of Pilton Drive North and West Granton Road. The advertisement site is located at the rear of a grassed area and is flanked by a high timber fence.

2.2 Site History

28 August 2008 - Express advertisement consent for display of a back lit hoarding refused (application reference 05/01829/ADV). Application was granted on appeal at DPEA (reference ADA-230-133).

29 January 2018 - Express advertisement consent for display of an internally illuminated LED, digital 48 Sheet advertisement in landscape orientation refused (reference 17/05249/ADV).

Main report

3.1 Description Of The Proposal

The proposal seeks advertisement consent for the removal of one 96 sheet, internally illuminated hoarding and its replacement with one internally illuminated 48 sheet digital advertisement hoarding in a landscape orientation.

The replacement hoardings will measure 6.4 metres in length by 3.4 metres in height, and be positioned 2.7 metres above ground level. The supporting information states that the intensity of illumination will be no greater than the existing advertisement, but does not provided any figures of proposed levels.

The design of the proposed digital advertisement is unchanged from application 17/05249/ADV. The change from the refused scheme in this application relates to additional information included in a supporting statement submitted.

3.2 Determining Issues

Do the proposals affect the amenity of the locality? In the determination of the suitability of the site for the display of advertisements, the Planning Authority shall have regard to the general characteristics of the locality including the presence of any feature of historical, architectural, cultural or similar interest. The authority may disregard any advertisements displayed in the locality.

Do the proposals affect public safety? The Planning Authority shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

3.3 Assessment

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

- a) The proposal would have an adverse impact on amenity; and
- b) The proposal raises any issues in respect of public safety.

a) Impact on Amenity

Regulation 4 (1) of the Town and Country (Control of Advertisements) (Scotland) Regulations 1984 states that advertisement control shall be exercisable only in the interests of (a) amenity and (b) public safety.

The application site is located in close proximity to residential properties to the north and east of the site, including some which directly face the site. Although there is a small parade of ground floor retail units forming a local centre to the north of the proposed advertisement, the surrounding area is predominantly residential in character.

Regulation 4 (1) allows the planning authority to disregard any existing advertisements displayed in the locality when determining whether to grant or refuse express consent. The existing advertisement is illuminated internally. The proposed digital advertisement would be much more prominent than the existing arrangement, particularly during night time hours. The ability of the digital advert to change colours and brightness at regular intervals would reflect into the windows of residential properties above the retail units on West Granton Road and Granton Crescent, which are less than 40 metres from the proposed advertisement. The amenity of neighbouring residents will be adversely affected by the close proximity of such intrusive advertisements.

The supporting statement suggests that the display could be switched off between midnight and 6am, with a luminance level of 300 cd/m² between dusk and dawn. It is not considered that these measures would adequately address the concerns about the amenity of the site. This is an issue of introducing digital advertisement hoardings in an area which is of a mixed character with a large degree of residential properties in the vicinity.

The proposal would have an adverse impact on amenity.

b) Public Safety

The proposal does not raise any issues in respect of public safety.

Conclusion

In conclusion, the proposal does not raise any issues in respect of public safety. However, the proposal would have an adverse impact on amenity due to the close proximity of the proposed digital advertisements to nearby residential properties, level of illumination and changing images. Therefore, the proposal does not comply with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and it is recommended that express consent for the proposal is refused. There are no material considerations which outweigh this conclusion.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal would have an adverse impact on amenity due to the close proximity of the proposed digital advertisement to nearby residential properties, levels of illumination and changing images. Therefore, the proposal does not comply with Regulation 4 (1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

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

No representations have 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**

Urban area as identified in the Local Development Plan.

Date registered

6 February 2018

Drawing numbers/Scheme

01, 02,

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:

Non-statutory guidelines 'ADVERTISEMENTS, SPONSORSHIP AND CITY DRESSING' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

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.

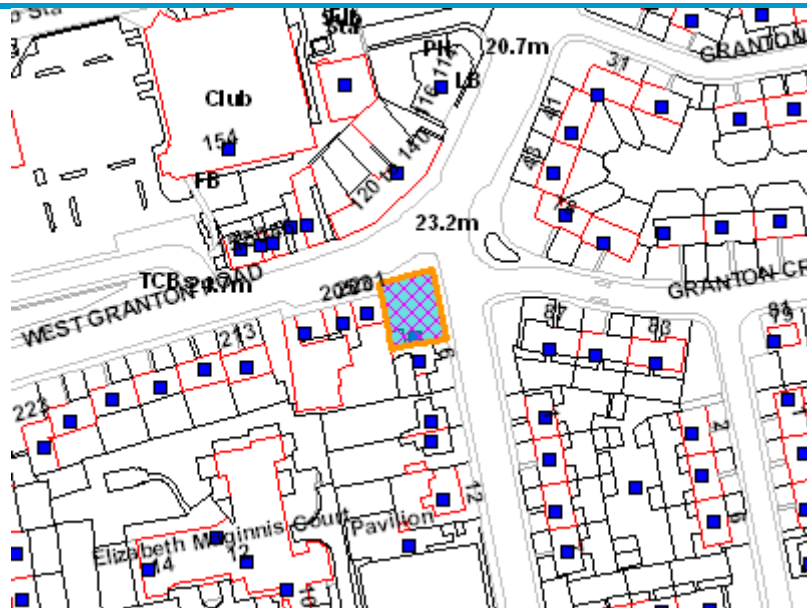
Appendix 1

**Application for Advert Consent 18/00526/ADV
At Advertising Hoarding 8 Metres North Of 6, Pilton Drive
North, Edinburgh
Internally LED illuminated 48 sheet digital advertisement in
landscape orientation.**

Consultations

No consultations undertaken.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

**Application for Planning Permission 17/05955/FUL
At Newcraighall Primary School, 67 Whitehill Street,
Musselburgh
Installation of modular unit building to provide 3 no.
classrooms and associated ancillary spaces. Demolition of
existing temporary unit with area made good to form
additional play area (as amended).**

Item number	4.23
Report number	
Wards	B17 - Portobello/Craigmillar

Summary

The proposed standalone development within the school grounds complies with the policies in the Edinburgh Local Development Plan and the Edinburgh Design Guidance. The proposal will not impact on the setting of the listed building and it will not detract from the character or appearance of the area. The proposal will not impact on neighbouring amenity. It is recommended that the application is granted.

Links

<u>Policies and guidance for this application</u>	LDPP, LDES01, LDES04, LDES05, LEN03, LEN09, LEN21, LTRA02, LTRA03, NSG, NSGD02,
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Report

**Application for Planning Permission 17/05955/FUL
At Newcraighall Primary School, 67 Whitehill Street,
Musselburgh
Installation of modular unit building to provide 3 no.
classrooms and associated ancillary spaces. Demolition of
existing temporary unit with area made good to form
additional play area (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 is Newcraighall Primary School, located on the south side of Whitehall Street. The main centre building is Category C listed (date of listing 07/10/2003, reference: LB49520). The north east of the site comprises of an existing modular classroom unit within the playgrounds.

The site is located within an established residential street with the independent Regius School located adjacent to the site. The wider area around the site are designated sites for housing allocations in the Edinburgh Local Development Plan (LDP).

2.2 Site History

No relevant planning history.

Main report

3.1 Description Of The Proposal

The application seeks to demolish an existing standalone classroom unit within the playgrounds and erect a new standalone modular unit on the south west of the site. The new classroom facility will have an approximate footprint of 237 square metres (sqm) and it will be 3.5 metres high. The unit will be accessible by stairs and a ramp. The external materials will comprise of steel cladding with plywood for the skirting and fascia. The windows will be double glazed aluminium. The colours of the materials are to be confirmed.

The modular unit has been chosen to allow for a short construction programme to enable the works to be carried out in summer 2018.

The removal of the existing modular unit does not require planning permission.

Scheme One

The application was revised to omit the inclusion of neighbouring land within the school grounds and the proposed alterations to the existing boundary walls.

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 proposal will impact on the setting of the listed building;
- c) the proposal is acceptable in scale, form and design and it will not detract from the neighbourhood character;
- d) the proposal will impact on neighbouring amenity;
- e) the proposal will impact on traffic or road safety issues;
- f) the proposal will impact on flooding issues;
- g) any impacts of equalities and human rights have been addressed;
- h) any other material considerations; and
- i) any comments raised have been addressed.

a) The Principle of the Development

The proposal is to extend the accommodation of an existing school which is serving the local area. The principle of this use in this area is already established by the existing school. The facilities will enhance the existing facility and, as the site is in the 'urban area' the principle of an additional school building is acceptable in this area.

b) Listed Building Setting

Policy Env 3 Listed Buildings- Setting in the LDP states that development affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interests of the building, or to its setting.

The extension of the existing educational use is characteristic of the site and it will replace an existing modular unit in a more visibly discreet location. The proposal is for a typical modular construction that is modest in scale, form and design. The positioning of the proposal will not have an unacceptable impact on the setting of the listed building within the school playgrounds.

c) Design

Policy Des 1 Design Quality and Context in the LDP states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place.

Policy Des 4 Development Design- Impact on Setting in the LDP requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views.

The proposal is reflective of modular units to accommodate short construction periods and is for a similar replacement of the existing unit within the school playgrounds. The unit will be subservient in scale to the main building and the design will have a neutral impact on the character of the school playgrounds and the character of the wider area. The proposal will not form as an incongruous addition and it will not impact on important views.

The proposal is to be developed on an existing area of hard standing within the school playgrounds. Whilst the reduction of school playing areas is not a matter addressed through the planning system, the proposal will recoup and make good additional playing areas as a result of removing the existing modular unit.

The proposal complies with Policy Des 1 and Des 4 in the Edinburgh Local Development Plan (LDP) and the Edinburgh Design Guidance.

d) Impact on Amenity

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 5 in the LDP.

e) Traffic and Road Safety

The proposed development is modest in scale and is ancillary to the use of the school. No issues of traffic or road safety have been raised and the proposals will have a neutral impact.

As this is a replacement building there is no requirement for additional cycle parking.

f) Flooding issues

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.

g) Equalities and Human Rights

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

h) Additional Material Considerations

Archaeology

The site occurs within the historic mining village of Newcraighall, an area of industrial archaeological significance with mining in this area thought to date back to the 12th/13th century. Accordingly, this site has been identified as occurring within an area of archaeological potential.

The proposed scheme will require ground-breaking works relating to construction of the school building. In light of recent work at Newcraighall and across the neighbouring development to the south, it is likely that these works will disturb significant remains associated with the areas pre-industrial (pre-19th century) mining heritage and potentially earlier prehistory remains. Therefore, a condition is applied requiring that a programme of archaeological works is undertaken prior to/during development in order to fully excavate and record any surviving archaeological remains including those relating to the sites mining heritage. This is to safeguard the interests of archaeological heritage.

i) Comments raised in representation

Non-Material

- Reference to neighbouring land - This element of the proposal was later omitted from the current proposal.
- Requests to install a 2 metre high solid fence as a result of neighbouring land being included within school grounds - The inclusion of the neighbouring land was later removed from the current proposal.

Conclusion

In conclusion, the proposed standalone development within the school grounds complies with the policies in the Edinburgh Local Development Plan and the Edinburgh Design Guidance. The proposal will not impact on the setting of the listed building and it will not detract from the character or appearance of the area. The proposal will not impact on neighbouring amenity. It is recommended that the application is granted.

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 within the site until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority.

Reasons:-

1. In order to safeguard the interests of archaeological 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.

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 17 January 2018 and the proposal attracted one letter of objection and one general comment. 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 (LDP).

Date registered

20 December 2017

Drawing numbers/Scheme

01, 02A, 03 and 04.,

Scheme 2

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

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

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

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 17/05955/FUL At Newcraighall Primary School, 67 Whitehill Street, Musselburgh Installation of modular unit building to provide 3 no. classrooms and associated ancillary spaces. Demolition of existing temporary unit with area made good to form additional play area (as amended).

Consultations

Flood Prevention

Flood Prevention are happy for this to proceed to determination with no outstanding issues.

Archaeology

Newcraighall Primary School 67 Whitehill Street

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the installation of a modular unit building to provide 3no. Classrooms and associated ancillary spaces, demolition of existing temporary unit with area made good to form additional play area, alterations to existing boundary wall to form new openings to allow access to neighbouring land under council ownership and for neighbouring land, under council ownership, to be included within boundary of school with associated change of use.

The site occurs within the historic mining village of Newcraighall, an area of industrial archaeological significance with mining in this area thought to date back to the 12th/13th century. The scale of this pre-industrial mining is only just to coming to light due to recent (2014-16) excavations carried out by GUARD across the north and south of the village, where extensive areas of previously unknown late/post-medieval mine workings have been identified alongside more modern 19th and 20th century remains. In addition the site to the south of the school has produced evidence for early prehistoric occupation.

Accordingly, this site has been identified as occurring within an area of archaeological potential. This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and Edinburgh Local Development Plan (2016) Policies ENV9.

The proposed scheme will require ground-breaking works relating to construction of the school building. In light of recent work at Newcraighall in particular across the neighbouring development to the South it is likely that these works will disturb significant remains associated with the areas pre-industrial (pre-19th century) mining heritage as well potentially earlier prehistory remains. Accordingly it is essential that programme of archaeological works is undertaken prior to/during development in order to fully excavate and recording any surviving archaeological remains including those relating to the sites mining heritage. This will also include analysis of any mine remediation works carried out to determine depth and extent of such workings.

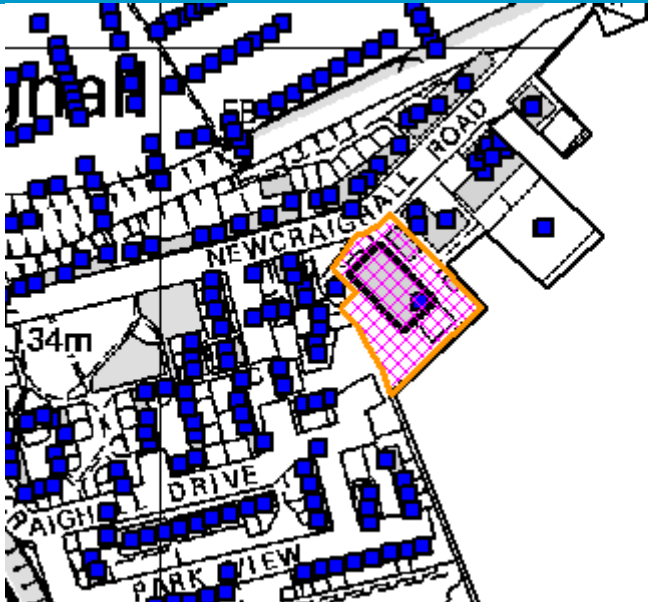
It is recommended that the following condition is attached in order fully record these important industrial buildings but also any associated buried remains as follows;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, recording and analysis, publication) 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.

Please contact me if you require any further information.

Location Plan



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END

Development Management Sub-Committee

10.00 am, Wednesday, 25 April 2018

Stopping Up Order – West Register Street, Edinburgh

Item number	4.24
Report number	
Executive/routine	
Wards	A11 - City Centre

Executive summary

The purpose of this report is to request that the Sub-Committee confirm as unopposed The City of Edinburgh Council (West Register Street, Edinburgh) (Stopping Up) Order 2018 - PO/18/01.

Links

Coalition pledges	
Council outcomes	CO25 – The Council has efficient and effective services that deliver on objectives.
Single Outcome Agreement	

Stopping Up Order –

THE CITY OF EDINBURGH COUNCIL (WEST REGISTER STREET, EDINBURGH)
(STOPPING UP) ORDER 2018 - PO/18/01.

Recommendations

- 1.1 That the Sub-Committee confirm as unopposed The City of Edinburgh Council (West Register Street, Edinburgh) (Stopping Up) Order 2018 – PO/18/01 (see Appendix 1 and 2).

Main report

- 2.1 To facilitate grant of approval of full planning permission (reference below) a Stopping Up Order was made by the Council as listed hereto
PO/18/01 West Register Street, Edinburgh (15/02788/FUL).
- 2.2 A small section of footway on the south side of West Register Street requires to be stopped up to allow a revolving door which, will extend onto the footway, to be installed as the main entrance to the new development.
- 2.3 The Stopping Up Order was made on 14 February 2018 and advertised on 16 February 2018. There are no outstanding objections to the Order.

Measures of success

- 3.1 The planning permission will be implemented in full.

Financial impact

- 4.1 Associated costs will be met by the applicants.

Risk, policy, compliance and governance impact

- 5.1 All statutory procedures for the making and confirmation of the Order have been correctly followed.

Equalities impact

- 6.1 None arising from this report.

Sustainability impact

- 7.1 Not applicable.

Consultation and engagement

- 8.1 Consultation period as required by the legislation has been carried out.

Background reading/external references

Reports to the Development Management Sub-Committee on
Wednesday 25 May 2016 15/02788/FUL

David Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Andrew Young, Traffic Orders

E-mail: a.young@edinburgh.gov.uk | Tel: 0131 469 3122

Links

Coalition pledges

Council outcomes CO25 – The Council has efficient and effective services that deliver on objectives.

Single Outcome Agreement

Appendices Appendix 1 – Stopping Up Order
Appendix 2 - Plan

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

THE CITY OF EDINBURGH COUNCIL (WEST REGISTER STREET, EDINBURGH) (STOPPING UP) ORDER 2018 - PO/18/01

The City of Edinburgh Council, in exercise of the powers conferred on them by section 207 of the Town and Country Planning (Scotland) Act 1997, ("the 1997 Act") and of all other powers enabling them in that behalf, and being satisfied that it has become necessary to authorise the Stopping Up of the lengths of road specified in the Schedule to this Order to enable development to be carried out in accordance with planning permission granted under Part III of the 1997 Act, and having complied with the provisions of Section 209 of and Schedule 16 to the 1997 Act, hereby make the following Order:-

1. This Order may be cited as "The City of Edinburgh Council (West Register Street, Edinburgh) (Stopping Up) Order 2018" and shall come into operation fourteen days after the date on which it is confirmed by the City of Edinburgh Council, or , if appropriate, by the Scottish Government.
2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. The stopping up of the lengths of road in the City of Edinburgh local government area specified in the Schedule to this Order is hereby ordered.
4. Where there is immediately before the date on which the said lengths of road are stopped up under this Order, any apparatus belonging to any statutory undertakers under, in, on, over, along or across the length of road for the purpose of carrying on their undertaking, the said statutory undertakers shall after commencement of this Order continue to have all rights in respect of the said apparatus as they had immediately before that date.

Executed by The City of Edinburgh Council This Fourteenth day of February Two thousand and eighteen.

A D Y J
(witness)

D R Leslie
Chief Planning Officer

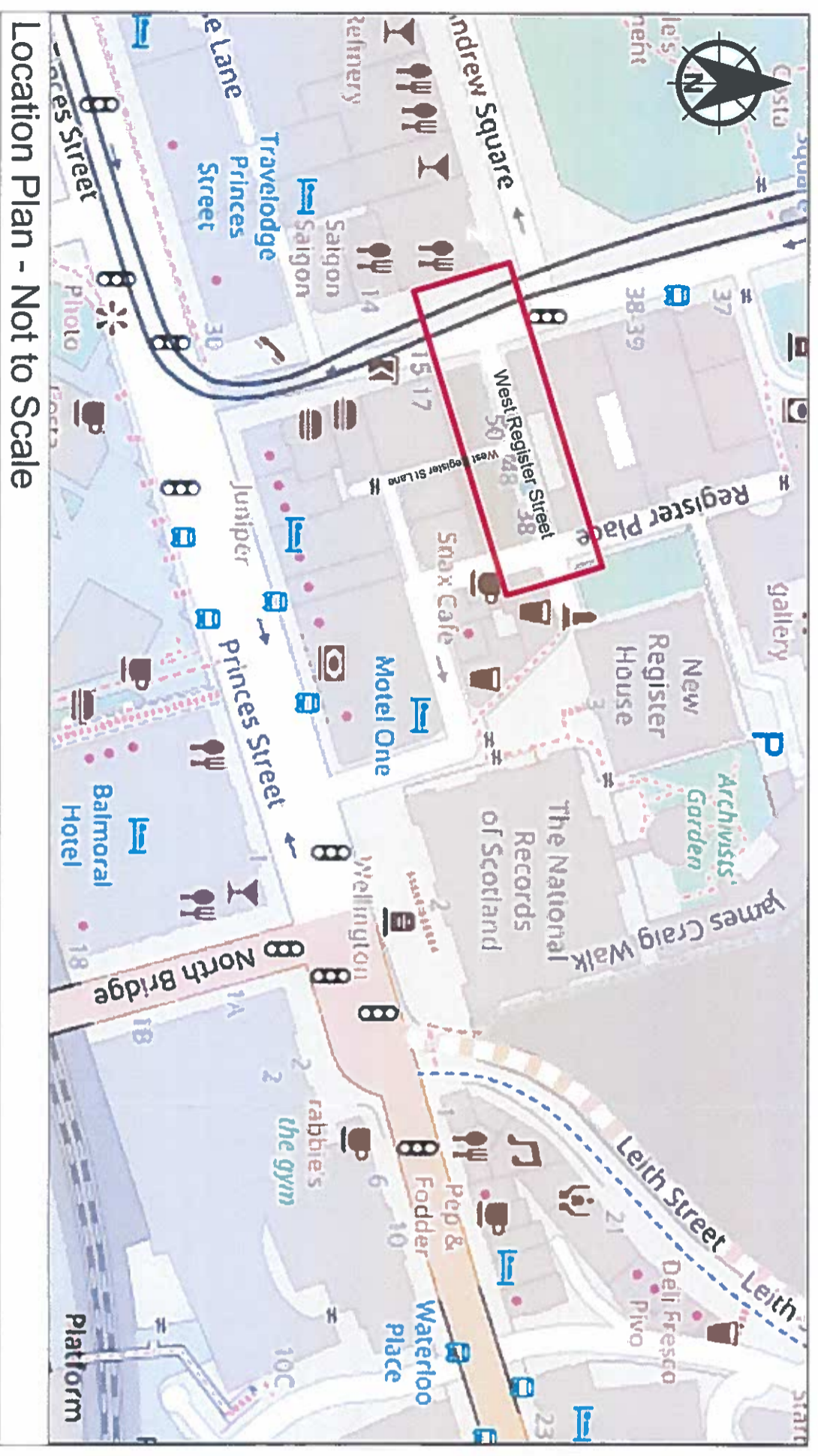
SCHEDULE

LENGTHS OF ROAD TO BE STOPPED UP

West Register Street (South Side)

All that part of the road (footway) on the south side of West Register Street, in an arc, which has a radius of 1.25 metres or thereby northwards, the centre of which is 7 metres or thereby east of the intersection of the east building line of West Register Street Lane and the south building line of West Register Street (an area of 2.46 square metres or thereby).

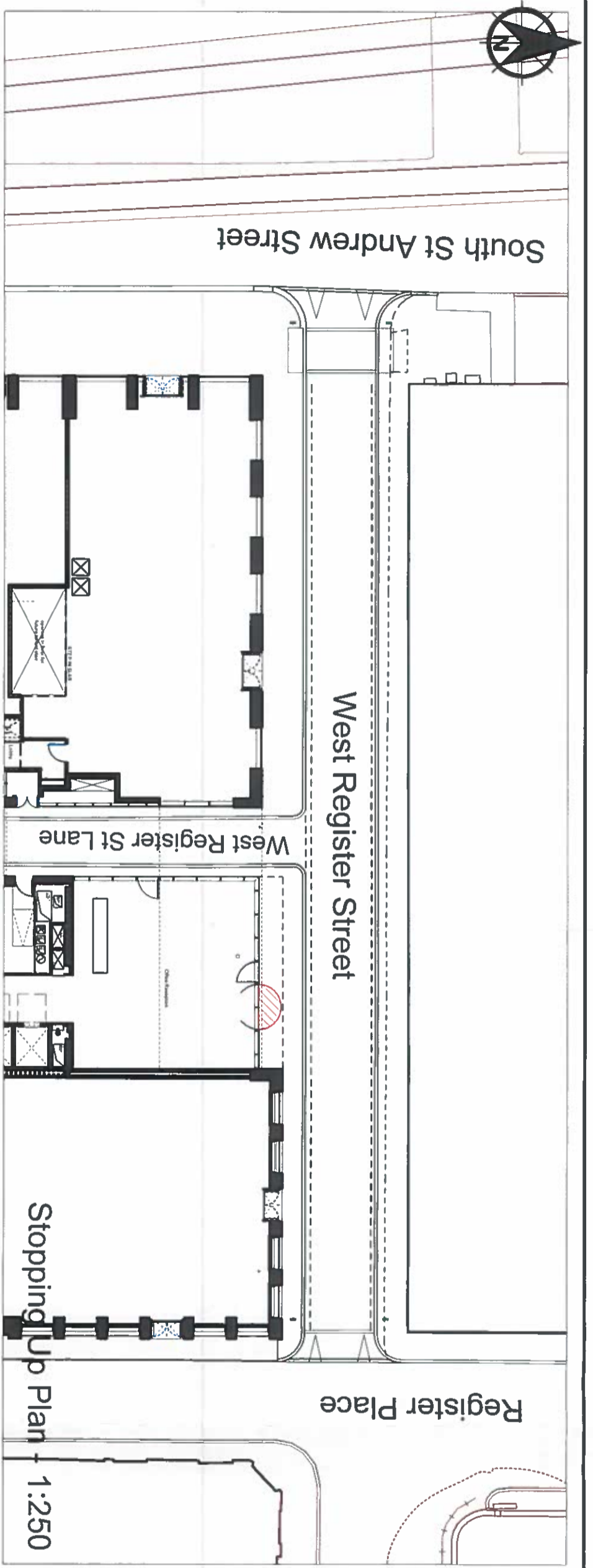
All as the lengths of roads are shown hatched on the plan executed as relative to the Order.



Location Plan - Not to Scale

THE CITY OF EDINBURGH COUNCIL (WEST REGISTER STREET, EDINBURGH) (STOPPING UP) ORDER 2018- PO/18/01
 Plan showing the lengths of road stopped up in terms of the above Order.
 Executed by The City of Edinburgh Council This Fourteenth day of February Two thousand and eighteen

[Signature]
 (witness)
[Signature]
 Chief Planning Officer



Stopping Up Plan - 1:250

NOTES
 1. NOTES

 Area to be stopped up

<p>Choose office address from drop down</p> <p>SWECO</p> <p>Chris Stewart Group</p>		<p>For information</p> <p>The Registers</p>	
<p>West Register Street Stopping Up Order</p>			
<p>Original Size: A3</p> <p>Drawing Number: 118794_01_SUO</p>	<p>Date: 09/01/18</p> <p>Drawn: NH</p>	<p>Date: 09/01/18</p> <p>Checked: NH</p>	<p>Date: 09/01/18</p> <p>Approved: NH</p>

Development Management Sub Committee

Report returning to Committee - Wednesday 25 April 2018

Application for Planning Permission 16/04716/FUL At GF, 2 Stoneycroft Road, South Queensferry Demolition of existing building on site and erection of five terraced townhouses on sloping site.

Item number	5.1
Report number	
Wards	A01 - Almond (Pre May 2017)

Recommendations

It is recommended that this application be Refused for the reasons below.

Background information

The Committee was minded to grant planning permission on 2 August 2017, subject to the conclusion of a legal agreement within six months of this date to make a financial contribution to Children and Families. The purpose of this contribution was to alleviate accommodation pressures in the local school catchment area.

Main report

The required legal agreement to secure education contributions of £84,610 (indexed linked) towards additional Primary School capacity plus £11,410 towards land has not been concluded within six months of the minded to grant date.

This is despite the fact that the applicant was informed by Brodies Solicitors that the Committee expect developers to meet their school contributions in full. The applicant did not proceed with either of the two options offered, i.e.

- negotiate, sign and register a legal agreement to enable planning permission to be issued;

- challenge the matter requiring the submission of a full viability case for consideration and reassessed by the Development Management Sub-Committee.

The applicant claims that the required contribution per unit renders the development unviable but has offered no supporting information.

It is recommended that the Committee refuses this application in the absence of a legal agreement to suitably mitigate the impact of the development on the Council's school estate.

Links

<u>Policies and guidance for this application</u>	LDPP, LHOU01, LDES01, LDES03, LDES05, LEN06, LEN09, LTRA02, LTRA03, NSG, NSLBCA, NSGD02, CRPQUE,
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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=OEBO9WEWKCF00>

Or [Council Papers online](#)

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Clare Macdonald, Senior Planning Officer

E-mail:clare.macdonald@edinburgh.gov.uk Tel:0131 529 6121

Development Management Sub-Committee

10.00 am Wednesday 25 April 2018

Protocol Note for Pre-determination Hearing

Planning Application No 16/05217/PPP

**Land 320 Metres Southeast Of 1 Riccarton Mains Cottages, Riccarton
Mains Road, Currie**

Item number	6.1
Report number	
Ward	Pentland Hills

Laurence Rockey

Head of Strategy and Insight

Contacts: Blair Ritchie

Email: blair.ritchie@edinburgh.gov.uk

Tel: 0131 529 44085

Summary

Protocol Note for Hearing

Summary

The Council is committed to extending public involvement in the planning process. Hearings allow members of the public to put their views on planning applications direct to the Councillors on the Development Management Sub-Committee.

The Sub-Committee members have a report on the planning application which contains a summary of the comments received from the public. Copies of the letters are available for Councillors to view in the group rooms.

As agreed by the Council on 17 December 2009, ward councillors who are not members of the Development Management Sub-Committee may not participate in the pre-determination hearing.

Committee Protocol for Hearings

The Planning Committee on 25 February 2016 agreed a general protocol within which to conduct hearings of planning applications as follows:

- Presentation by the Chief Planning Officer	20 minutes
- Presentations by Community Council and Other Parties	5 minutes, each party
- Questions by Members of the Sub-Committee	
- Presentation by Applicant	15 minutes
- Questions by Members of the Sub-Committee	
- Debate and decision by members of the Sub-Committee	

Order of Speakers for this Hearing

1	Chief Planning Officer - presentation of report	10.05 – 10.25
2	Persons/Organisations who have made representations <ul style="list-style-type: none">– Currie Community Council - Dr Keith Symington and Vivien Granton.– Heriot Watt University - Brian W Muir (Ryden)– Davidson Robertson Rural - Martin Hall and Michael Reid Thomas	10.30 –10.35 10.40 –10.45 10.50 –10.55
3	Applicant/Applicant's Agent H&H Group Plc Tim Ferguson (Ferguson Planning),	11.00 –11.15
4	Debate and Decision on Application by Sub-Committee	11.25

Scheduled times are approximate but within this the time limits for speakers will have to be enforced – speakers will be reminded when they have 1 minute remaining. Speakers should keep to “material planning matters” that the Sub-Committee can take into account. Any visual material must be submitted to Committee Services at least 24 hours before the meeting. At the conclusion, the Sub-Committee will take a decision and which will form a recommendation to the City of Edinburgh Council at their meeting on 31 May 2018, where the final decision on the application will be taken.

If the application is continued for further information, the Hearing will not be re-opened at a later stage and contributors will not be invited to speak again. In such cases, the public can attend the meeting to observe the discussion from the gallery.

Development Management Sub Committee

Wednesday 25 April 2018

Application for Planning Permission in Principle 16/05217/PPP

At Land 320 Metres Southeast Of 1 Riccarton Mains Cottages, Riccarton Mains Road, Currie
Residential development (class 9), flats (sui generis) (including affordable housing provision, university halls of residence), neighbourhood centre inc. retail (class 1), services (class 2), food + drink (class 3), non-residential (class 10) + assembly + leisure (class 11) with associated access, parking, open space, public realm + infrastructure works (inc. demolition of overhead + relaying of power lines)

Item number	6.2
Report number	
Wards	A02 - Pentland Hills (Pre May 2017)

Summary

The development of the site for residential purposes is not supported by the Edinburgh Local Development Plan (LDP) and is contrary to the provisions of LDP Policy Env 10 (Development in the Green Belt and Countryside).

The site is outwith the West Edinburgh Strategic Development Area (SDA) as defined by the Strategic Development Plan (SDP). As such, its development would be inconsistent with the SDA's spatial strategy which seeks to prioritise in the first instance, the development of brownfield land and land within identified SDAs.

The proposal is contrary to LDP Policy Hou 1 (Housing Development). Using the method described in the Housing Land Audit 2017 to assess unconstrained housing land with support, there is a five-year effective housing land supply in the Council's area. Even if there was a deficiency in the five year housing land supply, and considering the proposal against LDP policy Hou1 and the wide aims of the development plan, the proposal is not acceptable. It would have an adverse impact on the landscape setting of the city, would not provide suitable green belt boundaries and would not be in keeping with the character of the settlement and local area. It has poor public transport accessibility for pedestrians and there is no guarantee that this could be improved.

Insufficient information has been submitted to fully assess the transport impacts of the proposal and whether the pylons can be removed and the overhead powerlines can be successfully redirected or buried.

In summary, the proposal is unacceptable in principle, in terms of sustainable location, impact on city setting and area character and setting, and in terms of sufficiency of information.

The proposal is contrary to the development plan and there are no material considerations which justify approval.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LDES10, LDES11, LEN03, LEN09, LEN10, LEN12, LEN13, LEN15, LEN16, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU08, LHOU10, LRET01, LRET06, LRET08, LRET11, LTRA01, LTRA02, LTRA03, LTRA09, NSGSTU, LRS06, NSG, NSDCAH, NSGD02, NSGCGB, SDP, SDP06, SDP07,

Report

Application for Planning Permission in Principle 16/05217/PPP

At Land 320 Metres Southeast Of 1 Riccarton Mains Cottages, Riccarton Mains Road, Currie

Residential development (class 9), flats (sui generis) (including affordable housing provision, university halls of residence), neighbourhood centre inc. retail (class 1), services (class 2), food + drink (class 3), non-residential (class 10) + assembly + leisure (class 11) with associated access, parking, open space, public realm + infrastructure works (inc. demolition of overhead + relaying of power lines)

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The application site, covering approximately 11.94 hectares, is undulating agricultural land, roads and woodland. Riccarton Mains Road splits the site into a smaller area on the west and a larger area on the east. Crossing the site are two sets of high voltage electricity lines on pylons and one low voltage line on wooden poles.

The site lies east of the Murray Burn and Heriot Watt University's Riccarton campus. It curves round Riccarton Mains Cottages on the north, to the south of a roundabout accessing the campus. There is agricultural land to the north east and east. To the south east is the Shotts Glasgow Central to Edinburgh railway line and Whitelaw Crossing Cottage.

The site boundaries are hedges, post and wire fences, stone walls and the east bank of the Murray Burn. There are trees along part of the site boundary, notably on the west.

A narrow road, Donkey Lane, runs along the north east boundary and gives access to the east part of the site. A partially derelict section of the old Riccarton Mains Road lies within and gives access to the west part of the site.

There are two scheduled ancient monuments near the site: Baberton Mains Enclosure (listing reference: SM6190) is on the north east and Currievale Fort (Canmore ID 88983) is towards the south. There are no listed buildings within the site and it is not in or immediately adjacent to a conservation area. Currie and Juniper Green conservation areas are to the south and Hermiston conservation area is to the north. There are two Category A, 18 Category B and six Category C Listed Buildings within one kilometre of the site. The Environmental Statement lists these. They include:

- Riccarton Mains, listed Category C (listing reference: LB45426, date of listing: 26.3.1998);
- Baberton Mains, listed Category B (listing reference: LB45416, date of listing: 26.3.1998); and
- Hermiston House, listed Category B (listing reference: LB27389, date of listing: 30.1.1981).

The site is within the Edinburgh Green Belt.

The Riccarton Estate Local Biodiversity Site lies to the west, and applies to woodland in the university campus.

2.2 Site History

27 November 2013 - proposal of application notice submitted for planning permission in principle for residential development, horticultural visitor and education centre (the Calyx), new schools, community facilities, local retail facilities, local Class 2 and Class 3, Class 4, Class 10, Class 11, conference centre, hotel, a sports stadium/arena, sporting facilities, construction training centre, sustainable energy centre, green network, transport links, canal related uses and infrastructure (application reference 13/04911/PAN).

17 March 2016 - proposal of application notice submitted for planning permission in principle for major development of proposed Riccarton Mains Village comprising residential development Class 9, flats (Sui Generis) including affordable housing provision, University Halls of Residence, Neighbourhood centre including retail (Class 1) services (Class 2), food and drink (Class 3), non-residential (Class 10) and assembly and leisure (class 11) together with associated access, parking, open space, public realm and infrastructure works (including the demolition of overhead and relaying of power lines) (application reference 16/01691/PAN).

Relevant nearby site

16 November 2015 - proposal of application notice submitted for planning permission in principle for residential development of around 1,500 homes with a community hub (containing various neighbourhood facilities), a hotel, non-denominational primary school and associated infrastructure including new access and roads, improved access to public transport, extended rail station car parking, flood mitigation measures, landscaping, sports pitches and green networks (application reference 15/05258/PAN).

Main report

3.1 Description Of The Proposal

This application seeks planning permission in principle for a mixed-use development of houses, flats, university halls of residence, a neighbourhood centre including retail, services, food and drink, non-residential and assembly and leisure uses, with associated access, parking, open space, public realm and infrastructure works, including demolition and relaying of overhead power lines. An indicative masterplan and accommodation schedule accompany the application. They show the following indicative development:

Student housing

Approximately 200 beds, in the north west of the site, in four blocks of two or four storeys.

Standard housing

Approximately 14 flats sitting over the community facilities and approximately 200 houses mainly in the south of the site, with between two and four bedrooms, and terraced, semi-detached or detached.

Community facilities

Indicative 600m² net floor area of community facility/ retail/ potential GP practice.

Subsequent applications for the approval of matters specified in condition would include details of the number of units, design and layout, scale and massing, access, landscaping, open spaces and parking.

Supporting Statements

The application has been accompanied by an Environmental Statement (ES) which considers:

- Ecological Assessment;
- Cultural Heritage and Archaeology;
- Landscape and Visual Impact Assessment;
- Acoustics;
- Air Quality;
- Water;
- Transportation; and
- Arboriculture.

The Transport Assessment and Air Quality Impact Assessment, part of the ES, were updated in January 2018 and the application re-advertised. In addition to the ES, the applicant has submitted the following documents in support of the application:

- Design and Access Statement;
- Further Ecological Assessment;

- Planning Statement;
- Pre-application Consultation Report;
- Preliminary Environmental Assessment; and
- Socio-economic Assessment.

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.

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 on this site;
- b) the design and layout are appropriate to the site;
- c) the proposal preserves or enhances the historic environment;
- d) the proposal will protect neighbour and future occupier amenity;
- e) there are any transport and parking issues;
- f) the proposal raises any flooding and drainage issues;
- g) other material considerations have been addressed;
- h) the proposal meets sustainability criteria;
- i) any impacts on equalities or human rights are acceptable; and
- j) comments raised have been addressed.

a) Principle

Policy Hou 1 of the adopted Edinburgh Local Development Plan (LDP) relates to the location of housing development and consists of two parts. The first part gives priority to housing development in the urban area as defined in the LDP.

The application site lies in the green belt as defined in the LDP and so is not supported by part 1 of Policy Hou 1. Should there be a deficit in the maintenance of the five year housing land supply, the site may be assessed in terms of part 2 of Policy Hou 1.

The latest assessment of the housing land supply in the City of Edinburgh is the 2017 Housing Land Audit and Delivery Programme (HLADP) which was reported to Planning Committee on 12 October 2017. The supply of effective housing land and the delivery programme within the HLADP were agreed as reasonable with Homes for Scotland.

The HLADP examines both the supply of effective housing land (an input) and the expected delivery of new homes (the output). The 2017 HLADP concludes that there is more than sufficient effective housing land for the next five years, and in the longer term, to meet the housing land requirements set by the Strategic Development Plan (SDP). The delivery of new homes anticipated over the next five years, however, is still below the five year delivery target (90%).

Delivery of new homes is affected by many economic and demand factors unrelated to the supply of effective land available for development. The anticipated output programme, therefore, is not the only assessment that the Council considers to measure the adequacy of the land supply. Land supply is also considered in terms of the capacity of unconstrained land available for development. The 2017 HLADP recorded a supply of effective housing land for 23,329 units - more than sufficient for the next five years and sufficient to meet the housing land requirement for the entire LDP period (to 2026).

This approach to assessing the adequacy of the effective land supply is consistent with Scottish Planning Policy (SPP) paragraph 123: **Maintaining a 5-year Effective Land Supply**.

As there is no deficit in the maintenance of the five year land supply, LDP policy Hou 1 part 2 does not apply. However, should more weight be given to the deficit in the five year delivery programme when compared to the five year delivery target, the site should be assessed against the criteria specified in Hou 1 part 2. The application site is assessed against these criteria below.

a) Character of settlement and local area

The character of the site, with gently rolling farmland beside a narrow lane on the east part of the site, grazing land and the steeply wooded banks of the Gogar Burn to the west, is rural. The presence of electricity pylons and Riccarton Mains Road passing through the site do not remove its essential nature. The site is part of the open, rural landscape to the west of Edinburgh.

In preparing the LDP, the selection of greenfield housing sites for release went through a systematic and evidenced process. The Council has set out the evidence of its housing site assessment in the LDP Environmental Reports. The Second Proposed Local Development Plan - Revised Environmental Report, Volume 2, June 2014(pp 200-203) (originally under John Swan Sons plc) assessed the site and concluded that its development would not be in keeping with the character of the settlement and surrounding area as it would introduce large scale urban residential development into rolling farmland to the north of the railway line and east of Heriot Watt campus and would impact adversely on the overall open rural character of the landscape to the west of Edinburgh.

To the west of the city, the settlement pattern is aligned with the landform ridge to the north of the Water of Leith and Lanark Road (A71). The local landscape comprises rolling farmland structured by the wooded framework of former country estates, such as at Riccarton, scattered farmsteads and former agricultural cottages.

The proposed built development would be visually prominent in the open landscape and would contrast with the wooded backdrop of the campus. This is counter to the established settlement pattern.

The findings of the LVIA (Landscape and Visual Impact Assessment) in the applicant's Environmental Impact Assessment are questioned. The LVIA states that the development will be 'read in conjunction with the neighbouring University'(para. 6.118). However, the University is enclosed by dense wooded boundaries and, in general, is not perceived in the wider landscape. The exception to this principle is the Oriam, a nationally important sports facility, which breaks the canopy line.

The proposal's indicative large scale, low-rise housing element is essentially suburban in character. It is out of keeping with the small group of cottages to the north of the site, the railway crossing cottage and the grander Riccarton Mains House, outbuildings and grounds. It does not reflect the character of the University campus.

Whilst the site to the west is relatively small and is not prominent in views, it is relatively narrow in plan and is constrained by woodland to the west and Riccarton Mains Road to the east. Taking into account vehicular access, this would be likely to generate a ribbon urban layout, remote from the existing settlement.

The larger site to the east is equally separated from the existing townscape of Currie, which lies some 500 metres to the south, beyond the railway, further arable land and an electricity sub-station. The larger site is more visually prominent and its development would impact adversely on views from Donkey Lane and Whitelaw Crossing Cottage, in addition to the existing rural approach to Currie along Riccarton Mains Road.

Due to the separation of the railway and intervening land uses, the site would form a new pocket of development within the Green Belt, lacking integration with the existing settlement and landscape.

The proposal would not be in keeping with the character of the settlement and the local area, contrary to LDP policy Hou 1, Part 2. a).

b) Green Belt objectives

The Green Belt helps shape the city's growth and supports regeneration. It protects and enhances the character, landscape setting and identity of the city and provides countryside access.

The terms of SDP policy 7, criteria (a) and (b) permit housing development outside Strategic Development Areas to help maintain a 5 year effective housing land supply, but only where local character and green belt considerations are addressed satisfactorily. The impacts of the proposal on local character are assessed above.

SPP, in paragraph 50, states that 'In developing the spatial strategy, planning authorities should identify the most sustainable locations for longer-term development and, where necessary, review the boundaries of any green belt.'

Paragraph 130 of SDP provides that local planning authorities should seek to minimise the loss of land from the Green Belt whilst balancing the need to achieve sustainability objectives. Where Green Belt land is needed for strategic development, the impacts on Green Belt objectives should be minimised and the establishment of long term boundaries sought. The proposal would not satisfy the criteria in SDP policy 7 by addressing local character and green belt considerations satisfactorily. These issues were reviewed in the LDP preparation.

The Second Proposed Local Development Plan - Revised Environmental Report Volume 2, June 2014 (the Report) found that development of the site would adversely affect the landscape setting of the city.

The site forms part of a wider area of rural land to the west of the City which provides an open context for views to the city skyline and wider landscape setting of the Pentland Hills. This is evident from strategic approaches to the city from the Calder Road (A71) - as illustrated in viewpoint 1 of the Landscape and Visual Impact Assessment (LVIA); City By-pass (A720); and more locally on the approach to Currie from Riccarton Mains Road - LVIA viewpoint 2 and 3, and from the north-south path route of Donkey Lane.

The existing Green Belt boundary is clearly formed by the City Bypass to the east, the urban edge of Baberton, Juniper Green and Currie to the south and the perimeter woodland belts at Heriot-Watt University to the west.

The Report also found that the site would fail to provide a robust and defensible greenbelt boundary. Although the site is bounded by the railway to the south, the edge of the eastern site is formed by single track road and hawthorn hedge. The proposal relies on the provision of a belt of trees on its northern edge to contain the development. There is no marked change in landscape characteristics to either side of this road. It is therefore not a natural and defensible green belt boundary. A planted boundary strip of 10 - 25 metres wide is shown on the indicative masterplan. This could provide a new landscape edge along Donkey Lane. However, it could take between 10-15 years to form an effective screen in this exposed location. Stand-offs for power lines, whether buried or not, are liable to constrain landscaping. The proposed species and planting density would require to meet with aerodrome safeguarding requirements.

The proposal does not satisfy LDP policy Env 10 (Development in the Green Belt and Countryside) criteria or the Council's non-statutory guidance 'Development in the Countryside and Green Belt' and would detract from the character of the settlement and local area.

The proposal would erode the quality of the Green Belt edge and is not justified in this respect. Also, the erosion of this part of the Green Belt would reduce the quality of the landscape setting of the city.

The proposal would undermine Green Belt objectives, contrary to LDP Policies Hou 1, Part 2. b) and Env 10.

c) Additional infrastructure

SDP Policy 9 (Infrastructure) states that Local Development Plans should provide policy guidance requiring sufficient infrastructure to be available, or its provision to be committed, before development can proceed. SDP Policy 11 (Delivering the Green Network) is also relevant. LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery), Tra 8 (Provision of Transport Infrastructure), Hou3 (Private Green Space in Housing Development), Hou10 (Community Facilities) and the LDP Action Programme address these matters.

The Council's new LDP Action Programme (January 2018) identifies fair and realistic developer contributions to necessary infrastructure and is a material consideration. The Council has also approved new draft Supplementary Guidance on Developer Contributions and Infrastructure Delivery (January 2018). It is currently out for consultation and is a material consideration in the determination of applications.

Education

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. Communities and Families advises that the required contribution should be based on the total 'per house' and 'per flat' contribution figures of £2,196 per flat and £11,748 per house, index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment and secured through a legal agreement.

Transport infrastructure

Transport advises that that the application should be refused. The reasoning for this, along with other transport issues are considered in more detail on 3.3.e). However, if Committee wishes to grant the application, transport infrastructure would require investment. In addition to transport-related infrastructure within the application site, investment would be needed in the wider area as indicated in the LDP Action Programme. The Programme identifies actions at Hermiston Park and Ride, Calder and Hermiston, and Gillespie Cross Roads. Various traffic orders, signage, car club provision and pedestrian crossing facilities would be needed. It is not clear whether or not additional linkage to the Riccarton campus, as suggested by the applicant, can be delivered. It is also not demonstrated that suitable, additional bus services adjacent to and serving the site will be provided.

Green space

The design and implementation of new green spaces and play space to meet the Council's Open Space Strategy standards, would require to be controlled by condition. It is recommended that it is delivered in line with a masterplan and approved site phasing programme in order to provide for the amenity of future occupiers. A street design/public realm framework could provide co-ordination across the development. The framework and design of green space and play space should follow the Council's planning guidance. Public seating should be provided throughout the site, to cater for a full spectrum of needs.

Healthcare

The proposal may result in a lack of capacity at Wester Hailes medical practice. The LDP sets out only the infrastructure required to meet allocations that form part of the LDP's strategy. There are no policies or procedure in place to provide healthcare facilities for proposals contrary to the LDP or to collect developer contributions.

Policy Hou10 states that permission will only be granted where there are associated proposals to provide necessary health facilities relative to the impact and scale of development proposed. The impact of the proposal on primary health care capacity has not been assessed. Therefore it is not clear what additional healthcare infrastructure, if any, is needed. The proposal suggests a medical practice on site but does not confirm provision.

Utilities

Scottish Water offers no objection to the proposal. Scottish Power has not responded to the standard consultation enquiry regarding utilities.

Subject to conditions and a legal agreement, the relevant additional infrastructure can be provided for education, green space and play space. The primary healthcare requirements and their implementation are not clear. Transport infrastructure requirements can be partially met but are not fully demonstrated.

It has not been demonstrated that the application satisfies LDP policy Hou 1 Part 2 c).

d) Effectiveness in the relevant timeframe

In this context the measures of effectiveness are set out in PAN 2/2010. The main issue is whether there is anything about the site, should it receive planning consent that would prevent residential units being completed and available for occupation within five years. In this case, there is uncertainty about:

- the method, feasibility and timescales involved in re-routing and/ or burying the electricity cables and removing the pylons. Issues include land and pylon ownership and control, both within and outwith the site; and
- whether the necessary infrastructure can realistically be provided to allow development.

There is a lack of confirmation from all relevant parties that the electricity cables can and will be buried or re-aligned, and a lack of clarity about what can and will happen to cables over the railway. In the absence of a suitable solution from the developer, the application should be refused.

However, if Committee wishes to grant planning permission in principle, a planning condition would be required, to prevent any development of the site until such time as a suitable means of diversion of the power lines has been granted.

Compliance with Hou 1, Part 2 d) remains to be demonstrated.

e) Contribution to sustainable development principles

Well-designed housing, including affordable housing, in the right place, has the potential to contribute towards sustainable development. Inclusion of community spaces, opportunities for physical activity and a mix of land uses suitable for a small community, can all contribute towards sustainability. However, there is substantial evidence that the proposed development is not in the right place, particularly for pedestrians.

The LDP Environmental Report found that the accessibility of the site to public transport was lacking and that no measures were available to increase accessibility for the site. Deficiencies in access to public transport detract from sustainable development. The lack of confirmed connectivity to Heriot Watt through the west of the site is also a consideration, as it would contribute to the isolation of the site.

The electricity pylons and cables currently on the site are imposing in scale, have hard lines and need set-offs from buildings and landscaping. Their presence is challenging when trying to create a good living environment. The removal of the pylons and burial of the cables is important in creating a sustainable place. There will be restrictions on development near cables, including buried cables. If undergrounded around the site, they may affect the viability of boundary landscaping and location of SUDs features. These may also have an impact on achievable housing density and site layout.

There is a risk that the development would be partly a commuter site, relying on car use, and partly a student location, not integrated into Heriot Watt, split by Riccarton Mains Road, and, potentially, fragmented by offsets for cables and/or pylons. In addition, there would be loss of prime agricultural land and part of the Green Belt. On balance, the proposal fails to satisfy sustainable development principles.

In summary, the applicant considers that there is a substantial shortfall in the housing land supply for Edinburgh and that the proposed new village is justified and desirable. Planning does not agree. In addition, Planning considers that the proposal does not satisfy either part 1 or 2 of LDP Policy Hou 1.

Other considerations about principle of use

Strategic Development Areas

The site is outwith the West Edinburgh Strategic Development Area (SDA) as defined by the Strategic Development Plan (SDP). As such, its development would be inconsistent with the SDA's spatial strategy which seeks to prioritise in the first instance, the development of brownfield land and land within identified SDAs. The emerging Strategic Development Plan (SDP2), is currently under examination by the Scottish Ministers. It is a material consideration but can be given little weight at present. It states that, where there is a shortfall in the five year effective land supply, SESplan members will consider permitting proposals for additional housing supply, subject to seven criteria. The current application does not conform to these.

Prime agricultural land

The proposal would result in the loss of prime agricultural land (PAL) on the west part of the site. The proposal does not meet the exception criteria in SPP paragraph 80 and is not supported by SPP in this respect. While the presence of pylons and undulating topography may limit aspects of use, the prospective loss of PAL, a finite resource, has weight as a material planning consideration.

Non-residential use

LDP policy Hou 8 (Student Accommodation) relates to the Urban Area and the application site is not within it. The LDP does not support student accommodation on this Green Belt site.

The proposal does not fall within the scope of LDP Policy Ret 7 (Entertainment and Leisure Developments - Preferred Locations). As it has not been demonstrated that the proposal satisfies LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations), including the lack of a thorough assessment of all potential City Centre or town centre options, the proposed entertainment and leisure uses are not supported.

Riccarton Campus (Heriot Watt University) and Business Park

This application is not coming forward from Heriot Watt itself. Heriot Watt has its own masterplan and is working within the campus and on an independent development framework. This application is not within the university campus or business park and is not supported by the masterplan.

The adjacent university campus and business park are identified as a special economic area in the LDP (Table 2 - Special Economic Areas, Policy Emp 3 (Riccarton University Campus and Business Park). Its main purpose is academic teaching and research and business uses with a functional link to the University. The Heriot Watt masterplan was approved in 2001. It projects an increase in student residences on the campus. Uses within the campus are carefully controlled and assessed against factors which include their relationship with the Green Belt.

Departure from development plan

The probable impact of the proposal on the development plan justifies a pre-determination hearing.

b) Design and layout

The application is for planning permission in principle and includes indicative information on design and layout only. These matters are not assessed in detail at this time. Before the start of any works on site, a site-wide landscape masterplan would be needed, in order to comply with Policy Des 8 Public Realm and Landscape Design. Landscape proposals, including SUDs design, would need to comply with Edinburgh Airport safeguarding requirements.

Density

The application does not seek approval for the number of units and density cannot be calculated at this time. It would be assessed in any AMC applications.

Layout

Layout would be assessed in any AMC applications. Considerable work would be needed to ensure that the development could achieve a good sense of place and function as the 'standalone settlement' proposed in the supporting information. The western part of the site is relatively linear in plan and it is not clear from the indicative masterplan that the two parcels of the site will be brought forward as a connected place.

Open spaces and pedestrian and cycle routes should connect with the wider site and network in a safe, direct and convenient way. The supporting information suggests additional connections to Heriot Watt. These would be dependent, at least in part, on the landowner's consent. This needs to be evidenced. There is also a tension between the applicant's proposed additional connectivity on the west of the site and SEPA's view, which discourages additional connection/s over the Murray Burn and recommends that the banks are left in their natural state.

The feasibility of cable burial and location, any stand-offs required and any other requirements may affect the achievement of planning objectives, such as appropriate site density, masterplanning, landscaping and SUDs.

The layout, density and place-making implications of the acoustic barrier fencing recommended in the Environmental Statement, to go along both sides of Riccarton Mains Road, would have to be considered in detail.

Trees

In line with LDP Policy Env 12, the submitted tree survey indicates that some of the roadside verge planting along Riccarton Mains Road would be affected by the development. Detailed proposals for the protection of trees to be retained on site, tree removal and new planting to mitigate losses would require to be controlled by condition.

Mix

If the principle of housing is found to be acceptable on this site, an appropriate mix of house types and sizes, as required by LDP policy Hou 2 (Housing Mix) would be considered at AMC stage.

Affordable housing is required at 25 per cent of total housing in terms of LDP policy Hou 6 (Affordable Housing). It should be on-site, tenure-blind, address the full range of housing needs, be integrated with market housing and comply with planning guidance.

c) Historic environment

This site is within an area of archaeological potential. The City Archaeologist advises that no development should take place on the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. A condition is recommended to secure this, should Committee be minded to approve the application.

The Environmental Statement determines that the development may have a minor adverse impact upon the setting of nine listed buildings and the Baberton Mains scheduled ancient monument, with all other visual impacts assessed upon heritage assets being of lower magnitude. It concludes that there is limited scope to mitigate such effects but that maintaining the existing hedgerows and woodland, particularly along the western boundary of the application site, will ensure that they continue to provide a degree of screening. This can be secured through a planning condition.

During construction, there will be impacts on the historic environment. Mitigation measures can reduce these. The Environmental Statement concludes that the impact on the historic environment will be minor after construction. It also identifies a minor to negligible cumulative impact on the increased urbanisation of a diminishing rural landscape.

There will be an impact on the historic environment, which can be partially mitigated in the long term by landscaping.

d) Amenity

Daylighting, sunlight, privacy and amenity space

With sensitive layout, design and landscaping at the AMC stage, suitable amenity for existing neighbours and prospective occupiers of the development can be achieved in terms of privacy, daylighting and sunlight and provision of open space.

Local views

Passers-by and some neighbours will experience a particular change in local views. While Planning does not protect the views of individuals, sensitive landscaping could help soften the impact of the proposal on local views.

Noise

The Environmental Assessment considers potential noise impacts from Riccarton Mains Road, the railway line, the National Performance Centre, the air rifle range and from the proposed development itself. It concludes that noise mitigation would be needed: acoustic grade fencing within the development sites either side of Riccarton Mains Road, to deal with road traffic noise; no amenity areas to be within a specified buffer zone; and acoustic double glazing capable of a sound reduction level of 33dB.

Environmental Protection does not support the application because it has concerns about the potential adverse impacts the proposal may have on local air quality and doubt regarding the potential to relocate the overhead power lines. It advises that the applicant has not provided sufficient information to assess the potential impacts and any required noise mitigation should the pylons and lines remain in place. It is not convinced that the application has demonstrated that the powerlines can be suitably buried or re-directed. While discussions may have taken place, the specific consent of all potential interested parties has not been evidenced. If the lines remain in place, it is likely that a buffer zone under them would be needed in respect of noise, of approximately 20 to 50 metres.

If the proposal proceeds to AMC stage, further noise impact assessment will be required. Rail noise from freight movements should be included as this has not been measured, although requested. Any future assessment should include technical details of proposed mitigation measures.

Odour

The uses proposed are likely to include cooking operations. Details of siting and ventilation would need to be fully assessed at the AMC stage to protect residential amenity.

In summary, the amenity of present residents and future occupiers of the development could be acceptable, subject to condition, in respect of daylighting, sunlight, privacy and odour. Noise assessment at AMC stage can inform mitigation measures. However, there is insufficient information regarding undergrounding of powerlines and assessment of noise from electric cables to fully assess their impacts.

e) Transport and parking

Objections to the application have been received in relation to transport issues. These mainly relate to pedestrian and cyclist issues, road safety and cumulative traffic impacts.

Transport Scotland was consulted and did not raise an objection. The Environmental Statement concludes that site is well located in relation to existing walking, cycling and public transport facilities and that access to local amenities, shops and schools will be acceptable.

However, while the site location provides travel choices for car drivers, the options are less favourable for pedestrians. Guidance from PAN 75, on acceptable walking distances, gives 400 metres for bus and 800 metres for rail.

The existing bus service past the site is poor in terms of frequency and operating times. Hermiston Park and Ride has better services but is over 700 metres away. Buses also run from the Riccarton Campus. The nearest bus stop is approximately 500 metres from the proposal site, on Riccarton Mains Road. The nearest train station, Curriehill, is approximately 1.9 kilometres away.

The adjacent railway crossing, while it may be acceptable for current use, relies on a light-controlled pedestrian crossing to regulate people crossing the tracks. Increased use of the crossing, by occupants of and visitors to the proposed development, is highly likely. Explicit consideration is required of the needs of users, including children and those with mobility issues. It is not clear whether or not a bridge over the railway, would be advisable or feasible.

Transport Strategy and Assessment

The Council prepared a transport appraisal to understand the impacts of the new, planned growth set out in the LDP and to identify the transport interventions needed to mitigate it. This site is not proposed within the LDP and, therefore, its transport impact on the strategic road network was not assessed cumulatively in that context.

The West Edinburgh Transport Appraisal (WETA) has been refreshed and SESplan and Transport Scotland are working on the actions necessary to address cross boundary traffic flows related to the cumulative impacts of developments in the SESplan area.

The applicant's Transport Assessment has considered some cumulative issues. However, Transport has raised queries about the modelling used.

LDP Action Programme

Where transport interventions have been identified as needed due to the cumulative impact of several developments, a transport contribution zone has been established and is shown in the LDP Action Programme. The aim is for the total cost of delivering infrastructure within zones to be shared proportionally and fairly between all developments in the zone.

Development proposals which are not accounted for in the Action Programme need to carry out their own transport assessments.

Draft Supplementary Guidance on Developer Contributions and Infrastructure Delivery (January 2018)

To support LDP aims, the Council has drafted supplementary guidance on developer contributions and infrastructure delivery. It has not been adopted but carries significant weight as a material consideration. If Committee is minded to approve the application, a legal agreement is recommended to secure suitable developer contributions and infrastructure delivery.

f) Flooding and drainage

SEPA prefers that the water environment is left in its natural state as far as possible. However, it does not raise an objection, subject to the application of planning conditions relating to SUDS and a buffer strip along each side of the Murray Burn of approximately six metres to protect the water environment. It notes that potential crossings of the Murray Burn will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Flooding does not raise objection to the application.

Should Committee be minded to approve this application it is recommended that surface water management, SUDS (including maintenance), flood prevention and details of appropriate protection of the Murray Burn, including crossings, should remain as reserved matters, and form part of any detailed design to be assessed fully as part of a detailed application for approval of matters specified in conditions.

g) Other issues

Airport

Edinburgh Airport does not raise objection to the proposal, subject to planning conditions relating to bird hazard management, landscaping and SUDS (Sustainable Urban Drainage Systems).

Air Quality

Environmental Protection has concerns about the potential cumulative impacts that developments, especially large proposals on the Green Belt, may have on air quality. It recommends the application is refused, in part due to the potential adverse impacts the proposal may have on local air quality. SEPA does not object to the application on air quality grounds.

Economic

The proposal would provide employment opportunities during construction, with potential limited on-site employment thereafter.

Land remediation

The applicant has submitted a preliminary environmental assessment report. Environmental Protection advises that the report indicates that the potential for significant sources of contamination on this site appears to be minimal and therefore risks in connection with development to residential are likely to be low.

Natural heritage

The supporting environmental information confirms that, in relation to flora and fauna, there are no significant constraints to the development of the site as currently proposed. It details potential impacts and mitigation: hedgerows should be improved, a series of precautionary pre-construction protected species surveys are recommended for bats, otters, badgers and birds and a construction environmental management plan should be put in place.

Railway

Network Rail does not raise an objection. It asks for the certain matters to be taken into account, including linkages, station amenities, drainage and safety. Network Rail does not address the issue of burial or re-direction of electricity lines near, under or over the railway line.

In summary, subject to suitable conditions and a legal agreement, the proposal is acceptable in respect of affordable housing, airport safeguarding, education, natural heritage and land remediation. Further clarification is needed about the delivery of local services, the feasibility of burial or re-direction of electricity lines in relation to the railway, and air-quality impacts.

h) Sustainability

The applicant has submitted a sustainability statement in support of the application. Sustainability measures would be considered further at the detailed application stage.

i) Equalities and human rights

The site is not well-served by public transport although community amenities within the site would be of assistance. Subject to appropriate planning conditions, the proposal could create an environment where public spaces can be used safely. Affordable housing would assist those who cannot access traditional housing markets and a range of housing types would support a variety of occupants. Environmental Protection's concerns about lack of clarity regarding potential impacts on local air quality and noise from pylon cables are reflected in the recommended reasons for refusal.

j) Comments

This application was advertised on 11 November and 2 December 2016. Fifty eight letters of objection (and two late representations) were received, including from a cycling group, a street improvement group, Heriot Watt University, a ward councillor and an MSP. Currie Community Council, as a statutory consultee, also objected. The application was re-advertised on 23 February 2018 and six letters of objection and one letter of support were received.

Material Representations: Objection

Proposed use - addressed in section 3.3.a)

- Proposed use is inappropriate;

- Permanent land loss, including agricultural;
- Brownfield sites and refurbished buildings should be prioritised;
- Loss of amenity and health value of current use;
- Concern about pylon removal feasibility;
- Green Belt - adverse impact on; contrary to LDP; consider cumulative loss in context of existing and proposed development;
- Heriot Watt - has sufficient land within campus for student residences, good transport links, landscape setting, potential coalescence of Heriot-Watt and Currie;
- Site is not connected to existing community;
- More student accommodation not needed generally, affordable housing needed, Currie has enough houses; and
- Report of Examination comments on area are not supportive.

Landscape - addressed in section 3.3.a)

- Significant, permanent intrusion into countryside, out of character with the area, urban sprawl, loss of 'village' feel;
- Adverse impact on area locally significant in terms of landscape setting, views and quality of place;

Design - addressed in section 3.3.b)

- Development too big, too dense, and of inappropriate design; and
- Proposal seems to isolate people from community rather than integrate them.

Amenity - addressed in section 3.3.d)

- No guaranteed access to university grounds for estate residents; and
- Potential overshadowing of existing property;

Traffic and road safety - addressed in section 3.3.a) and e)

General

- Transport infrastructure insufficient;
- Measures proposed by the developers to encourage non-car travel are unsatisfactory;
- Transport assessment not independent, accurate, sufficiently cumulative or projecting far enough into the future; and
- Safety concerns.

Pedestrian

- Poor public transport links, no accessible train, tram or public transport to rest of city;
- Site too far from schools and routes proposed not safe;
- Route to park and ride is not pedestrian friendly - part unlit, part dangerously narrow, blind bends, poor pedestrian/cycle facilities;

- Lighting, road widening and good pavements on both sides of road are needed for safety;
- Traffic bottle neck over rail bridge - little scope for making it cyclist and pedestrian friendly; and
- No agreement with Heriot Watt to allow access paths.

Cycle

- Adverse impact on local cyclists;
- Need safe, direct cycle paths, avoiding hill and dangerous dog-leg rail bridge;
- Proposed new footway on the east side of Riccarton Mains Road should be a shared-use for pedestrians and cyclists;
- Potential secondary route to Heriot Watt via bridge over Murray Burn, connection to campus perimeter track - much shorter route for walkers and cyclists to Curriehill Station; and
- Reasonable cycle distance to Edinburgh Park train and tram station - but involves a hill and crossing A71.

Road network

- Network unable to cope with additional traffic;
- Lack of parking to accommodate persons using rail/tram stations or park and ride facilities;
- Road safety;
- Inadequate/ inappropriate access;
- Lack of car parking for students will increase on-street parking, causing road issues;
- Shared surfaces are not good practice as way to slow traffic or for those with visual or hearing issues;
- Traffic lights likely to have adverse impact;
- Infrastructure should precede development; and
- Improved transport infrastructure needed, including new junction to access the A720 between Calder and Barberton, bus infrastructure upgrading and interchange at Gillespie crossroads.

Flooding and drainage - addressed in section 3.3.g)

- Site floods - not suitable for proposal.

Education - addressed in section 3.3.h)

- School capacity concerns; and
- Proposal does not include Currie Primary.

Other issues - addressed in section 3.3.g)

- Adverse impact on wildlife and actual and potential habitats;
- Air pollution;
- Inadequate existing and proposed community facilities and infrastructure;
- Increased use of Heriot Watt facilities;

- Socio-economic Assessment conclusions unclear on population numbers; and
- Site area given is inconsistent.

Sustainability - addressed in section 3.3.i)

- Proposal not sustainable;
- Brownfield sites and refurbished buildings should be prioritised;
- Adverse impact on commuting for work; and
- Proposed use is less sustainable than current farming use.

Material Representations: General comments

- Site is part of the Murray application 13/04911/PAN, rejected because it was not in line with the LDP - each application is considered on its own merits;
- Detailed analysis of housing land supply in LDP examination - this is considered in section 3.3.a);
- Encourage use of Park and Ride at Hermiston by bike, including adequate bike parking - infrastructure and developer contributions addressed in 3.3.e);
- Path on west of Riccarton Mains Road and old road section could form basis of cycle route to Currie, crossing point near rail bridge where one-way lights controlled working could free up road space for cyclists and pedestrians, calm traffic and discourage car use - noted. Cycling issues addressed in 3.3.e)
- Inadequate or absent Applicant response to Reporter's comments - the Local Development Plan takes account of the Reporter's comments and informs Planning's assessment;
- DPEA decisions are relevant - they inform this report; and
- Lack of obvious benefit to existing village - noted. The proposal is for a new village.

Currie Community Council

Material points of objection

- Green Belt - addressed in section 3.3.a);
- Loss of prime quality farmland- addressed in section 3.3.a);
- Not sustainable- addressed in section 3.3.a);
- Population/Education - addressed in section 3.3.a);
- Use (student accommodation) - addressed in section 3.3.a);
- Recreation space inadequate for greater local community- addressed in- addressed in section 3.3.b);
- Transport assessment inadequate - addressed in sections 3.3.a) and 3.3.f); and
- Public transport inadequate - - addressed in sections 3.3.a) and 3.3.f).

Non-material comments

- Construction traffic - not a material planning consideration. The Council's local area team would help deal with impacts;
- Health risk associated with housing near pylons - apart from noise, health risk has not been raised by Environmental Protection;

- Applicant may be looking to sell on - this is a commercial matter, rather than a planning matter.
- Contrary to draft ELDP policy ENV 10a - superseded by LDP. See response about LDP ENV 10a above;
- Council is approving applications purely on grounds of profit - this is incorrect. Committee reports set out reasoning for approval/refusal;
- Brexit may reduce student demand - not a material planning consideration;
- Traffic survey metrics were promised by developer - but not delivered to person making representation - this is a matter between applicant and developer;
- Submission of applications which are contrary to the development plan should not be allowed - the law permits anyone who wishes to make a planning application to do so;
- Disruption to rail services if powerlines are moved - this is a matter for Network Rail and the applicant to resolve; and
- Anti-social behaviour from students and on roads - would be a matter for other authorities, such as Police Scotland.

Conclusion

The development of the site for residential purposes is not supported by the Edinburgh Local Development Plan (LDP) and is contrary to the provisions of LDP Policy Env 10 (Development in the Green Belt and Countryside).

The site is outwith the West Edinburgh Strategic Development Area (SDA) as defined by the Strategic Development Plan (SDP). As such, its development would be inconsistent with the SDA's spatial strategy which seeks to prioritise in the first instance, the development of brownfield land and land within identified SDAs.

The proposal is contrary to LDP Policy Hou 1 (Housing Development). Using the method described in the Housing Land Audit 2017 to assess unconstrained housing land with support, there is a five-year effective housing land supply in the Council's area. Even if there was a deficiency in the five year housing land supply, and considering the proposal against LDP policy Hou1 and the wide aims of the development plan, the proposal is not acceptable. It would have an adverse impact on the landscape setting of the city, would not provide suitable green belt boundaries and would not be in keeping with the character of the settlement and local area. It has poor public transport accessibility for pedestrians and there is no guarantee that this could be improved.

Insufficient information has been submitted to fully assess the transport impacts of the proposal and whether the pylons can be removed and the overhead powerlines can be successfully redirected or buried.

In summary, the proposal is unacceptable in principle, in terms of sustainable location, impact on city setting and area character and setting, and in terms of sufficiency of information.

The proposal is contrary to the development plan and there are no material considerations which justify approval.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal is contrary to the provisions of Policy Env 10 (Development in the Green Belt and Countryside) of the Edinburgh Local Development Plan (LDP) as does not meet any of the criteria a) to d) for inclusion and it would detract from the landscape quality and the rural character of the area.
2. The proposal is contrary to the Edinburgh Local Development Plan Policy Hou 1 (Housing Development) as it does not satisfy any of the criteria in Hou 1 Part 1 and does not satisfy Hou 1 Part 2 because it is not in keeping with the character of the local area, would undermine Green Belt objectives, has not fully demonstrated what additional infrastructure is required and that it can be provided within a relevant timeframe, and is not sustainable, to the detriment of the overall objectives of the Local Development Plan policy.
3. The proposal is contrary to the provisions of the Edinburgh Local Development Plan Policy Tra 8 (Provision of Transport Infrastructure) as it has not fully demonstrated the cumulative effects of the proposal and that it can be addressed within a relevant timeframe.
4. The proposal is contrary to the provisions of the Edinburgh Local Development Plan Policy ENV 22 (Pollution and Air, Water and Soil Quality) as insufficient evidence has been submitted to demonstrate that there will be no significant cumulative adverse effects on local air quality and that noise from overhead pylons will not have a detrimental impact on future resident amenity.
5. The proposal is contrary to the provisions of the Edinburgh Local Development Plan Policy Hou10 (Community Facilities) as it has not demonstrated that facilities, including healthcare, are available.
6. The proposal is contrary to the provisions of Scottish Planning Policy (2014) section 80, as it would result in the non-essential and permanent loss of prime agricultural land.
7. The proposal is inconsistent with the spatial strategy of the Strategic Development Plan as it would introduce development to greenfield land outwith the identified Strategic Development Areas.

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:

Sustainability would be considered in detail at the stage of application for matters conditioned.

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

This application was advertised on 11 November and 2 December 2016. Fifty eight letters of objection were received, including from a cycling group, a street improvement group, Heriot Watt University, a ward councillor and an MSP. Currie Community Council, as a statutory consultee, also objected. Following re-advertisement on 23 February 2018, six letters of objection and one letter of support were received. (Three late representations 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

Relevant Development Plans

The current Development Plan for this site comprises the Strategic Development Plan for South East Scotland (June 2013) and the Edinburgh Local Development Plan (LDP). Supporting documents for the LDP include the LDP Environmental Report, Transport Appraisals and Education Appraisal.

Edinburgh Local Development Plan

The application site is identified as an area of Green Belt in the LDP. Policy ENV 10 sets out the range of uses supported in the Green Belt, including (subject to various constraints) those relating to agriculture, woodland, forestry, horticulture, countryside recreation and uses where a countryside location is essential.

Strategic Development Plan

Strategic Development Plan Policy 7 provides that sites within and outwith Strategic Development Areas may be allocated in local development plans, in order to maintain an effective 5 year housing land supply subject to a number of provisions. (The site is not within a Strategic Development Area.)

Scottish Planning Policy (SPP)

Provides that a five year effective land supply for housing should be maintained by the Local Authority and that investment in infrastructure, required as a result of planned growth should be addressed through the Development Plan process and not left to be resolved through the development management process.

Supplementary Guidance

The amended draft Supplementary Guidance - Developer Contributions and Infrastructure Delivery is a material consideration.

Date registered 4 November 2016

Drawing numbers/Scheme 01.,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Eileen McCormack, Planning Officer

E-mail:eileen.mccormack@edinburgh.gov.uk Tel:0131 529 3609

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 Des 10 (Waterside Development) sets criteria for assessing development on sites on the coastal edge or adjoining a watercourse, including the Union Canal.

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

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

LDP Policy Env 13 (Sites of International Importance) identifies the circumstances in which development likely to affect Sites of International Importance will be permitted.

LDP Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

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

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

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

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

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

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

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

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

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

LDP Policy Hou 8 (Student Accommodation) sets out the criteria for assessing purpose-built student accommodation.

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 Ret 1 (Town Centres First Policy) sets criteria for retail and other town centre uses following a town centre first sequential approach.

LDP Policy Ret 6 (Out-of-Centre Development) identifies the circumstances in which out-of-centre retail development will be permitted.

LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations) sets out the circumstances in which entertainment and leisure developments will be permitted outwith the identified preferred locations.

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

LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

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

Non-statutory guidelines Student Housing Guidance interprets local plan policy, supporting student housing proposals in accessible locations provided that they will not result in an excessive concentration.

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

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

Non-statutory guidelines DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

Relevant Policies of the Strategic Development Plan

SDP06 (Housing Land Flexibility) Policy 6 requires that a 5 year effective housing land supply is maintained. It allows the granting of planning permission for the earlier development of sites which are allocated for a later period in the LDP to maintain the land supply.

Policy 7 requires that a 5 year housing land supply is maintained. Sites within or outwith Strategic Development Areas may be allocated in LDPs or granted consent subject to the development; being in accord with the character of the settlement or area, not undermining green belt objectives and any additional infrastructure required is either committed or to be funded by the developer.

Appendix 1

Application for Planning Permission in Principle 16/05217/PPP

At Land 320 Metres Southeast Of 1 Riccarton Mains Cottages, Riccarton Mains Road, Currie

Residential development (class 9), flats (sui generis) (including affordable housing provision, university halls of residence), neighbourhood centre inc. retail (class 1), services (class 2), food + drink (class 3), non-residential (class 10) + assembly + leisure (class 11) with associated access, parking, open space, public realm + infrastructure works (inc. demolition of overhead + relaying of power lines)

Consultations

Archaeology

The site, split by Riccarton Mains Road, forms open farmland lying adjacent to and occupying higher ground overlooking the Murray Burn. Historically the site formed part of the medieval Riccarton Estate centred upon Riccarton House formerly located at centre of what is now Heriot Watt University and its farm Riccarton Mains. The later C-listed farm house survives today boarding the northern limits of the site. Although 18th/19th century in date the current farm is likely to date back to the 16th/17th century as it is mentioned in a Royal Charter of 1610. Although no sites have been recorded within the boundaries of the site, prehistoric settlement is also known from the immediate area with ditched enclosures located at Currievale to the west (NT16 NE59), to the East at Barberton Mains (NT16 NE9) and to SE o(n the opposing side of the railway line) at Whitelaw (NT16 NE 194). The latter two enclosures are topographically situated on a very similar location to proposed village.

Accordingly this site has been identified as occurring within an area of archaeological potential. This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011, current Rural West Edinburgh Local Plan Policy E30 and Local Development Plan (as modified) Policy 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.

The archaeological evidence from the surrounding area indicates that this proposed development has the potential to disturb significant unrecorded prehistoric and medieval/post-medieval remains. Having assessed the potential archaeological implications of development, it is considered that these proposals would have potential moderate archaeological impacts.

It is therefore considered essential that prior to the submission of further detailed AMC or FUL for the site, that a programme of archaeological evaluation is undertaken up to a maximum of 10% of the site linked to a programme of metal detecting. The results of which would 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 is undertaken prior to and or during subsequent phases of development.

Furthermore if important discoveries are made during these works a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) will be required to be undertaken, the final scope to be agreed with CECAS.

Accordingly it is recommended that the following condition be attached consent, if granted, to ensure that this programme of archaeological works is undertaken either prior to or during construction.

'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.

Archaeology comment

Just read over the EIA which was issued to me on the 2nd December. Although I have a couple of minor issues with it in essence these are in line with my earlier conclusions and recommendations expressed in my memo to you of the 9th November.

Affordable Housing

1. Introduction

Housing requirements by tenure are assessed in line with the 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 residential 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 approximately 200 homes and as such the AHP will apply. There will be a AHP requirement for a minimum of 25% homes of approved affordable housing tenures, so if 200 homes were built this would be a requirement for 50 affordable homes. We request that the developer enters an early dialogue with the Council to identify a Registered Social Landlord (RSL) to take forward the affordable homes and deliver a well integrated and representative mix of affordable housing on site.

The applicant has stated that a mix of house types and sizes will be provided and the development will include affordable homes to meet the Council's requirements. This is welcomed by the department. The affordable homes are required to be situated in at least two locations on the site, to be tenure blind and fully compliant with latest building regulations and further informed by guidance such as the relevant Housing Association Design Guides and Housing for Varying Needs design procedures.

This department requests that in subsequent detailed applications, the locations, numbers and tenures of the affordable homes should be identified within the development site and the RSL (or RSLs) taking forward the affordable housing should be clearly stated.

In regards to accessibility, the applicant has stated the site will be well served by bus routes x25, 25 and 45. All new affordable homes should be located within a 400m walk of public transport links in accordance with PAN 75 guidance.

3. Summary

The applicant has made a commitment to provide on-site affordable housing and this is welcomed by the department. The number and locations of affordable homes, and the RSL who will own or manage them should be identified by applicant, in agreement with the Council. These details will need to be confirmed in subsequent detailed applications and the affordable homes will be secured by a Section 75 Legal Agreement. This approach will assist in the delivery of a mixed sustainable community.

In summary:

The applicant is requested to enter an early dialogue with the Council regarding which Registered Social Landlord (RSL) is to deliver the affordable housing

25% of affordable housing is required to be delivered onsite, across at least two locations, to enable mixed communities

The affordable housing should include a variety of house types and sizes to reflect the provision of homes across the wider site

In the interests of delivering mixed, sustainable communities, the affordable housing will be expected to be identical in appearance to the market housing; an approach 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.

Children + Families

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (Updated December 2016), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

The Council's assessment has indicated that additional infrastructure will be required to accommodate the cumulative number of additional pupils from development. Education infrastructure 'actions' have been identified and 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 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:
200 Houses*

This site falls within Sub-Area SW-1 of the 'South West 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 did not consider the impact of new housing on this site, which would be expected to generate 60 additional primary school pupils and 40 additional secondary school pupils. The education infrastructure actions identified in the current Action Programme are not sufficient to accommodate the increase in the cumulative number of pupils expected in the area if this development progressed.

If the Council is minded to grant the application, the education infrastructure actions for Sub-Area SW-1 would be revised. A need for additional primary school capacity is already identified in the Action Programme, but it is likely that more would be required to accommodate pupils from this development. As the Council is currently considering whether any school catchment area changes in the area should be progressed it is not certain where the additional capacity would be delivered and what the total infrastructure cost would be.

Future versions of the Council's Action Programme and Supplementary Guidance would identify any revisions to the requirement for new primary school infrastructure in the Zone, and set out the new per unit contribution rates. However at the present time, it is appropriate to apply the established primary school contribution rates for Sub-Area SW-1 to the proposed development.

School roll projections for Currie High School indicate that there will not be sufficient spare capacity to accommodate the increase in additional secondary school pupils anticipated in the area as a result of this development. Although the Council's current Action Programme does not identify a requirement for additional capacity at the school (this is based on the impact of new housing sites allocated in the LDP and other land within the urban area), additional capacity will be required to accommodate pupils from the application site. The pro-rata contribution rate for secondary school extensions, which is set out in the Supplementary Guidance, should also be applied to the proposed development (£6,419 per house and £963 per flat - as at Q1 2015).

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

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

Per unit infrastructure contribution requirement:

Per Flat - £2,048

Per House - £11,067

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.

Children + Families further comment

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:

200 Houses

This site falls within Sub-Area SW-1 of the 'South West 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 did not consider the impact of new housing on this site, which would be expected to generate 60 additional primary school pupils and 40 additional secondary school pupils. The education infrastructure actions identified in the current Action Programme are not sufficient to accommodate the increase in the cumulative number of pupils expected in the area if this development progressed.

If the Council is minded to grant the application, the education infrastructure actions for Sub-Area SW-1 would be revised. A need for additional primary school capacity is already identified in the Action Programme, but it is likely that more would be required to accommodate pupils from this development. As the Council is currently considering whether any school catchment area changes in the area should be progressed it is not certain where the additional capacity would be delivered and what the total infrastructure cost would be.

Future versions of the Council's Action Programme and Supplementary Guidance would identify any revisions to the requirement for new primary school infrastructure in the Zone, and set out the new per unit contribution rates. However at the present time, it is appropriate to apply the established primary school contribution rates for Sub-Area SW-1 to the proposed development (£4,648 per house and £1,085 per flat - as at Q1 2015).

School roll projections for Currie High School indicate that there will not be sufficient spare capacity to accommodate the increase in additional secondary school pupils anticipated in the area as a result of this development. Although the Council's current Action Programme does not identify a requirement for additional capacity at the school (this is based on the impact of new housing sites allocated in the LDP and other land within the urban area), additional capacity will be required to accommodate pupils from the application site. The pro-rata contribution rate for secondary school extensions, which is set out in the Supplementary Guidance, should also be applied to the proposed development (£6,419 per house and £963 per flat - as at Q1 2015).

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

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

Per unit infrastructure contribution requirement:

Per Flat - £2,048

Per House - £11,067

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.

Children + Families further comment

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

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

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

Assessment and Contribution Requirements

Assessment based on:

200 Houses

This site falls within Sub-Area SW-1 of the 'South West 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 did not consider the impact of new housing on this site, which would be expected to generate 60 additional primary school pupils and 40 additional secondary school pupils. The education infrastructure actions identified in the current Action Programme are not sufficient to accommodate the increase in the cumulative number of pupils expected in the area if this development progressed.

If the Council is minded to grant the application, the education infrastructure actions for Sub-Area SW-1 would be revised. A need for additional primary school capacity is already identified in the Action Programme, but it is likely that more would be required to accommodate pupils from this development. As the Council is currently considering whether any school catchment area changes in the area should be progressed it is not certain where the additional capacity would be delivered and what the total infrastructure cost would be.

Future versions of the Council's Action Programme and Supplementary Guidance would identify any revisions to the requirement for new primary school infrastructure in the Zone, and set out the new per unit contribution rates. However at the present time, it is appropriate to apply the established primary school contribution rates for Sub-Area SW-1 to the proposed development (£5,212 per house and £1,216 per flat - as at Q4 2017).

School roll projections for Currie High School indicate that there will not be sufficient spare capacity to accommodate the increase in additional secondary school pupils anticipated in the area as a result of this development. Although the Council's current Action Programme does not identify a requirement for additional capacity at the school (this is based on the impact of new housing sites allocated in the LDP and other land within the urban area), additional capacity will be required to accommodate pupils from the application site. The pro-rata contribution rate for secondary school extensions, which is set out in the Supplementary Guidance, should also be applied to the proposed development (£6,536 per house and £980 per flat - as at Q4 2017).

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

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

Per unit infrastructure contribution requirement:

Per Flat - £2,196

Per House - £11,748

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.

Currie Community Council

1) Green Belt. This application is for a site in the Green Belt that is not included in the current LDP.

2) Prime Quality Farmland. I understand this land is prime quality farmland and therefore should not be built on.

3) Sustainable Development. This proposed development is not sustainable. The majority of residents will commute as minimal local workplaces are included in the planned development. It is also very unlikely that this proposal will make provision for any more than the minimum 25% affordable housing. It is also unlikely that any affordable housing will actually be included in this development. Housing in this area commands high prices therefore we must assume that yet again premium priced housing will be built.

4) *Population/Education statistics.* A quick calculation will suggest that there will be many more primary and secondary school age children than indicated in the proposal. There is no capacity within Currie Primary School. There is a proposal for additional classrooms to be added on to Dean Park and Nether Currie for the Newmills and Kinleith Mill developments. This proposal does not include Currie Primary School and these additional agreed classrooms do not include capacity for other developments.

5) *Student Accommodation* As this proposal was created prior to the Brexit vote it is now an unknown whether the demand for university places within the capital will decrease.

6) *Recreation Space.* If this recreation space is intended for the greater local community then it is not adequate.

7) *Transport Assessments.* It would appear that the traffic assessment considers only current road usage and does not include the agreed new developments at Newmills, Kinleith, The Tannery and other proposals in the pipeline. The assessments made on behalf of the proposers are unlikely to be impartial and therefore a true reflection of the current traffic situation.

We quote below comments contained in the DPEA report:

Michael Cunliffe (PPA-230-2112 - 2014) said - "several representations draw attention to the frequent tendency for traffic to grind to a halt. This was borne out on the way to my site visit, when a major holdup occurred between Juniper Green and Currie in the early afternoon...I am concerned that this and the traffic generated by any other significant developments in Balerno would add to an already congested road and lead to even longer journey times for both car users and bus passengers."

Richard Dent (PPA-230-2185 - 2016) said: "The proposal [to develop at Cockburn Crescent, Balerno] would undoubtedly increase traffic queuing and congestion at junctions affected by the site, including Gillespie Crossroads.."

8) *Public Transport.* This is already an issue in this area with elderly residents having to undertake multiple bus journeys in order to fulfill basic shopping, banking, hospital appointments etc. This proposal does not address these requirements and will leave residents in the proposed development isolated as there is only one infrequent 45 bus service.

9) *Construction Traffic.* The construction of this development will add to the disruption to traffic on this already busy road and adversely impact traffic on Lanark Road West. This will cause more traffic congestion and therefore increased pollution.

10) *The Development Proposal.* Whilst it is refreshing to see the amount detail and planning included in this proposal, it is somewhat unnecessary at this stage. This may suggest that the proposer is determined to gain support for planning in order to make the land more attractive and valuable to future purchasers. E.g. to gain planning permission and sell on to a builder.

Economic Development

The application is primarily for housing and therefore has the potential to contribute to economic growth. However, this is a matter that Planning are best placed to assess in terms of whether this proposal represents sustainable growth and the Economy Service has no further comments to make at this stage.

Edinburgh Airport

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:

- o monitoring of any standing water within the site temporary or permanent*
- o 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>).*
- o 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*
- o reinstatement of grass areas*
- o maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow*
- o which waste materials can be brought on to the site/what if any exceptions e.g. green waste*
- o monitoring of waste imports (although this may be covered by the site licence)*
- o physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste*
- o 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 Landscaping Scheme

No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Planning Authority, details must comply with Advice Note 3 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at <http://www.aoa.org.uk/operations-safety/>). These details shall include:

- o any earthworks*
- o grassed areas*
- o the species, number and spacing of trees and shrubs*
- o details of any water features*
- o drainage details including SUDS - Such schemes must comply with Advice Note 6 'Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS) (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).*
- o others that you or the Authority may specify and having regard to Advice Note 3: Potential Bird Hazards from Amenity Landscaping and Building Design and Note 6 on SUDS].*

No subsequent alterations to the approved landscaping scheme are to take place unless 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.

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:

- o *Attenuation times*
- o *Profiles & dimensions of water bodies*
- o *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.

As the application is for planning permission in principle, it is important that Edinburgh Airport is consulted on all reserved matters relating to siting and design, external appearance (including lighting) and landscaping.

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, the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding of Aerodromes Direction 2003.

Environmental Assessment

The application is for Planning Permission in Principal; however, the application does include very detailed plans of what is proposed. The proposal is to include a number of different uses including residential properties, neighbourhood centre, food and drink use class 3, non-residential class 10 and leisure class 11 uses all with associated car parking and infrastructure works including the demolition of overhead power lines and relaying of power lines underground.

The site is located on open farmland immediately southeast of Heriot-Watt University's Riccarton Campus, between Hermiston and Currie. The site itself is split into two parts by Riccarton Mains Road, one smaller area to the northwest of the road and a larger area to the east of the road, the site is located within Edinburgh's Green Belt

The Murray Burn runs just west of the site boundary, flowing from south to north and lies approximately 3m lower than the level of the smaller site. The Shotts railway line from Glasgow Central to Edinburgh Railway skirts the southeastern boundary of the site, approximately 7m from the site boundary at its closest point. Three sets of electricity pylons (two high voltage on pylons and one low voltage on wooden poles) cross the site.

To the north of the site is open fields and Riccarton Mains buildings (~100m from site boundary) with Riccarton Mains Road and a roundabout just to the west of this. To the South, immediately the Shotts Glasgow Central to Edinburgh railway line, then the small village of Corslet at ~200m from the southern boundary. Currie begins at approximately 500m from the southern boundary of the site. To the west, Murray Burn and mixed woodland surrounding it and then Heriot Watt Riccarton Campus with associated buildings, outdoor areas and sports facilities. To the east, there is a house on the eastern site boundary, the aforementioned railway line and generally open farmland beyond this.

The applicant has submitted various supporting materials including a noise and local air quality impact assessment. The applicant has submitted a site 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. The applicant has also provided communications between the applicant and Scottish Power regarding the overhead pylons.

Noise

In order to assess the potential noise impacts on the proposed development the applicant has submitted a noise impact assessment to address noise from Riccarton Mains Road, Railway line noise at southern site boundary, noise from the National Performance Centre, Air Rifle Range and any potential noise source within development specifically at building E. As this is not a detailed planning application the final layout and design have not been concluded and will likely change. When detailed plans are available further noise impact assessments will be required.

Noise sources from the overhead lines has not be carried out as requested by Environmental Protection this is based on the assumption that the overhead lines will be re-directed or buried and are therefore have not been assessed. Environmental Protection have serious concerns regarding this assumption as it will not be possible to condition that the overhead lines to be buried prior to development. Environmental Protection wanted the overhead lines to be assessed as this would be a worst-case scenario assessment. If the overhead lines remain a buffer zone under them will be require in the region of 20-50m wide.

The noise impact assessment has identified that noise mitigation measures will be required to ensure that specified indoor and outdoor amenity noise levels will be achieved. This is related to the transport sources of noise and will include an area that should not be developed for amenity space, acoustic barriers and double glazing.

As noise level in certain amenity areas exceeds the criteria level and the most appropriate method for controlling noise in garden areas is by the use of an acoustic grade fence and buffer zones. The assessment has identified that an acoustic fence and buffer zone are required to fully block the line of sight to Riccarton Mains Road to the centre of the proposed developments garden areas. Internal noise will require acoustic double glazing capable a sound reduction level of 33dB. Environmental Protection will recommend conditions are attached to ensure these mitigation measures are carried out.

It is also understood that the existing 40mph zone may be reduced to 30mph within the development frontage. This would possibly lead to a slight reduction in noise levels although this has not been predicted in the noise impact assessment. It would be in the interest of the applicant to reassess the road noise when detailed plans are available and if the speed limit has been reduced. Furthermore, the rail noise could be updated to include freight movements as this has not been actually measured.

Noise affecting the site from internal and external sources requires to be fully evaluated. A Noise Impact Assessment (NIA) will be necessary once details of proposed uses, layout, building heights /orientation are available. Any NIA will incorporate detailed technical specifications for any mitigation measures identified, as agreed by the Head of Planning.

Environmental Protection will not be in a position to support the application due to our concerns with the overhead power lines.

Local Air Quality

Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation 3 sets out the Scottish Executive's core policies and principles with respect to environmental aspects of land use planning, including air quality. PAN 51 states that air quality is capable of being a material planning consideration for the following situations where development is proposed inside or adjacent to an Air Quality Management Area (AQMA):

- * Large scale proposals.*
- * If they are to be occupied by sensitive groups such as the elderly or young children.*
- * If there is the potential for cumulative effects.*

The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in AQMAs or, by cumulative impacts, lead to the creation of further AQMAs (areas where air quality standards are not being met, and for which remedial measures should therefore be taken.

AQMAs have been declared at five areas in Edinburgh - City Centre, St John's Road (Corstorphine), Great Junction Street (Leith) Glasgow Road (A8) at Ratho Station and Inverleith Row/Ferry Road. Poor air quality in the AQMAs is largely due to traffic congestion and the Council's Air Quality Action Plan contains measures to help reduce vehicle emissions in these areas. The Council monitors air quality in other locations and may require to declare further AQMAs where AQS are being exceeded., It is noted that a significant amount of development is already planned / committed in west Edinburgh and additional development will further increase pressure on the local road network. Committed development should therefore be fully accounted for in the Air Quality Impact Assessment for these proposals.

The applicant has submitted a supporting air quality impact assessment but it's not clear what developments have been included as committed developments in the air quality model.

Reducing the need to travel and promoting the use of sustainable modes of transport are key principles as identified in the second Proposed Edinburgh Local Development Plan (LDP). The LDP also states growth of the city based on car dependency for travel would have serious consequences in terms of congestion and air quality. An improved transport system, based on sustainable alternatives to the car is therefore a high priority for the Council and continued investment in public transport, walking and cycling is a central tenet of the Council's revised Local Transport Strategy 2014-19.

The development site is in close proximity to the Hermiston Gate Park and Ride which is well served by public transport and has rapid electric vehicle charging facilities. The applicant should be encouraged to keep car parking number to a minimum, support car club with electric charging, provide rapid electric vehicle charging throughout the development site, provide public transport incentives for residents, improve cycle/pedestrian facilities and links and contribute towards expanding the electric charging facilities at the Hermiston Park and Ride.

Environmental Protection also advised the applicant that any energy centres must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.

Environmental Protection have concerns with the cumulative impacts developments especially large proposals on the green belt may have on local air quality. Local roads in the area are already congested during peak hours and the development of this site will only exacerbate this.

Odours

The PPP aspect of the application may propose Use Class 3, 10 & 11 premises which are likely to include cooking operations. Ventilation is likely to be required to adequately deal with kitchen effluvia from these premises and ensure that they reach an appropriate height. Therefore, the siting of such premises will require to be fully assessed at the AMC stage to ensure that odours from food operations do not impact upon residential amenity.

Overhead Power Lines

The applicant has provided an email from Scottish Power Networks advising that they are in dialogue with the applicant regarding the potential for underground and/or diversion of the 275kV and 132kV transmission overhead lines. Materials such as brick and clay are very efficient at shielding the electric field. In underground lines, the construction design is such that the electric field is completely shielded. The static electric field from overhead HVDC lines can expand further into the surroundings compared to AC lines (corona effects). The magnetic field, in contrast, passes unobstructed through most materials. However, the fields' strength diminishes quickly with distance from the line (International Commission on Non-Ionizing Protection). It is therefore desirable to have the powerline buried or diverted however the lines would need to be buried under the railway and there does appear to be three different sets of power lines crossing the site. It's not clear if all lines can be diverted/buried. All overhead cables would need to be buried or relocated before any development could commence.

Therefore, Environmental Protection on balance recommend the application is reused due to the potential adverse impacts the proposal may have on local air quality and the doubt regarding the potential to relocate the overhead power lines. If consent is grant Environmental Protection recommends that the following conditions are attached;

Conditions

Site in General

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.

Electric vehicle (rapid) chargers shall be installed throughout the development site serving every tenth parking space

The following noise protection measures to the proposed development, as defined in the Neo Environmental 'Volume 2 Environmental Statement' Chapter 7. Acoustics, dated 20/10/2016:

An acoustic fence with a minimum surface density in of 10kg/m2 shall be erect as per Figure 7.1 Chapter 7 Acoustic Appendix dated 11/10/2016 drawing number NEO00347/030/A

No amenity areas to be located within the dotted lines as highlighted in Figure 7.2 Chapter 7 Acoustic Appendix dated 11/10/2016 drawing number NEO00347/030/A at the final design stage.

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

Class 3,10 and 11 uses proposed as per PPP application

Development shall not commence until a scheme for protecting the occupiers of the proposed and existing residential units hereby consented from operational noise has been submitted to and approved in writing by the Head of Planning; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning, before any part of the development is occupied.

The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to a suitable exhaust point as agreed with the Planning Authority to ensure that no cooking odours escape or are exhausted into any neighbouring premises.

The ventilation system shall be installed, tested and operational prior to the use hereby approved being taken up.

Deliveries and collections, including waste collections, will require to be agreed at the Approval of Matters in Conditions (AMC) stage.

Residential uses

Details of the required acoustic glazing barrier shall be submitted in the form of an updated noise impact assessment and agreed at the Approval of Matters in Conditions (AMC) stage.

Informative

Environmental Protection also advised the applicant that any energy centres must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.

Environmental Assessment comment

A Preliminary Environmental Assessment Report dated May 2016 appears to have been submitted in support of this application.

An initial inspection of this report indicates that the potential for significant sources of contamination on this site appear to be minimal and therefore risks in connection with development to residential are likely to be of low level.

Nevertheless, an intrusive investigation is proposed by the report which will aim to identify the presence of unexpected contamination associated with the general ground conditions, further investigate the minor potential sources of contamination identified by the Preliminary Environmental Assessment, and assess potential risks associated with the development of the land to residential.

Environmental Protection would consider the application of a planning condition (SIO3c) to be sufficient for the purpose of ensuring/enabling any possible remedial requirements to address the presence of contaminants are agreed with the Local Authority prior to any works commencing on site to ensure the land is suitable for use.

Environmental Assessment updated comment

Environmental Protection have considered the supplementary information submitted by the applicant with regards transport and local air quality impacts. It is accepted that the changes in the predicted traffic flows are likely to be insignificant in terms of the air quality impacts, therefore the original consultation response provided by Environmental Protection is still valid.

The application is for Planning Permission in Principal; however, the application does include very detailed plans of what is proposed. The proposal is to include a number of different uses including residential properties, neighbourhood centre, food and drink use class 3, non-residential class 10 and leisure class 11 uses all with associated car parking and infrastructure works including the demolition of overhead power lines and relaying of power lines underground.

The site is located on open farmland immediately southeast of Heriot-Watt University's Riccarton Campus, between Hermiston and Currie. The site itself is split into two parts by Riccarton Mains Road, one smaller area to the northwest of the road and a larger area to the east of the road, the site is located within Edinburgh's Green Belt

The Murray Burn runs just west of the site boundary, flowing from south to north and lies approximately 3m lower than the level of the smaller site. The Shotts railway line from Glasgow Central to Edinburgh Railway skirts the southeastern boundary of the site, approximately 7m from the site boundary at its closest point. Three sets of electricity pylons (two high voltage on pylons and one low voltage on wooden poles) cross the site.

To the north of the site is open fields and Riccarton Mains buildings (~100m from site boundary) with Riccarton Mains Road and a roundabout just to the west of this. To the South, immediately the Shotts Glasgow Central to Edinburgh railway line, then the small village of Corslet at ~200m from the southern boundary. Currie begins at approximately 500m from the southern boundary of the site. To the west, Murray Burn and mixed woodland surrounding it and then Heriot Watt Riccarton Campus with associated buildings, outdoor areas and sports facilities. To the east, there is a house on the eastern site boundary, the aforementioned railway line and generally open farmland beyond this.

The applicant has submitted various supporting materials including a noise and local air quality impact assessment. The applicant has submitted a site 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. The applicant has also provided communications between the applicant and Scottish Power regarding the overhead pylons.

Noise

In order to assess the potential noise impacts on the proposed development the applicant has submitted a noise impact assessment to address noise from Riccarton Mains Road, Railway line noise at southern site boundary, noise from the National Performance Centre, Air Rifle Range and any potential noise source within development specifically at building E. As this is not a detailed planning application the final layout and design have not been concluded and will likely change. When detailed plans are available further noise impact assessments will be required.

Noise sources from the overhead lines has not be carried out as requested by Environmental Protection this is based on the assumption that the overhead lines will be re-directed or buried and are therefore have not been assessed. Environmental Protection have serious concerns regarding this assumption as it will not be possible to condition that the overhead lines to be buried prior to development. Environmental Protection wanted the overhead lines to be assessed as this would be a worst-case scenario assessment. If the overhead lines remain a buffer zone under them will be require in the region of 20-50m wide.

The noise impact assessment has identified that noise mitigation measures will be required to ensure that specified indoor and outdoor amenity noise levels will be achieved. This is related to the transport sources of noise and will include an area that should not be developed for amenity space, acoustic barriers and double glazing.

As noise level in certain amenity areas exceeds the criteria level and the most appropriate method for controlling noise in garden areas is by the use of an acoustic grade fence and buffer zones. The assessment has identified that an acoustic fence and buffer zone are required to fully block the line of sight to Riccarton Mains Road to the centre of the proposed developments garden areas. Internal noise will require acoustic double glazing capable a sound reduction level of 33dB. Environmental Protection will recommend conditions are attached to ensure these mitigation measures are carried out.

It is also understood that the existing 40mph zone may be reduced to 30mph within the development frontage. This would possibly lead to a slight reduction in noise levels although this has not been predicted in the noise impact assessment. It would be in the interest of the applicant to reassess the road noise when detailed plans are available and if the speed limit has been reduced. Furthermore, the rail noise could be updated to include freight movements as this has not been actually measured.

Noise affecting the site from internal and external sources requires to be fully evaluated. A Noise Impact Assessment (NIA) will be necessary once details of proposed uses, layout, building heights /orientation are available. Any NIA will incorporate detailed technical specifications for any mitigation measures identified, as agreed by the Head of Planning.

Environmental Protection will not be in a position to support the application due to our concerns with the overhead power lines.

Local Air Quality

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Large scale proposals.

If they are to be occupied by sensitive groups such as the elderly or young children.

If there is the potential for cumulative effects.

The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in AQMAs or, by cumulative impacts, lead to the creation of further AQMAs (areas where air quality standards are not being met, and for which remedial measures should therefore be taken.

AQMAs have been declared at five areas in Edinburgh - City Centre, St John's Road (Corstorphine), Great Junction Street (Leith) Glasgow Road (A8) at Ratho Station and Inverleith Row/Ferry Road. Poor air quality in the AQMAs is largely due to traffic congestion and the Council's Air Quality Action Plan contains measures to help reduce vehicle emissions in these areas. The Council monitors air quality in other locations and may require to declare further AQMAs where AQS are being exceeded., It is noted that a significant amount of development is already planned / committed in west Edinburgh and additional development will further increase pressure on the local road network. Committed development should therefore be fully accounted for in the Air Quality Impact Assessment for these proposals.

The applicant has submitted a supporting air quality impact assessment but it's not clear what developments have been included as committed developments in the air quality model. Reducing the need to travel and promoting the use of sustainable modes of transport are key principles as identified in the second Proposed Edinburgh Local Development Plan (LPD). The LDP also states growth of the city based on car dependency for travel would have serious consequences in terms of congestion and air quality. An improved transport system, based on sustainable alternatives to the car is therefore a high priority for the Council and continued investment in public transport, walking and cycling is a central tenet of the Council's revised Local Transport Strategy 2014-19.

The development site is in close proximity to the Hermiston Gate Park and Ride which is well served by public transport and has rapid electric vehicle charging facilities. The applicant should be encouraged to keep car parking number to a minimum, support car club with electric charging, provide rapid electric vehicle charging throughout the development site, provide public transport incentives for residents, improve cycle/pedestrian facilities and links and contribute towards expanding the electric charging facilities at the Hermiston Park and Ride.

Environmental Protection also advised the applicant that any energy centres must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.

Environmental Protection have concerns with the cumulative impacts developments especially large proposals on the green belt may have on local air quality. Local roads in the area are already congested during peak hours and the development of this site will only exacerbate this.

Odours

The PPP aspect of the application may propose Use Class 3, 10 & 11 premises which are likely to include cooking operations. Ventilation is likely to be required to adequately deal with kitchen effluvia from these premises and ensure that they reach an appropriate height. Therefore, the siting of such premises will require to be fully assessed at the AMC stage to ensure that odours from food operations do not impact upon residential amenity.

Overhead Power Lines

The applicant has provided an email from Scottish Power Networks advising that they are in dialogue with the applicant regarding the potential for underground and/or diversion of the 275kV and 132kV transmission overhead lines. Materials such as brick and clay are very efficient at shielding the electric field. In underground lines, the construction design is such that the electric field is completely shielded. The static electric field from overhead HVDC lines can expand further into the surroundings compared to AC lines (corona effects). The magnetic field, in contrast, passes unobstructed through most materials. However, the fields' strength diminishes quickly with distance from the line (International Commission on Non-Ionizing Protection). It is therefore desirable to have the powerline buried or diverted however the lines would need to be buried under the railway and there does appear to be three different sets of power lines crossing the site. It's not clear if all lines can be diverted/buried. All overhead cables would need to be buried or relocated before any development could commence.

Therefore, Environmental Protection on balance recommend the application is reused due to the potential adverse impacts the proposal may have on local air quality and the doubt regarding the potential to relocate the overhead power lines. If consent is grant Environmental Protection recommends that the following conditions are attached;

Conditions

Site in General

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

a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

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

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

2. Electric vehicle (rapid) chargers shall be installed throughout the development site serving every tenth parking space

3. The following noise protection measures to the proposed development, as defined in the Neo Environmental 'Volume 2 Environmental Statement' Chapter 7. Acoustics, dated 20/10/2016:

An acoustic fence with a minimum surface density in of 10kg/m² shall be erect as per Figure 7.1 Chapter 7 Acoustic Appendix dated 11/10/2016 drawing number NEO00347/030/A

No amenity areas to be located within the dotted lines as highlighted in Figure 7.2 Chapter 7 Acoustic Appendix dated 11/10/2016 drawing number NEO00347/030/A at the final design stage.

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

Class 3,10 and 11 uses proposed as per PPP application

4. Development shall not commence until a scheme for protecting the occupiers of the proposed and existing residential units hereby consented from operational noise has been submitted to and approved in writing by the Head of Planning; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning, before any part of the development is occupied.

5. The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to a suitable exhaust point as agreed with the Planning Authority to ensure that no cooking odours escape or are exhausted into any neighbouring premises.

6. The ventilation system shall be installed, tested and operational prior to the use hereby approved being taken up.

7. *Deliveries and collections, including waste collections, will require to be agreed at the Approval of Matters in Conditions (AMC) stage.*

Residential uses

1. *Details of the required acoustic glazing barrier shall be submitted in the form of an updated noise impact assessment and agreed at the Approval of Matters in Conditions (AMC) stage.*

Informative

Environmental Protection also advised the applicant that any energy centres must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.

Network Rail

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

The accompanying Planning Statement states that "the site is one of the most sustainable locations in the west of Edinburgh benefiting from a range of nearby public transport links". It then further recognises that Curriehill Station is located approximately 1.5km to the west of the site (c. 15 min walk) and provides an hourly service both to Edinburgh and Glasgow Central. The station provides car parking and 12 cycle parking spaces. It also states that the site is approximately 2km from Edinburgh Park Station which provides regular train services to Edinburgh City Centre, Dunblane and Helensburgh and Edinburgh Park tram which offers regular services to the airport and city centre.

Paragraph 290 of Scottish Planning Policy states that "Development proposals that have the potential to affect the performance or safety of the strategic transport network need to be fully assessed to determine their impact... Where such investment is required, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network will have to be met by the developer."

It is therefore requested that further consideration is given to the impact of the proposed development on the rail network in the area. This may include pedestrian, cycling and vehicular linkages, car parking, cycle lockers and other station amenities.

In addition to the above, the following matters must also be taken into account, and if necessary and appropriate included as conditions or advisory notes, if granting the application:

Uncontrolled drainage towards the railway may have a direct impact on the reliability and frequency of the rail transport in your area.

o All surface or foul water arising from the development must be collected and diverted away from Network Rail Property. (Any Sustainable Urban Drainage Scheme should not be sited within 10 metres of railway infrastructure and should be designed with long term maintenance plans which meet the needs of the development).

The railway can be a dangerous environment. Suitable barriers must be put in place by the applicant to prevent unauthorised and unsafe access to the railway.

o If not already in place, the applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. We recommend a 1.8 metre high 'rivetless palisade' or 'expanded mesh' fence. Network Rail's existing boundary measure must not be removed without prior permission.

The proximity and type of planting proposed are important when considering a landscaping scheme. Leaf fall in particular can greatly impact upon the reliability of the railway in certain seasons. Network Rail can provide details of planting recommendations for neighbours.

o Where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary.

Issues often arise where sensitive development types are sited in close proximity to the rail line.

o The applicant should be aware that any proposal for noise or vibration sensitive use adjacent to the railway may result in neighbour issues arising. Every endeavour should be made by the applicant in relation to adequate protection of the uses contained within the site.

Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

o Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

Police Scotland

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.

Roads Authority Issues

The application should be refused.

Reasons:

The transport infrastructure enhancement needs arising from the planned growth set out in the Local Development Plan (LDP) have been assessed by a transport appraisal which accompanies the LDP and informs its Action Programme. The Transport Infrastructure Appraisal provides a cumulative assessment of the additional transport infrastructure required to support the new housing development identified within the LDP. Where cumulative impacts have been identified, transport infrastructure to mitigate the impact of the development are established. Contribution Zones are used to collect developer contributions equitably towards these actions.

This site is not proposed within the LDP and, therefore, its transport impact on the strategic road network has not been assessed cumulatively. Whilst the applicant has considered the impact of committed development of this site in combination with other developments in the area, it is clear that traffic will have a significant impact on the existing road network, in particular A70 Lanark Road, Riccarton Mains Road and A71 Calder Road. The Local Development Plan states that development proposals relating to major housing or other development sites which would generate a significant amount of traffic must demonstrate that individual and cumulative transport impacts can be timeously addressed. It is unclear whether the additional traffic from this site can be so addressed within the improvement works set out in the Action Programme.

In addition, the LDP policies support the transport strategy by seeking to minimise travel demand and encourage a shift to more sustainable forms of travel. Major travel generating developments should take place in locations well served by public transport, walking and cycling networks, and development in non-central locations with limited sustainable travel options will be resisted. The proposed site is not considered to be well served by public transport and it is likely that public transport improvements will not be in place when required to serve the development.

If minded to grant, the application should be continued for the applicant to assess the cumulative traffic impact and determine the actions required to mitigate the identified impact.

In addition to the above, the following should be included as conditions or informatives as appropriate:

** Roads layout and parking numbers to be reserved matters.*

** A contribution of £2,000 is required to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*

** A contribution of £2,000 is required to to progress a suitable order to introduce waiting and loading restrictions as necessary;*

** A contribution of £2,000 is required to promote a suitable order to introduce a 20pmh speed limit within the development and a 30-mph on Riccarton Mains Road in the vicinity of the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;*

** In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £18,000 (£1500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;*

** All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;*

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

** In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*

** 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;*

** 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;*

** The applicant should ensure that the access road and associated accesses are large enough, and of a shape, to accommodate any vehicles which are likely to use it, in particular refuse collection and emergency service vehicles. The applicant should provide a swept-path diagram to demonstrate that a vehicle can enter and exit the development in a forward gear, in the interests of road safety;*

** 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;

** Under new RAUC(S) standards the existing footway should not be narrowed to less than 1.8m;*

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

The developer must submit a maintenance schedule for the SUDS infrastructure for approval.

Roads Authority Issues (updated)

The application should be refused.

Reasons:

1. The site location provides travel choices. However, census data suggests that car use is still dominant. In regard to access to alternative travel choices, the following is specific and relevant:

a. It is located within 0.7 miles of Hermiston Park & Ride which is served by regular bus services to and from the City Centre. Express services are available at peak times. A night time service also operates to and from Riccarton Campus via the P&R site. Service 45 (Riccarton Campus to QMU, passing other university campuses enroute) which passes the site on Riccarton Mains Road operates on a 30 minute frequency on weekdays (06.00-20.00 approximately), and no weekend service.

b. Edinburgh Park Station (4 trains per hour) and Tram Stop (7 - 10 minute frequency) are 1.8 miles away (6 minute car journey in uncongested conditions). Curriehill Station is 1.2 miles away (4 minute car journey in uncongested conditions). Services from Curriehill (Glasgow Central - Edinburgh Waverley via Shotts) operate on an hourly frequency. Some additional services city bound (including Glasgow Central to North Berwick) stop during the morning peak.

It can be reasonably suggested that for the rail trip modes a short journey by car would be tempting, and most certainly likely during periods of inclement weather, or due personal circumstances on a given day e.g. childcare activity. The existing bus service which passes the site is poor in terms of frequency and times of operation which will impact on its attractiveness as a trip mode. Whether an additional 214 dwellings plus student accommodation; the latter being attractively located for students of Heriot Watt University but which it cannot be assumed will be necessarily occupied by their students; will in turn make an improved 45 service frequency or indeed diversion of the route into the "village" viable is debatable. Whilst within walking distance of the site, Hermiston Park & Ride would be again inconvenient for the residents of the "village." Similarly for the rail-based alternatives.

It is noted that a recent DPEA Reporter's decision on the matter of distance to public transport modes (PPA-400-2071) concluded that a small exceedance of the recommended walking distances in PAN75 was not likely by itself (in the context of the appeal site) to cause a significant change in mode of transport towards private car use but rather much would depend on the attractiveness and convenience of alternatives. It is considered that the walking distances to the regular public transport alternatives to this site are not within an acceptable small exceedance of walking distance of the site. Guidance distances from PAN 75 are 400m and 800m for bus and rail respectively.

The site lies within the catchments for Currie Primary and Community High schools, located 0.8 miles (1.3km) and 1.2 miles (2km) away respectively. Access to these schools is via the existing footway network contiguous to the roads.

The applicant's masterplan concept indicates a number of potential secondary links (pedestrian/cycle) to Riccarton Campus to the west of the site which would help improve site accessibility. The delivery of these by the applicant cannot be relied upon.

2. Whilst it is accepted that the applicant's transport consultant has carried out analysis of the external road junctions which considers the cumulative and cross-boundary effects as required by LDP Policy Tra 8 at the request of Officers, the use of traditional isolated junction modelling software does not take into account the interaction between major junctions. The case in point being that the A720 Calder Junction is routinely congested during both morning and evening peaks but specifically the morning peak, where vehicle queuing can extend through the A71 Calder Road/ Riccarton Mains Road/ P&R/ Gogar Station Road roundabout, impacting on the operation junction creating delays and significant queuing on approaches to the junction. This is not reflected in the results of the modelling which suggest a maximum queue of 8-9 PCUs (approximately 50m in length) on the A71(W) approach. This is backed up by the applicant's traffic survey queuing data for the latter junction. It is acknowledged that this can be argued as being an existing issue on the road network outwith the control of the applicant, it can be equally argued as being symptomatic of existing cumulative and cross-boundary effects to which this development would add.

Should the committee be minded to grant the application, the following conditions or informatives should apply:

1. The applicant will be required to:

a) Contribute the sum of £214,000 towards the Hermiston Park & Ride Transport Contribution Zone. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;

b) Contribute towards the Calder and Hermiston Transport Contribution Zone. Details of the Action and cost are still be established. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;

c) Contribute towards the Gillespie Cross Roads Transport Contribution Zone to provide signal improvements at this location. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;

Items a) to c) above as per the LDP Second Action Programme. Contributions based on the proposed 214 No. residential units.

2. *A contribution of £2,000 is required to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*
3. *A contribution of £2,000 is required to progress a suitable order to introduce waiting and loading restrictions as necessary;*
4. *A contribution of £2,000 is required to promote a suitable order to introduce a 20pmh speed limit within the development and a 30-mph on Riccarton Mains Road in the vicinity of the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;*
5. *In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £18,000 (£1500 per order plus £5,500 per car) towards the provision of 3 car club vehicles in the area with capacity to provide further spaces if required as demand dictates, given the location in terms of accessibility and the nature of the development;*
6. *Pedestrian crossing facilities to be provided on Riccarton Mains Road, with the format and location(s) to be agreed. To be provided at no cost to the Council;*
7. *The internal site layout to be developed in accordance with the place making principles of the Scottish Government's Policy Document, "Designing Streets," and agreed in writing with the Council's Officers;*
8. *All Cycle and pedestrian infrastructure to be designed to the standard outlined in the Edinburgh Street Design Guidance factsheets. Links to the existing local infrastructure to be provided. A new combined footway/cycleway to be provided along the site frontage with Riccarton Mains Road;*
9. *New north and southbound bus stops to be provided on Riccarton Mains Road in the vicinity of the site, with the format and locations to be agreed. To be provided at no cost to the Council;*
10. *Parking provision to be in accordance with the Council's current standards and agreed in writing with the Council's Officers. Notes in regard to the applicant's proposed parking is provided below;*
11. *The location and form of access points into the development to be agreed in writing with Council's Officers;*
12. *All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;*

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

14. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

15. 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;

16. 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;

17. The applicant should ensure that the access road and associated accesses are large enough, and of a shape, to accommodate any vehicles which are likely to use it, in particular refuse collection and emergency service vehicles. The applicant should provide a swept-path diagram to demonstrate that a vehicle can enter and exit the development in a forward gear, in the interests of road safety;

18. 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;

19. Under new RAUC(S) standards the existing footway should not be narrowed to less than 1.8m;

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

21. The developer must submit a maintenance schedule for the SUDS infrastructure for approval.

Notes:

1. The application has been assessed against the Council's parking standards in the, "Edinburgh Design Guidance (October 2017)". These permit, for Zone 3 in which the site lies, up to a maximum of 2 parking spaces per residential dwelling depending on the quantity of habitable rooms provided in each. A minimum of 8% of the total parking provision must be suitable for use by disabled users. Where parking is provided in a car park with ten or more parking spaces proposed, one in every six spaces should feature an electric vehicle charge point. Where parking is provided on a driveway/garage, passive provision should be made such that an electric vehicle charge point can be added in the future.

2. In regard to the component of the proposals dedicated to student accommodation (halls and flats), the current standards permit up to 1 parking space for every 5 beds with 6% of the total parking provision suitable for use by disabled users. The applicant argues that given the location of the site in relation to the Heriot Watt Riccarton Campus and the established bus routes within a short walk the provision should be reduced to 50% of the permitted maximum. It is considered that this could be reduced further to a nominal provision for staff, disabled, visitor and maintenance vehicles given the location of the residences to Heriot Watt and the bus services which provide access to other campuses. Whilst not all campus locations are served directly by the public transport services available nearby to the site, they do however provide for interchange opportunities at city centre stops thus making them accessible.

3. Cycle parking/storage should be provided in accordance with the current Council standards. This requires a minimum of cycle storage for between one and three cycles per residential dwelling depending on the quantity of habitable rooms in each. In terms of the student accommodation component of the proposals a minimum of 1 cycle per bed provided.

SEPA comment

We ask that the planning condition(s) in Section 2 be attached to the consent. If any of these will not be applied, then please consider this representation as an objection. Please also 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

We have no objection to the proposed development on flood risk grounds. Notwithstanding this we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.

Technical Report

1.1 Review of the SEPA flood map shows a small area at risk of fluvial flooding and surface water flooding.

1.2 To assess the risk of fluvial flooding, the consultant has carried out hydrological and hydraulic modelling. To estimate the 0.5% annual probability (1 in 200 year) flood event the consultant has used three methods, the FEH Rainfall Runoff Method, ReFH2 and IH124. Table 2 presents the results of the hydrological modelling and the consultant has taken the precautionary approach and used the results of the FEH rainfall runoff method which generates the most conservative flows. We have carried out our own hydrological modelling and are in agreement with Kaya Consultants flow estimates.

1.3 To predict flood levels, a HEC RAS mathematical model has been constructed which incorporates 22 channel cross sections, 17 derived from a topographic survey and 5 derived from LiDAR data. It isn't best practice to derive cross sections from LiDAR information as there is uncertainty regarding the accuracy of LiDAR information particularly where there is tree cover as is the case for this site. However on this instance we are willing to accept this as there is a reasonable degree of freeboard between the flood level and the development site. The model has been run in a steady state.

1.4 Two structures are present at this site, a weir and a bridge and both have been incorporated within the hydraulic model. The weir spill coefficient has been set to 1 which is acceptable. Roughness values of 0.045 for the channel and 0.065 for the floodplain have been used. A large masonry wall runs along the right bank of the watercourse between the development site and the Murray Burn which will offer some degree of informal protection to the site. This has not been included within the hydraulic model to represent the worst case scenario.

1.5 The results of the hydraulic model show that the site is not at risk of flooding. Table 3 shows the predicted water level and adjoining site levels and there is a reasonable degree of freeboard between the site levels and predicted flood levels. Velocity information has been provided and although this shows very high velocities which could result in supercritical flow, the consultant explains that the channel is steep and this is reflected on the long profiles of the modelled reach on figure 6. We would highlight that it is best practice to provide the results tables within HEC RAS as well as cross section outputs for all sections as provided for a selection of cross sections on figures 7 to 9.

1.6 A sensitivity analysis has been carried out on roughness, flow, downstream boundary, blockage and weir coefficient. Although changes in some of these variables results in significant localised increases in flood levels, particularly when blockage is considered, the site is not deemed at risk of flooding.

1.7 To assess the risk of flooding from surface water, basic analysis using Global Mapper GIS software has been used to determine the flow paths within and outside the site. This shows that there is no risk of surface water flooding to the development site.

1.8 The FRA has shown that the development site is not at risk of flooding during the 0.5% flood event and as a result we offer no objection to the planning application at this site. We would highlight that finished floor levels should be set 600mm above the 0.5% annual probability flood level. Furthermore, SUDS proposals and runoff rates should be agreed with the flood prevention officer at Edinburgh City Council.

2. Drainage

2.1 Drainage is a material planning consideration as set out in PAN 79 Water and Drainage. Planning authorities have been designated responsible authorities under the Water Environment and Water Services (Designation of Responsible Authorities and Functions) Order 2006. As such authorities are required to carry out their statutory functions in a manner that secures compliance with the objectives of the Water Framework Directive (i) preventing deterioration and (ii) promoting improvements in the water environment in order that all water bodies achieve "good" ecological status by 2015 and there is no further deterioration in status This will require water quality, quantity and morphology (physical form) to be considered.

Waste water drainage

2.2 We note from the supporting information that the intention is to connect the development to the public foul sewer network.

2.3 It should be noted that should a connection to the public sewer not be achievable then SEPA would be required to be re-consulted as any private waste water discharge would require authorisation under Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR).

2.4 It will be for SW to ensure that sufficient capacity exists in the public sewerage network to accommodate the proposal. Should SW determine that capacity exists, they must ensure that the proposal does not have a detrimental effect on the water quality of the river.

2.5 We would encourage that the applicant investigate any opportunities for first time sewerage provision - for 'isolated' properties currently served by private foul drainage arrangements - are actively sought out and implemented where possible.

Surface water drainage

2.6 In accordance with the requirements of The Water Environment (Controlled Activities) (Scotland) Regulations 2011, also known as The Controlled Activity Regulations (CAR) surface water runoff arising from the hardstanding areas, inclusive of roads and roofs will require to be collected, treated and disposed of using sustainable drainage techniques.

2.7 We have considered the relevant information within the application and based on the details provided we are satisfied that the proposed principles of Sustainable Urban Drainage Systems (SUDS) for the application for planning permission in principle are appropriate, with 2 levels of SUDS to be incorporated into the detailed design and SUDS will be designed to CIRIA standards. The finalised design must accord with CIRIA 753 and will involve providing the output from the simple index CAR tool. We would encourage source control measures to be incorporated across the site where possible. While we are content with this approach it has not been confirmed in detail how this will be achieved. We therefore request that a condition is attached to any approved consent for all phases of development requiring full details of the finalised surface water management scheme. To assist, the following wording is suggested:

Prior to the commencement of any works, full details of the finalised SUDS scheme for all individual phases of development shall be submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme.

Reason: To ensure adequate protection of the water environment from surface water run-off.

2.8 We have not considered the water quantity aspect of this scheme. Comments from Scottish Water, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on any water quantity issues including the acceptability of post-development runoff rates for flood control.

Protection of the Murray Burn

2.9 The Murray Burn flows along the western edge of the site. There is no detail provided in the application regarding the potential finalised layout of the development and the protection of the water course. Therefore, we ask that a suitable worded condition is attached to any grant of permission which requires an appropriate buffer strip between the Murray Burn and any built development and details of this buffer strip to be provide at the approval of matters specified in conditions stage. We would recommend a buffer strip on either side of the water course of around 6 meters. This is required to ensure adequate protection of the water environment and comply with the requirements of the water framework directive as outlined in section 2.1 above.

Engineering in the Water Environment

2.10 We note from the design and access statement that it is outlined that there is potential for future connections to the campus across the Murray burn, no further information is provided. We do however note that these are outlined as potential future opportunities rather than concrete proposals at this stage. We would clearly outline that these potential crossings will require some form of authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended).

2.11 We would highlight that we prefer the water environment to be left in its natural state with engineering activities such as culverts, bridges, watercourse diversions, bank modifications or dams avoided wherever possible. Where watercourse crossings are required, bridging solutions or bottomless or arched culverts which do not affect the bed and banks of the watercourse should be used.

2.12 We cannot comment at the potential consentability of these at this stage but should the applicant wish to pursue these in the future then they should liaise with our local operations team (details below).

3. Air Quality

3.1 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.

3.2 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.

4. Contaminated Land

4.1 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.

Detailed advice for the applicant

5. Flood Risk Caveats & Additional information for the applicant

5.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit http://www.sepa.org.uk/flooding/flood_maps.aspx.

5.2 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

5.3 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/planning/flood_risk.aspx.

6. Waste water drainage

6.1 The applicant should continue to liaise with Scottish Water to ensure a connection to the public sewer is available and whether restrictions at the local sewage treatment works will constrain the development.

SEPA further comment

Advice for the planning authority

We have no objection to this planning application on the grounds of impacts on air quality, but please note the advice provided below.

1. Air Quality

1.1 *With regard to the assessment methodology, we note that the dispersion model has not been verified due to a lack of air quality monitoring in the development area. There is a level of uncertainty, therefore, in the model output which cannot be quantified or adjusted. Please note that we are reliant on the accuracy and completeness of the air quality assessment in undertaking our review.*

1.2 *We do not object to this application on air quality grounds given that the assessment has been carried out in accordance with guidelines stated in LAQM TG (S) 16 in all aspects except model verification, which we understand is due to insufficient monitoring data, and the model predicted that all pollutants assessed were predicted to be well below the relevant objectives with the development in place.*

1.3 *However, the local authority is the responsible authority for local air quality management under the Environment Act 1995. The Council's Environmental Health Department may be able to advise further on air quality model verification for developments in this area, using their local knowledge of the Council's air quality monitoring network.*

1.4 *We want to draw attention to EPUK and IAQM guidance; Land Use Planning and Development Control Planning for Air Quality which provides a section on 'Principles of Good Practice'. The section outlines examples of good practice for air quality mitigation in the design and operational phases of development.*

1.5 *The City of Edinburgh Council should take these principals in to consideration, in particular provision of electric vehicle charging points which may encourage the uptake of low emission vehicles in the area helping to reduce transport emissions which are the predominate contributor to poor air quality in Scotland.*

Scottish Natural Heritage

Summary

We provide detailed advice on the proposal in the Annex. This includes advice on wider strategic matters, advice and recommendations on landscape and visual impacts, green infrastructure and placemaking, and ecological/species surveys.

Annex

Strategic context

We note that the Local Development Plan has now been adopted. We support the key issues and development principles that are set out in site development briefs and associated supplementary guidance. From a natural heritage point of view we consider the development plan preparation process has allowed appropriate consideration of the wider strategic and functional implications of changes to the green belt, including the role of remaining areas in providing a landscape setting for the city and its surrounding settlements. The process of LDP preparation also allowed consideration of the local and wider role of green infrastructure and open space provision, both within and around development sites. We therefore consider that the LDP has a critical role to play in setting the direction for integrated green infrastructure delivery and sustainable city growth into the future.

This site is not allocated in the LDP and has not been considered in these terms. We therefore highlight that it may, along with other non-conforming proposed developments in the West Edinburgh area, compromise long term green belt objectives. In particular we highlight the key issue of maintaining the landscape setting of the City of Edinburgh and settlements in the west of the local authority area. We also consider that it could compromise the assessment of, and need to plan strategically for, active travel and green infrastructure as an integral part of any longer term growth of the city. For example, as per "Long Term Growth Corridors" and associated "Placemaking Principles" as set out in the Proposed Plan of SESPlan 2.

Given other proposed developments in the wider West Edinburgh area, including the East Millburn Tower application and the Malcolmstone Cottages, Hatton Village and Craigiehall proposals, we highlight the potential for this site to have wider cumulative effects on the landscape setting of the city and surrounding settlements, as well as the landscape character and visual amenity of the existing rural environs of the city.

Appraisal of proposal

Landscape and Visual Impacts, green infrastructure and placemaking

This site itself is on a gently rising slope, within a reasonably prominent and partly open landscape context, characterised by a large arable field to the east of the Riccarton Mains Road. From the more elevated areas of the site and from the southern end of Riccarton Mains Road there are open views (with pylons) available eastwards towards the city of Edinburgh and its landmark features. These views are restricted from the northern sections of the road by embankments and narrow strips of roadside woodland planting.

The proposal seeks to remove the pylons, and create an urban "village" with a defined central open space. Flatted development, other housing and associated landscaping is to be accommodated along Riccarton Mains Road in order to change its character and create a more street like environment, with new access links and pedestrian crossings proposed to allow connectivity across the road and to the existing university campus. Along with tree lined linkages which connect to the central open space, structural landscaped edges to the development are proposed, with such areas also containing SUDS, amenity space and a strongly defined formal and informal path network.

The proposal will by its nature have some significant localised landscape and visual impacts. Such impacts will include the change to the landscape character of the area as experienced from areas around and within the site and along a short section of Riccarton Mains Road, where there will also be a loss of available views from the road towards the City of Edinburgh and its landmark features. There will also be some degree of change in the relatively limited range of views towards the site through the introduction of built form and street lighting. These effects will be partially mitigated over time by the establishment of the landscape framework planting.

We consider the proposed approach to site layout and green infrastructure design (as set out in dwg 13.1: The Masterplan and dwg 15.0: Landscape Strategy) has the potential to provide an appropriately considered response to the landscape and visual impact issues of the site's context, while also addressing the placemaking opportunities presented by the site. The structural landscaping, connecting tree-lined streets and the more formal village centre open space could, if detailed and implemented to high design standards, provide an appropriate hierarchy and connectivity of open spaces. The proposed layout of the framework planting has the potential, particularly over time, to reduce the impacts of the development on local landscape character and visual amenity. The proposed framework also has the potential to provide a defined landscape setting and multi-functional green network resource for the proposed development and immediately surrounding areas.

If the City of Edinburgh Council was minded to approve this application we would advise that the proposals for the structural landscape layout and the provision of open space are secured to the scale and locations as proposed. Further details of landscape design and open space functionality will be needed, including details of measures to promote all ability access along proposed path routes and make appropriate connections with surrounding routes. We would also advise that the details of long term arrangements for landscape maintenance and management should also be secured.

Ecology

Firth of Forth Special Protection Area (SPA) - Habitat Regulations Appraisal

The site is within proximity to the Firth of Forth SPA, designated for its wintering wildfowl and waders, including pink-footed geese. Although the majority of these birds are unlikely to roost or feed more than a couple of kilometres from the coast, geese are known to travel up to 20km to forage. The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") apply.

The City of Edinburgh Council is therefore required to consider the effect of the proposal on the SPA before the development can be consented, under a Habitats Regulations Appraisal (HRA). <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/international-designations/natura-sites/habitats-regulations-and-hra/>. The SNH website has a summary of the legislative requirements: <http://www.snh.gov.uk/docs/A423286.pdf>

The sites allocated within the adopted second Local Development Plan have undergone an HRA as part of the Plan process. Any sites coming forward outwith the LDP, that have potential supporting habitat on site, will require an HRA to be carried out to assess whether there are likely to be significant effects and therefore whether an appropriate assessment is required. This means that sufficient information, which is likely to be in the form of bird survey data, as well as other available contextual information, should be submitted as part of an application to allow the council to undertake an HRA. Currently there is insufficient information to determine whether the proposal is likely to have a significant effect on pink footed geese. No bird surveys have been undertaken for this proposal, and at present, there is little information on pink footed goose use in this part of West Edinburgh. Therefore, standard bird (in this case specifically goose) survey work will be required. Two years wintering bird surveys are the norm, or one year if there's appropriate contextual information available alongside this.

Protected Species

The Ecology chapter of the ES outlines potential effects on badger, otter and bats, with pre-construction surveys recommended to assess effects nearer the time. An extended Phase 1

survey was undertaken for the EIA but no specific protected species surveys were carried out.

It should be noted that effects on protected species must be determined at the planning stage, as outlined in 4.8 and 4.10. This also allows confidence in assessing impacts on species within the EIA process. Our website has guidance on carrying out appropriate protected species surveys for development, and identifying associated mitigation or licensing requirements:

<http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/protected-animals/>

However, through incidental observation as part of the Phase 1 survey, no evidence of protected species were noted on site. If there's confidence in these findings, then the standard mitigation listed in the ES will apply, including pre-construction surveys to check the status of species on site at the time of development. Further comments are provided below:

Bats - It is noted that no vegetation/trees are earmarked for removal at this stage, and therefore no impacts on bats are anticipated. Detailed roost surveys are therefore not required at this stage and will only be carried out if trees are to be removed.

Otter - no signs of otter were recorded although the Murray Burn has some potential as a foraging/commuting route. Our advice is that no licences are required but this should be checked again through pre-construction surveys, as otters are mobile animals.

Badgers - It's noted that no signs of badger were found on site and therefore our advice is that no licences will be required. It is assumed that this included checks for setts in close proximity to the site to ensure that there would be no disturbance and associated licence requirements.

It is acknowledged that there's an established badger population in the adjacent Riccarton estate and 4.71 mentions that the site could fall within the wider territory of these badgers. Best practice for badger surveys includes identifying their territories which would allow for an accurate assessment of impacts on badgers of development of this site, and what associated landscaping/mitigation may be required. Further detailed surveys will be required in due course to allow identification of necessary/adequate mitigation, particularly if nearby setts are identified.

Scottish Natural Heritage

Many thanks for the updated report Appropriate Assessment; Riccarton Mains Village (Neo Environmental, 03/05/2017). We are content that this revised report presents evidence to support the conclusion that the proposed development (ref: 16/05217/PPP) will not have an adverse affect on the integrity of the Firth of Forth Special protection Area.

Scottish Natural Heritage

SNH are content that the revised report presents evidence to support the conclusion that the proposed development (ref: 16/05217/PPP) will not have an adverse affect on the integrity of the Firth of Forth Special protection Area and so no further consideration of the SPA would be required in this case.

Scottish Natural Heritage

Thank you for consulting us on the addendum to the ES consultation (updated Transport Assessment). I can confirm that we have no further comments to make at this stage and our advice therefore remains unchanged from our original response, dated 22 December 2016.

Transport Scotland

The Director does not propose to advise against the granting of permission.

Transport Scotland further comment

Transport Scotland have reviewed the updated Transport Assessment and do not have any comments to make. Consequently, our previous response is unchanged

Waste Services

The Waste and Cleansing Service provides a household waste collection service only. We do not offer commercial waste collections -except to our own buildings- and for those elements it is the responsibility of building management or tenants to ensure they have services in place and comply with all pertinent legislation.

The elements of this proposal that I think we would provide a service to would be the following:

The residential development (approx 200); the flats integrated into other buildings; and the affordable housing.

Assuming the community hall is a Council premises we would provide the collection service and they would pay us; if it is not a Council property, we may still provide a domestic waste collection, and then they would contract a commercial provider to collect the rest.

The status of the student accommodation is less clear, and would depend on a number of factors including how it is rated and valued. If it is domestic then we would provide a domestic waste collection but may in future charge for collecting waste in out of term lets (which are profit making). If it is not rated domestically it will be commercial and for the operator to manage (see below).

In the documents provided I was not able find any mention of the waste management strategy for the site.

In order to comply with our strategies and policies, we would expect the domestic waste collection to consist of the following elements:

- each property to receive either a kerbside collection or a communal bin collection*
- each collection to include the FULL range of waste and recycling services. We will not provide a partial service and provision must be made for all containers; -off street storage for all waste streams (which does not appear to be the case from the drawings provided?)*

Consideration of how bulky waste will be managed;

- cognisance of our operational needs with regards to vehicle size, access, health and safety, access to bin stores, etc;*

As I say, I could not see any evidence that this has been considered (please excuse me if I have overlooked it) and accordingly I would advise that the architects should contact Justine Taylor to discuss these matters as soon as possible.

With regard to the other (non domestic) policies, can I please draw your attention to the legislation with regard to commercial waste in Scotland which requires the producers of commercial waste to sort their waste for a recycling. I would further highlight that the collectors of the commercial waste are likely to have similar operational, access and safety requirements to the Council.

Scottish Water comment on ES addendum

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

- o There is currently sufficient capacity in the Marchbank Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.*

Foul

o There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Infrastructure within boundary

According to our records, the development proposals impact on existing Scottish Water assets.

o 6" Cast Iron Water Pipe & Combined Sewer pipework runs through the site boundary

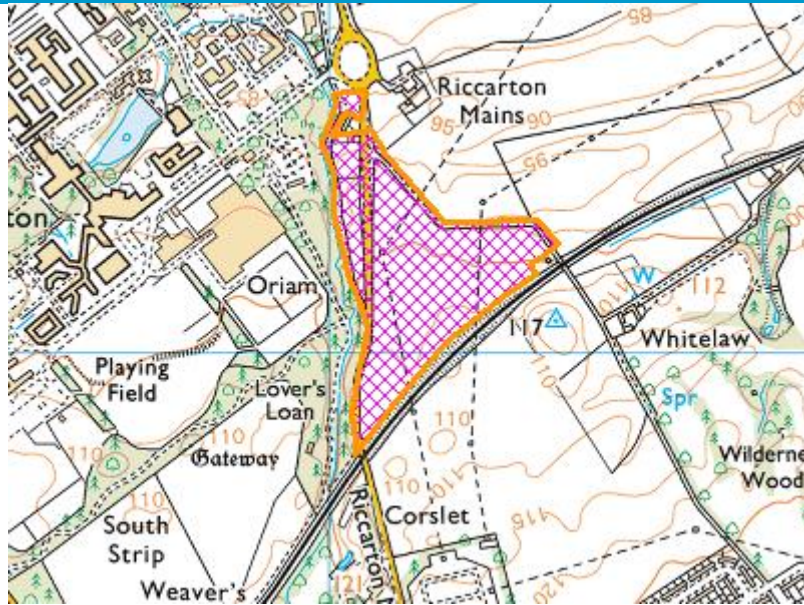
We can confirm that we have made our Asset Impact Team aware of this proposed development however the applicant will be required to contact them directly at service.relocation@scottishwater.co.uk.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

Flood Prevention comment

The consultant has confirmed that they have used due skill and care as part of the design process. The development will result in surface water being better managed with flows from the site directed away from cottage towards the North. As a result flood prevention do not have any concerns about any detriment to the flood risk of this property.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 April 2018

**Application for Planning Permission 17/02471/FUL
At Craigpark Quarry, 1 Craigpark, Ratho
Outdoor leisure complex incl. water sport+training facilities
infrastructure,
access(pedestrian+vehicular),landscaping+ancillary
works(full planning permission), ancillary class 1
(retail)+class 3 (food+drink) uses, tourism accommodation
facilities (PPP).**

Item number

Report number

Wards

B02 - Pentland Hills

Summary

The proposal complies with the Edinburgh Local Development Plan and the Council's non-statutory guidelines. The proposal is a unique opportunity to reuse the redundant quarry, there is no impact on the setting of the Scheduled Ancient Monument, there are opportunities to enhance the biodiversity of the site and provide enhanced cycle and footpath connections. The design is of an appropriate standard. There are no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES10, LEN08, LEN10, LEN11, LEN12, LEN15, LEN16, LEN21, LEN22, LTRA01, LTRA02, LTRA01, LTRA02, NSGD02,

Report

**Application for Planning Permission 17/02471/FUL
At Craigpark Quarry, 1 Craigpark, Ratho
Outdoor leisure complex incl. water sport+training facilities
infrastructure,
access(pedestrian+vehicular),landscaping+ancillary
works(full planning permission), ancillary class 1
(retail)+class 3 (food+drink) uses, tourism accommodation
facilities (PPP).**

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 part of the disused Craigpark Quarry, at the western edge of the village of Ratho. The Quarry ceased operations in 1990. The Quarry slopes have recently received remediation works as part of the restoration of the quarry into a country park.

The site measures approximately 23.4ha in area and is bound to the north by a strip of trees and shrubbery, next to the Union Canal, which is a scheduled ancient monument (Ref SM11097, added 15 Dec 2003), and by the Edinburgh International Climbing Arena to the north east. It is bound to the west by agricultural land and to the south by Bonnington Quarry.

The Union Canal is designated as a Local Nature Conservation Site and runs along the northern edge of the site and to the southeast the woodland formerly associated with Craigpark House (now Demolished) is listed in the Inventory of Ancient, Long Established and Semi Natural Woodland of Plantation Origin (NCC 1991).

Further south, beyond the application site, the countryside is designated as a Special Landscape Area.

Access to the site is from Clifton Road to the west.

2.2 Site History

The site was an active quarry producing hard rock until 1990, when all extraction ceased.

2 March 2003 - planning application for restoration of redundant quarry and mixed use redevelopment comprising housing, business and commercial uses, with associated engineering works, application refused (application reference 02/01597/FUL).

14 August 2006 - planning permission was granted for the erection of 117 dwelling houses on the neighbouring site and restoration of the disused quarry to the south west for public amenity purposes (formation of country park) (application reference 05/01229/FUL). An Environment Statement was submitted with this application. The proposal included 45 town houses 42 four storey apartments, and 30 detached dwelling houses. The planning permission is subject to a legal agreement, requiring amongst other matters the implementation of a phased restoration programme and landscape and habitat management plan. The approved restoration works are currently in progress.

The enabling works included the reinstatement of the site access from Wilkieston Road as the south eastern gateway for use by construction traffic for a temporary period and re-contouring of slopes for road construction, material gain from north-western area and removing dangerous cliffs.

Restoration of the quarry included;

- Slope re-profiling to provide a natural angle of repose;
- Re-use of bundled topsoil;
- Retaining established woodland on the site;
- Creating new woodland and grasslands;
- Infrastructural tree planting; and
- Safeguarding raptor habitat and nesting sites.

21 November 2014 - planning permission was granted for a material variation to planning permission Ref; 05/01229/FUL to provide amended housing layout and substitution of house types and associated works (application reference 13/02527/FUL).

2 April 2015 - planning permission was granted to erect an agricultural storage shed and manager's residence in the country park (application reference 14/02128/FUL).

17 June 2016 - A Proposal of Application Notice was submitted for the restoration of former Craigpark Quarry for outdoor countryside and water related leisure and recreation, waterside development, visitor accommodation, access infrastructure and ancillary facilities (application reference 16/03170/PAN) and was withdrawn on 22 December 2016.

11 October 2016 - planning permission was granted, subject to a legal agreement, for the erection of a Site Managers Office (application reference 16/03437/FUL), this is currently under construction.

1 December 2016 - planning permission was minded to grant for the re-shaping of slope profiles and water bodies, alterations to the proposed footpath network and proposed landscape scheme (material variation to consent 05/01229/FUL) application reference 15/05021/FUL.

21 December 2016 - A Proposal of Application Notice was submitted for the erection of an outdoor leisure complex including water sport and training facilities with ancillary (Class One) Retail and (Class Three) Food and Drink uses. Tourism accommodation facilities e.g. self-catering lodges and campsite, infrastructure, access (pedestrian and vehicular), landscaping and ancillary works (for full planning permission) (application reference 16/06366/PAN).

21 December 2016 - A Proposal of Application Notice was submitted for infrastructure provision (including operational works), landscaping and access (pedestrian and vehicular) associated with the development of the site for an outdoor leisure complex, including tourism accommodation facilities, ancillary (class one) retail and (class three) food and drink users and associated works (for planning permission in principle) (application reference 16/06371/PAN).

Adjoining Site

1 April 2015 - Application received for an application under section 42 (Town and Country Planning (Scotland) Act 1997 (as amended)) to amend the wording of conditions numbered 22 and 23 of planning consent (Ref P/PPA/LA/643) to require that at least 12 months prior to mineral extraction ceasing a detailed scheme for restoration is submitted for the approval of the local planning authority and to extend the time period permitted to 2050 to allow for completion of mineral extraction, at Bonnington Mains Quarry, Clifton Hall Road, Newbridge.

Main report

3.1 Description Of The Proposal

The application is for the erection of an outdoor leisure complex within a country park. The application seeks full planning permission for the water sport and training facilities infrastructure, access (pedestrian and vehicular), landscaping and ancillary works. Planning permission in principle is sought for the supporting buildings including ancillary class one (retail) and class three (food and drink) uses, tourism accommodation facilities.

The applicants are promoting the Wavegarden to deliver a “World class inland surf destination with ancillary activities and associated accommodation, set within a dedicated country park”.

The site will be principally accessed from the west with up to 239 car parking spaces proposed close to the site entrance in the northwest corner. A vehicular bridge outside the site boundary connects to the Edinburgh International Climbing Centre on the opposite side of the Union Canal. The car parking makes provision for coach and mini bus parking. Service access only can be gained from the southern side of the site, west of Ratho village, controlled by a Rangers Lodge.

The main Wavegarden element will be accommodated within the existing quarry utilising the existing topography and water resource. The Wavegarden facility, called The Cove, measures approximately 155 metres in length and 155 metres in width and is divided into different surfing zones. The Wavegarden component of the project would take up approximately 4.7ha of the 23.4h site area (20%), with the public country park around almost 19ha in area. The Cove will generate approximately 1000 waves per hour ranging in height from 0.8m to 2.4 m. A maximum of 100 surfers can use the water at one time.

The development is to cater for a wide range of users including:

- Surfers and Surf School; Stand Up Paddle boarders (SUP'ers), Bodyboarders, Surf Kayaking.
- Cyclists, MTB Skills.
- Skateboarders, Rollerbladers, Nordic Ski Training.
- Local Residents; Dogwalkers.
- Canal Users.
- Walking Groups.
- School Groups and Scout Groups.

Ancillary activities to be accommodated on the site include:

- A tandem zipline approx 300 meters in length proposed north to south across the central part of the site.
- A kicker jump with airbag landing to accommodate Snowboard/Freeski and surfing training; including varying grades of jump for a wider range of abilities. Flexibility built into design to accommodate more challenging tubing slide run. This would measure 20m by 65m, proposed to the southern side of the site.
- A series of tubing slides with varying degrees of height/speed ranging from 4.5 m to 12 m in height on the eastern side of the water feature.
- Segways.
- A bike skill track close to the car park.

Based on a similar facility at Surf Snowdonia, the applicants predict that the facility would accommodate 155,000 visitors per year. The facility will be closed during December, January and February. Mid-season is predicted as March, April, May, September, October, and November, with hours of operation between 10.00 – 20.00, with the High Season as June, July and August with hours of operation 08.00 to 22.00.

An orientation building is proposed at the edge of the car parking site to direct the public. Support buildings are proposed around the Cove water feature in the quarry basin. The full details of the design of the buildings will be subject to a design competition. In principle the proposed HUB reception building will include a restaurant, viewing deck, yoga studio, surf shop, function space and facilities for camping pod and luxury lodge guests. The WETS building will accommodate changing rooms, gear and equipment storage, small Food and Beverage outlet and facilities for the country park users. The Point building will include a cafe and viewing deck; facilities for camping pods guests. A Service building to house the powering technology behind The Cove would be isolated to the corner of the water feature.

Accommodation includes Camping pods and 31 lodges with a full facility option.

Funding towards a new footbridge link across the Canal was secured through previous planning permissions.

The Wavegarden Scotland proposals have been designed to complement the existing proposals to re-grade and restore the quarry as its infrastructure does not require any significant change to the re-grading and restoration proposals. Negligible changes are required to re-grading at specific locations (i.e. pathways/nodes and pod terraces) but these changes will result in no net change to the overall volume nor extent of re-grading required.

Swales and suds ponds follow the link of water drainage from the water basin to the canal on a south north flow through the centre of the site.

The application is supported by the following documents:

- Environmental Statement, (ES),
- ES Appendix,
- Economic Impact Assessment,
- Flood Risk Assessment,
- Sustainability Statement,
- Tree Survey,
- Design and Access,
- Drainage Strategy,
- Noise Assessment,
- Air Quality Assessment,
- Habitat Survey,
- Protected Species Report (confidential),
- Planning Support Statement, and
- Transport Assessment.

These documents are available to view on the Planning and Buildings 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 principle of the proposed development is acceptable in this location;
- b) the design, scale massing and form of development is satisfactory given the setting of the site;
- c) the development would detrimentally impact upon the landscape;
- d) the proposal would be detrimental to protected species;
- e) the proposal can proceed without significant impacts in terms of contamination, noise ,air quality, flooding, drainage, aerodrome safety, hazard and archaeology;
- f) there would be any adverse effect on neighbouring residential amenity;
- g) the proposals are acceptable in terms of traffic generation, road safety and parking and access arrangements;
- h) the proposals can satisfactorily protect and enhance the setting of the Union Canal;
- i) the proposal meets sustainability criteria;
- j) the proposal has any impact on equalities or human rights; and]
- k) comments raised have been addressed.

a The principle of the proposed development is acceptable in this location

The application site is designated as countryside in the Edinburgh Local Development Plan. Policy ENV 10 advises that development would only be permitted where a countryside location is essential and that any associated buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use. The development should not detract from the landscape quality and/or rural character of the area.

The principle of the restoration and reuse of Craigpark Quarry was established through earlier planning permissions which allowed for a housing proposal on the eastern side of the site to enable restoration of the quarry. The original planning permission reference 05/01229/FUL supported a country park development. A detailed assessment was carried out of the level of development that was required in order to support a recreational facility. The result was a community parkland, the details of which were revised through planning application reference 15/05021/FUL and were assessed as having been 60% completed in 2015, satisfying planning objectives to allow the housing development to progress.

In identifying a site for a surf centre the applicant was seeking a site as “an escape and a retreat centre in a natural and relaxed setting”. Craigpark Quarry offered this, and a level of vacant brownfield land and natural land forms which the applicant couldn't find in an urban environment.

The wave pool for the surfing facility requires a certain amount of space that this countryside setting can provide. A countryside location is therefore considered appropriate for the unique facility proposed. The site is in a unique situation adjacent to the Union Canal and the Edinburgh International Climbing Centre and an interdependent relationship could evolve with the facilities creating a destination for passive leisure and recreation.

Having regard to the historical development of the site, and the development of a country park with public access, it is evidenced that the formerly approved country park element of the site will be largely retained and the proposed surfing element of the proposal will make efficient reuse of the derelict quarry and is a positive reuse of vacant brownfield land.

The ancillary activities to be accommodated on the site include a tandem zip-line, a kicker jump for snowboard/freeski and surfing training; including varying grades of jump for a wider range of abilities and a series of tubing slide runs. The tracks can accommodate Segways and a bike skill track is proposed close to the car park.

It is considered that these facilities will contribute to the surfing leisure facility, providing a broader range of activities, and will sit comfortably within the country park setting, maintaining public access. The amenity impacts are assessed in section f) of the assessment section of this report. A detailed plan has been submitted clarifying path hierarchy and access to the site.

This application is for full planning permission but includes a series of support buildings and accommodation, full details of which are to be submitted in further applications. The buildings include an orientation building proposed at the edge of the car parking site to direct the public. Support buildings are proposed around the Cove water feature in the quarry basin. These buildings are considered acceptable in principle supporting the countryside recreation facility and meet the criteria of Policy ENV 10a.

The principle of these buildings is considered to be acceptable. The full details of the design of these buildings, including scale and exact siting and associated hard landscaping will be subject to a design competition and will be assessed through further detailed planning applications.

The camping pods are considered justified in support of the recreational facility offering sustainable, on site, budget accommodation. This may be shared by users of the climbing centre.

The lodges, proposed in outline, would be sited on the high ridge of the quarry, in close proximity to Bonnington Quarry and would be accessed from the main entrance with only need for servicing and maintenance access from Wilkieston Road. The justification statement for the 31no. lodges submitted with the planning application advises that the lodges are essential to the success of the surf project.

The applicant justifies the need for the lodges on the grounds that they will provide comfortable on site accommodation for athletes using the surf park and the climbing centre. Reference is made to the Oriam National Performance Centre for Sport at Heriot Watt University Riccarton which has on site hotel accommodation. It is anticipated that the lodges will be 70% occupied by those using the facility.

The applicant has included a Lodge Accommodation Economic Benefits Statement and reference to the National Tourism Strategy 2020 and Edinburgh Tourism Strategy of 2020. The statement is supported by CEC Economic Development.

The development of the proposed lodges is considered to be of an acceptable scale ancillary to the operation of the surf garden.

Surveys produced as part of the application for Bonnington Mains Quarry identify that noise and vibration will affect the part of the Craigpark Quarry site where the luxury lodges are proposed. Mitigation measures have been proposed by the operators of the neighbouring quarry, CEMEX. It is recommended that to reduce and minimise noise, blast vibration and dust to the proposed lodges that the minerals closest to the eastern boundary of Craigpark Quarry will be worked out of Bonnington Mains first. Once the lodges are completed and in use extraction operations should cease within 170m from the proposed lodges. Additionally in terms of noise a barrier screening is recommended at 2m high to the rear of the proposed lodges.

Having regard to the above it is recommended that a committee approve a condition that would only permit the erection of the lodges once the surf park has commenced operation. Additionally no lodge should be occupied until such time as a suitable noise barrier has been erected to the satisfaction of the Local Authority.

The full details of the lodge facility will be required by detailed planning application. There is separate legislation in place that will control the operation of the lodges to avoid permanent accommodation.

In principle the proposed surf garden and ancillary facilities are considered acceptable, subject to compliance with policies of the Edinburgh Development Local Plan.

b) The design, scale, massing and form of development is satisfactory given the setting of the site

Policy Des 1 of the Edinburgh Local Development Plan supports development which contributes towards a sense of place. A design approach that draws upon positive characteristics of the surrounding area is supported.

The re-profiling of the topography of the site will contain the proposed wave facility, the camping pods and associated buildings are proposed to be set down in the quarry basin. The remaining steep slopes of the quarry will comfortably accommodate the proposed tuber slides and kicker jump with minimal visual impact.

The new wave facility is of an appropriate scale within its context accommodating approximately 20% of the larger site area, the proposed buildings will accommodate less than 20% of the site thus ensuring continued public access and public park facility to the remainder of the site. The form of development is such that it will have a minimal impact upon the surrounding landscape and will reuse quarry materials where appropriate. The proposal satisfies policy DES3 of the Edinburgh Local Development Plan which aims to ensure that features worthy of retention, such as the quarry rock face and woodland tree belt in this instance, are incorporated and enhanced through the design of the development.

The overall building footprint is proposed at 4500 square metres, set over two storeys in part. The final massing and design details of the ancillary buildings will be determined by a detailed planning application. The Design and Access Statement submitted in support of the application sets an aspiration for the architectural style of the buildings to be simple yet robust. The final building design will be determined via a competition, however the indicative approach is one of modular off site construction designed to a unique specification to reflect the natural form of the site. The competition approach is supported, however it is recommended that a condition be attached to this permission to ensure that the details of the design, height and material finish of all the proposed buildings are considered holistically and not on an ad-hoc basis, thus ensuring a cohesive form of development within the site. This approach will ensure that the requirements of policy DES 2, coordinated development, of the Edinburgh Local Development Plan are met.

The proposed landscaping approach, both hard and soft materials, will sit comfortably within the manmade form of the site satisfying policy DES 4 of the LDP. Further clarification of details is required in particular around the proposed new buildings and the details of these will be controlled through the recommended conditions.

The proposal is sensitively sited so as to have minimal impact upon the Union Canal, Scheduled Ancient Monument. Boat moorings are annotated on the drawings and whilst these do not require planning permission, they may require Scheduled Ancient Monument Consent and permission from Scottish Canals.

The proposal will result in minimal impact upon the Union Canal watercourse whilst encouraging public access across the canal, in accordance with LDP policy DES10. A new footbridge link across the Canal was partially funded through previous planning permissions. This will improve access to the site and links to EICA. Details of the final design of the bridge will be considered out with this application. Further assessment on the need for a bridge is set out in section 3.3(g).

It is concluded that the proposal will draw upon the positive characteristics of the site and will contribute to a sense of place in this part of the west of the Edinburgh. The application includes many of the recommendations of the Edinburgh Urban Design panel. The design quality of the proposed ancillary buildings will be controlled by planning condition, thereby ensuring that policy DES 1 of the Edinburgh Local Development Plan is fully complied with.

c) The development would detrimentally impact upon the landscape

The disused quarry is described in the submitted Design and Access statement as “a landscape gone to seed with fissured and crumbling rock faces, disused buildings and piles of quarry spoil and overburden throughout”. The site was left as wasteland following the closure of the quarry and recent developments have resulted in re-grading of the site to bring it to Country Park quality in accordance with the 2005 planning permission.

The overall design of the leisure park aims to use the natural resources to best advantage with rock faces, mature tree bands and natural site topography integrated in to the design. The former use of the site as a quarry has created a bowl-shaped topography. The shape of the landform naturally lends itself to locating the surf facility in the basin of the former quarry, the proposed ancillary activities and supporting accommodation will be largely contained within the natural bowl.

The applicant has submitted a Zone of Theoretical Visibility (ZTV) within the ES, in support of the application. The ZTV reveals the extent to which different components of the development will be viewed within the surrounding landscape.

The elements of the proposal which will be visible, principally to the west of the site up to the M8 and south to Bonnington Mains and west Bonnington, include the car park and the orientation building, lodges and zip wire. The ZTV highlights that the proposed lodges and the top of the kicker ramp would also be viewed from Ratho Mains and Ransfield Cottages to the east. It is concluded that the long term visibility of these structures will be minimal as the proposed structure planting matures.

LDP policy DES 9 advises that development will only be granted on sites at the green belt boundary where it promotes access to the surrounding countryside. The proposal will enhance links between the village of Ratho and the development through new footpaths and the proposed connecting bridge over the Union Canal. The proposed landscape strategy includes planting improvements along the western boundary and will enhance biodiversity through the site.

The application proposes to protect the existing woodland to the west of the site and north along the Canal corridor. It proposes groupings of single tree species planting at key nodes and entrances within the site to provide landmarks and also groups to form tree copses. It is recommended that a planning condition be applied to ensure adequate protection of existing trees throughout development work.

The overall landscape approach is acceptable in principle and satisfies LDP policy ENV 8 in that the design and species are appropriate for the site. The proposal aims for the long term establishment of a variety of landscape typologies following the key principles of the Edinburgh Living Landscape partnership project and aims to create landscapes that will be healthy, nature rich and resilient to climate change. Further details will be required by condition to ensure a holistic approach and long term maintenance.

More than 60% of the site will be retained as open space available to the general public. A detailed phasing plan is requested by condition to ensure safe public access throughout development. The proposal therefore satisfies policy ENV 20 of the Edinburgh Local Development Plan.

It is concluded, that subject to the recommended planning conditions, that the proposal will satisfactorily protect and enhance the existing landscape structure of the quarry. The proposal meets the council's expectations for landscape as set out in the Edinburgh Design Guidance of October 2017.

d) The proposal would be detrimental to protected species

The Union Canal, a Local Nature Conservation Site, lies immediately to the north of the application site. Parcels of ancient woodland and semi-natural ancient woodland surround the site. The applicant has advised that no tree felling within the site will take place to accommodate the proposed development. The woodland habitat immediately adjacent to the Union Canal will not be developed. Some scrub/woodland removal may be required and the applicant has identified the need for nesting bird check prior to disturbance/clearing or felling.

The development largely avoids encroachment within the Local Nature Conservation Site along the canal with only a footpath and the previously approved connecting bridge over the canal falling within the designated area.

Local Development Plan policy ENV 16 advises that planning permission will not be granted for development that would have an adverse impact on species protected under European or UK law, unless a full survey has been carried out of the current status of the species and its use of the site, and that suitable mitigation has been proposed.

The applicant carried out an extended phase 1 Habitat Survey in January 2017 and May to July 2017 and a Protected Species Survey (a redacted version is available on the portal). The survey found that habitat within the site was considered suitable to support protected species including badger, bat and otter.

Great Crested Newts

Representations have been received regarding the potential presence of great crested newts on the site. The findings of the surveys may be summarised as follows;

Extended Phase 1 Habitat Survey

No evidence of great crested newts (GCN) was recorded using a habitat suitability index (HSI) assessment of two ponds on site. Pond 1 had below average suitability whilst pond 2 had average suitability to support GCN; no evidence of great crested newts were noted during the time of survey. However their presence could not be ruled out and an environmental DNA (eDNA) survey during the appropriate season (mid-April to late June) was recommended.

Protected Species Survey

In May 2017 updated HSI assessments were undertaken on ponds 1 and 2 and a further three ponds in the surrounding locality. The results showed that ponds 1,2,5 have poor suitability and pond 3 and 4 average suitability. These surveys were also supported by eDNA surveys. This involves taking water samples which are then sent off for analysis.

Limitations

One ditch could not be surveyed due to access restrictions therefore commuting potential/presence of GCN here cannot be ruled out: however with lack of suitable habitat on site, this is not thought to limit the conclusion.

Conclusion/Further surveys

The habitat for GCN was limited to two ponds offering average suitability in ponds off site (ponds 3 & 4). However eDNH indicated an absence of GCN at the time of survey. Whilst the survey acknowledges this it does not negate the presence of GCN in proximity to the site, it is considered unlikely that they will use features on the site and within the surrounding area. No further works are therefore proposed at this stage.

However if there is a time lapse of 12 months from the date of survey further studies should be undertaken. This approach has been supported by Scottish Natural Heritage. A condition to ensure this is therefore recommended.

Badgers

There is evidence of badger activity along the Union Canal.

Lothian Badger Group has objected to the proposal and advise that badgers may return to the site once the housing development is completed.

In mitigation, the Protected Species Report recommends that a preconstruction survey be undertaken two months prior to construction, and should include a minimum of two weeks camera trap monitoring to better assess the level of use of the sett and potential impact. This will inform the requirement (if any) for consultation with SNH to obtain licensing that allows disturbance of the sett during construction activities. A condition to ensure this is therefore recommended.

Bats

Bats were observed foraging around the woodland habitat.

No roosting bats were observed emerging from the northern cliff face during the bat activity survey. Significant changes occurred to the south cliff face during controlled explosions and therefore it was concluded unlikely that bats use the cliff faces on sites to roost.

The report recommends that any tree felling on the site should be pre-inspected for bats and necessary licence obtained. Recommendations are made with regard to proposed protocol throughout works to avoid disturbance to bats. Lighting details for the overall scheme should be carefully considered to avoid illumination of woodland and scrub habitat which may affect bats and badgers. A condition to meet these requirements is recommended.

No other evidence of protected species was recorded during field studies.

Habitat to support nesting birds was identified on the site, appropriate conditions to ensure their protection during the breeding season are recommended.

The application proposes to provide a variety of habitats within the site to increase biodiversity and target species from the Local Bio-diversity Action Plan. It is proposed to retain the existing woodland and understorey planting along the Canal corridor, providing a mature backdrop to the site. Proposed woodland would be a mix of deciduous and evergreen planting, with shrub understorey. Swale planting is proposed to provide an impenetrable planting character to the perimeter of the wave pool, concealing the secure boundary fence. Wildflower meadows are proposed on the terraces with meadow grasslands retained on the steep slopes. The proposal accords with policy DES 3 of the Local Development Plan which aims to provide new habitat and further the conservation of biodiversity.

Scottish Natural Heritage advise that the project has the potential to improve access to and enjoyment of the natural heritage. Habitats need protection from construction impacts and the approval of a detailed landscape and habitat management plan will ensure long term commitment to management of the site. It is recommended that the mitigation methods set out in the Environmental Statement in 4.4.5 Table 4.1 are adhered to throughout works.

It is concluded that subject to adhering to the mitigation methods in the ES, an approved Landscape Habitat Management Plan and the recommended conditions, the proposed development should not encroach upon protected species within or around the development site to the satisfaction of LDP policy ENV16. The proposal meets with the Edinburgh Design Guidance October 2017.

e) The proposal can proceed without significant impacts in terms of contamination, noise, air quality, flooding, drainage, aerodrome safety, hazard and archaeology

Policy ENV22 of the Edinburgh Local Development Plan aims to ensure that new development will not result in unacceptable levels of pollution to water, air and soil quality.

The proposal has been subject of an Environmental Impact Assessment which considers the potential for the development to result in significant effects on the environment both positive and negative.

Water

The application has been supported by a detailed Flood Risk Assessment which assesses all sources of flood risk including rivers, surface water, sewers, ground water and artificial sources. SEPA has raised no objection to the proposal on flood risk grounds.

A Drainage Strategy has been submitted in support of the application. It advises that the proposed wave generator is designed to be self-sufficient in terms of water attenuation, treatment and general maintenance. A temporary discharge consent would be required from Scottish Canals should operational disposal to the canal ever be required. Discharge rates have been agreed between the applicant and Scottish Canals.

Surface water will be treated prior to disposal through the promotion of infiltration systems including SUDs. Scottish Water advise that they generally restrict the connection of surface water into the sewer system. The disposal of water from the site is required to comply with General Binding Rules 10 and 11 of the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR), as amended.

The foul drainage network will connect to the existing foul drainage for the neighbouring residential development. Scottish Water has raised no objection to the proposal.

Air

The ES includes an assessment of the proposed development upon local air quality and dust, generated through the construction phase and exhaust emissions from construction traffic and plant on local air quality.

Due to the proposed traffic route being directed south away from the village of Ratho there was no assessment of the impact of traffic generated during the operational phase.

The impact of the construction traffic upon dust and air quality can be mitigated by good site practice including water sprays and site storage. Table 5-6 in the ES summarises the effects for Air Quality and Dust with a summary of mitigation/enhancement measures.

An Air Quality Impact assessment was submitted on 2 March 2018 which provided assessment of the potential air quality impacts associated with the proposed development through the operational phase. The site is located in an area where local air quality is generally good. The application site is not located within an Air Quality Management Area.

The results of the assessment show that the additional emissions associated with the development generated traffic would have a negligible impact on pollutant concentrations at all the assessment receptors. It is concluded that the development proposals comply with national and local policy for air quality. Environmental Protection support the provision of sustainable transport options including the provision of Electric Vehicle Charging points and a Travel Plan to help mitigate traffic related air quality impacts. Informatives to achieve this are recommended. Further details are required with regards to the proposed centralised energy centre which will serve the main buildings.

Noise Impact Assessment

The Environmental Statement considers potential noise from the construction phase of the development. The ES addresses the piling from construction which would be undertaken by a drop hammer rig and advises that it would not cause significant harm to identified receptors.

The Environmental Statement concludes that the impact of the construction on the Cala Homes will be minor and negligible. In mitigation it is recommended that best practice be adopted throughout the construction programme. This may include temporary acoustic barriers.

In addition to the ES, a Noise Impact Assessment has been submitted which addresses the noise from the wave machine and the proposed associated leisure activities. These are considered to be compatible with a country park, including bicycles and the use of the zip wire.

The applicant has highlighted that the main area of activity will be concentrated in the basin area of a former quarry, which is approximately 30m below the perimeter of the site. The majority of operational activities will take place in this area and the nearest residential properties will be shielded from operational noise by the topography.

The applicant had originally provided a summary of events that they proposed being held on the site including:

- Surf competitions
- Night surfing event
- Official launch of the new Olympic Team GB Surfers, Climbers and Ski and Snowboard teams ahead of Tokyo 2020
- Chilled live music
- Winter/Christmas markets
- Farmers markets
- Summer outdoor cinema nights

Environmental Health are concerned that these activities may have an adverse impact on the residential amenity. However the applicant has advised that they are willing to accept a condition to ensure only the activities covered in the noise assessment can be developed out until further supporting materials are produced to demonstrate that the other activities will not adversely impact local residential amenity.

Concerns regarding late night activity by lodge/pod users can be managed by the on site manager and the applicant has suggested a Management Plan specifying details such as a 24 hour help line for residents to call, and time limits on the use of sound equipment within the site. A condition is recommended to control the hours of operation of the wave garden between the hours of 8am and 8pm. It is predicted that during the winter months the demand for use will be shorter.

Environmental Protection recommend conditions are attached to ensure residential amenity is protected.

Construction Vibration

The ES states that there may be vibration from construction activities. This is assessed as coming principally from piling which would only cause cosmetic damage within 20metres from the piling activity. There will be a Construction Environmental Management Plan prepared prior to the commencement of construction. This will include environmental commitments during construction including a Pollution Prevention Plan/Pollution Management Plan. Further controls will be imposed by the Building Warrant.

The site is in close proximity to Bonnington Mains Quarry which is still an active quarry, and therefore the site may experience some vibration from blasting.

Aerodrome Safety

BAA has raised no objection to the proposal subject to conditions in respect of Bird Hazard Management Plan and SUDs details.

Waste

The applicant will be required to pursue trade waste uplifts with a commercial operator.

Soil Quality

There has been a substantial element of restoration to the quarry over the past few years. Geo-environmental phase I and phase II reports would be required for the building warrant application to assess the site for contaminants and ensure the site is suitable for leisure use. An appropriate condition is recommended.

Archaeology

It is recognised that whilst much of the site has been quarried, the north west corner contains an area of high ground which has not been significantly impacted by the quarry. There will be new paths through this area. Archaeology recommend that given the occurrence of prehistoric burials in similar locations on the north side of the canal that there is low possibility that there are significant remains in this location. The proposal does not include works directly affecting the Union Canal. However future works such as the erection of a bridge or moorings will require scheduled ancient monument consent. An appropriate condition in respect of archaeology is recommended.

Conclusion

The ES Schedule of Mitigation has recommended that a Construction Environmental Management Plan will be prepared prior to the commencement of construction. This will include environmental commitments during construction, including a Pollution Prevention Management Plan and ecology. In conclusion, it is considered that subject to the recommended condition, the proposal can proceed without significant environmental impacts.

f) Impact on neighbouring residential amenity

Policy ENV 5 aims to protect the amenity of local residents from development.

The proposed facility is unique to Scotland, with Surf Snowdonia being the only comparable facility within the UK. The applicants predict that the facility would accommodate 155,000 visitors per year. A comparison is made to Glen Nevis as a visitor attraction that accommodates such a large number. As a comparison, the neighbouring EICA attracts 240000 visitors per year.

The site operated for many years as a quarry, with planning permission recently being granted for new housing next to a country park. The current landowner is committed legally to Cala, the neighbouring house builder, to complete the country park and open in June 2018.

The proposed leisure development will change the nature of the recently approved country park by introducing commercial elements which will result in more people, which will result in more noise and more traffic to the area. It is considered however, that with the approval of a signage strategy to divert visitors away from the village and operational controls in place that the proposal should not be disruptive to village life.

The applicants submitted a Noise Assessment which identifies the noise impact of the wave generating plant, surfing areas and activities, and the zip lines on the nearest noise sensitive receptors, being the new Cala Homes.

The findings of the assessment predict that noise from the wave generator and activities would be no greater than low impact.

The noise from the zip wire is assessed as being below the recommendation of the WHO Guidelines and BS 8233:2014 for uninterrupted sleep, albeit that the zip wire activity would not be used through the hours of darkness.

The accommodation proposals would be controlled by the submission of an Operational Noise Management Plan, by condition, to be adhered to by future end users.

The old fire road at the back of Hallcroft Park properties would be reopened and will allow public access to the site. In order to maintain the privacy of the back gardens of Hallcroft Park a condition is recommended to ensure appropriate screening is erected to the rear of the back gardens.

The operation hours of the various elements of the proposal are very much dictated by the demand, weather and hours of natural daylight. Operating hours can be controlled by condition and an appropriate condition to achieve this is recommended.

With regards to potential odours, the applicant has confirmed that it will provide specific details on where the flues will be located serving the commercial cooking operations in the full planning applications for the buildings. The applicant has confirmed that all the likely locations for the flues will terminate at roof level with the capability of achieving 30 air changes per hour. The applicant has confirmed that the likely locations of the flues will be in excess of 30m from the existing residential properties.

Site operations can be controlled by a Construction Management Plan.

Concern regarding safety of proposed fire pits will be for the site manager to control as this is not development.

It is concluded that subject to the adherence of the recommended conditions that the impact of development upon the neighbouring residents will be minimal.

g) The proposals are acceptable in terms of traffic generation, road safety and parking and access arrangements

Policy TRA 1 of the Local Development Plan encourages development on sustainable sites which are accessible by modes of transport other than the car.

The application has been accompanied by a Transport Assessment (TA) which has used a similar facility in Surf Snowdonia to predict the number of transport movements. The main access to the site will be along the B7030 Cliftonhall Road, using the approach to the EICA.

The no.20 bus route currently runs to the edge of Ratho village, terminating at Hallcroft Park. There are ongoing discussions with regards to extending that bus route into the new Cala housing site which would allow for easy access into the Country Park, Wave Garden. The traditional cart route accessing the site from Hallcroft Park to the east will be reopened allowing for local pedestrian/cycle access to the site and connecting to the bus stop.

The development lies to the south of the canal tow path which offers the potential for cycle and pedestrian access to the site. A new bridge across the canal has been partially funded through the approved housing development. The Transport Assessment in support of the application makes great emphasise on the accessibility of the site by alternative modes of Transport, the bridge would provide a crucial link in achieving accessibility and as such further funding is required to complete this link. The applicant has shown agreement in principle to providing additional funding to ensure enhanced sustainable routes to the development. A legal agreement to achieve this is therefore recommended.

Adequate provision for cycle parking will be made on site in accordance with policy TRA 3 and space is available for mini bus parking and electric vehicle charging points.

Policy TRA 2 of the Local Development Plan aims to ensure that proposed car parking is kept at low levels. The proposed parking provision is considered to be acceptable given the scale of the development and includes the previous commitment for the approved Country Park. The car parking will be managed by the management of the Wave Garden. The internal management of the different users to the country park i.e. mountain bikers and dog walkers will be controlled by onsite management.

The TA suggests a commitment by the applicant to employ a Travel Plan coordinator. Pedestrian and cycle opportunities will be encouraged for staff who live nearby.

Access to the lodges will be principally from the northwest end of the site with visitors being transported across the site by buggy. The access from Wilkieston Road in the south will only be available for servicing the lodges, thus trying to discourage visitors from travelling unnecessarily through Ratho Village.

The applicant has proposed a signage strategy providing new and improved signage and tourist brown signage out on the M8 and M9 and into West Lothian to assist traffic in avoiding Ratho village.

The internal management of the different users and the safety of site use will be the responsibility of the site operators.

The TA concludes that the impact of the resultant traffic will be negligible. The proposed development is not predicted to result in significant detriment to existing users of the transport network. Transport Scotland raised no concern with regards to the potential impact of the proposed development on the trunk road.

CEC Transport has raised no objection to the proposal subject to conditions and a financial contribution to enable the bridge over the canal to be delivered.

It is concluded that subject to the installation of the bridge over the canal, that the site will be fully accessible by public transport, cycling and walking and that the proposal will improve upon the existing network and satisfies policy TRA1 of the Local Development Plan.

h) The proposals can satisfactorily protect and enhance the setting of the Union Canal, Scheduled Ancient Monument

Policy ENV 8 of the Local Development Plan aims to protect important remains from development.

The application site lies to the south of the Union Canal, Scheduled Ancient Monument. The proposed development does not extend to the canal. The nearest hard core would be in the north west corner to form a car parking for visitors to the site. The tow path will be retained as a traffic free pedestrian route.

The previously approved planning application (ref 05/01229/FUL) granted permission for a bridge crossing in principle. A sum of £100,000 was received through application 05/01229/FUL for the establishment of a footbridge/cycleway over the Union Canal to link to the canal towpath and EICA. Adequate space is provided at this part of the site for bridge landings. The bridge will be delivered by CEC and will require Scheduled Ancient Monument consent from Historic Environment Scotland.

The application illustrates 14 boat moorings along the southern side of the canal. These do not require planning permission but will require Third Party Works Approval from Scottish Canals.

Scottish Canals support the application and recognise that this unique facility will bring new visitors to the area. Historic Environment Scotland raise no objection to the proposal, subject to further dialogue in respect of the bridge.

The proposal would not affect the setting of the Union Canal Scheduled Ancient Monument and satisfies policy ENV8 of the Local Development Plan.

i) Sustainability

The development responds to the need to regenerate the former quarry site. The surf facility requires a significant water demand. It is proposed that a water treatment facility will be provided on site which will allow water to be recycled to reduce the water use of the development. It is proposed that the buildings on site will recycle rainwater and grey water to be used for the purpose of flushing toilets. Additionally it is proposed that buildings will be designed to minimise energy needs, principally through the orientation of the buildings to maximise solar gain. Full details will require to be submitted to satisfy the planning conditions in respect of building design.

The applicant has completed the Sustainability Statement Form. The applicant advises that a number of measures have been investigated and will be included in the final design. The detailed design stage will supply information on the location of any renewable energy equipment proposed as part of the detailed design of buildings. The proposal suggests that there may be city car club provided within the site and provision for electric vehicles.

The proposal has been classed as a major development and has been assessed against Part B of the standards. The applicant has scored the application where possible at this stage; as follows:

Essential Criteria	Available	Achieved
Section 1: Energy Needs	20	10
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	70

The proposal almost meets the essential criteria in accordance with policy Des 6 of the Edinburgh Local Development Plan. The 10 point failure could be rectified when full details of the building design comes forward. Where possible the buildings have been orientated to maximise solar gain and minimise energy needs. This is considered to be an acceptable position at this stage in the design.

j) The proposal has any impact on equalities or human rights

The proposal will be accessible to the public and therefore all buildings and spaces will require to be built out to satisfy building standards.

Car parking for disabled uses is included within the layout. Issues with respect to neighbouring amenity are addressed in section 3.3(f). An Equalities and Rights Impact Assessment has been completed.

k) Material representations or community council comments raise issues to be addressed

The planning application and the Environmental Statement were advertised on 23 June 2017. 605 letters of representation were received, 563 letters of support, 35 letters of objection and 7 letters of comment.

Scheme 2 was advertised on 24 November 2017. 75 letters of representation were received, 65 letters of support, 7 letters of objection and 2 letters of comment.

Scheme 1- Ratho and District Community Council support the application in principle but identified deficiencies within the Planning application.

Scheme 2- Ratho and District Community Council

Ratho and District Community Council raise the following issues:

- Lodges only for commercial gain (addressed in section 3.3a).
- Sale or lease of any part of the public park requires specific consent of CEC (addressed in section 3.3).
- No information regarding the berths/moorings proposed (planning permission not required for this element).
- The berths and lodges should be in phase 2 of the phasing plan (will be assessed in recommended conditions).
- 15/05021/FUL legal agreement still pending (Legal agreement now signed).
- Continual disruption to the public park beyond the June 2018 curfew imposed by previous legal agreement for completion, conflict with basic principles of the original consent of 05/01229/FUL (addressed in section 3.3f).
- Issue of access to public space, reduced by the introduction of accommodation (addressed in section 3.3c).

Support

In support of the application the following comments have been received:

- Support for national centre/world class facilities
- Encourage people into sport
- Provide jobs and tourism goods for economy
- Good proximity next to EICA
- Meets demand for increasing popularity of sport
- Welcome all various facilities proposed
- Will attract visitors from all over the UK
- Will not destroy the landscape
- Great location in the central belt Scotland
- Promotes healthy lifestyle
- Physical and mental benefits
- Invest in this sport
- Support from Suds school

Comment

- Concern re footpath at the back of Hallcroft Park, concern re loss of privacy and security (addressed in section 3.3f).
- Concern regarding the lengthy planning history and the loss of historic planning obligations in particular (will be addressed through conditions/new legal agreement).
- Lack of completion of the country park and fulfilment of conditions and obligations in relation to the residential planning permission application ref 15/05021/FUL and 16/03437/FUL (for review through conditions/legal agreement).

Lothian Buses comment

The Transport Assessment refers to communication with Lothian Buses. Apart from a phone call with a member of our Commercial Department, Lothian Buses have had no communication with WSP. In particular we have not received either of the e-mails shown in the appendix which would suggest that the e-mail address used was incorrect. We are interested in discussing this matter further but have received no response to my e-mail to CEC of 26 June or follow up verbal requests.

Objection

The reasons for objection may be summarised as follows:

Ecology

- Thousands of newts have been killed over the course of developments (addressed in section 3.3d).
- Loss of bat colony (addressed in section 3.3d).
- Loss of breeding birds (addressed in section 3.3d).

Amenity

- The old fire road at the back of Hallcroft Park properties could allow public access to the back gardens and loss of privacy (addressed in section 3.3f).
- Change from the peaceful country park proposal to an adventure park and holiday village (addressed in section 3.3f).
- Concern at potential for anti-social behaviour and noise from the proposed on site residential accommodation and impact on neighbours (addressed in section 3.3f).
- More people will result in more noise and more traffic (addressed in section 3.3f).
- Disruption to peaceful village life (addressed in section 3.3f).
- Noise from zip wire/snowboarding jumping, MTB jumps (addressed in section 3.3f).
- Need to control operating hours (addressed in section 3.3f).
- Concern regarding site operations (addressed in section 3.3f).
- Impact of large scale lighting upon the character of the rural area and the local biodiversity (addressed in section 3.3d).

- Noise and light pollution (addressed in section 3.3e).
- Lack of information regarding proposed events (addressed in section 3.3e).

Traffic, Highway Safety and Access

- significant increase in traffic on the surrounding road network (addressed in section 3.3g).
- impact on the safety of cyclists and pedestrians (addressed in section 3.3g).
- concern for road safety at the area of the proposed access from the B7030 Newbridge to Wilkieston Road (addressed in section 3.3g).
- potential for significant car parking by visitors on residential roads adjacent to the site (addressed in section 3.3g).
- Mountain bike track needs control as possible conflict with dogs and walkers (addressed in section 3.3g).
- Concern regarding access from Wilkieston Road to the luxury lodges (addressed in section 3.3g).
- Concern for safety of children (addressed in section 3.3g).
- Further information required regarding the upgrading of the surrounding roads which are narrow country roads, particularly B7030 (addressed in section 3.3g).
- Public transport improvements are required (addressed in section 3.3g).
- Canal moorings may restrict passing vehicles (addressed in section 3.3g).

Non-material

- Concern regarding the ultimate ownership and lease arrangements of the site (for reassessment through the new legal agreement).
- No information regarding the supply of power and water to the facilities (not a planning matter).
- Given the history of the private developer of the adjoining Edinburgh International Climbing Centre eventually rescued from financial collapse by CEC and the Public Purse, that any consent to this proposal is insured against a similar potential demise in which case requiring full reinstatement of the country park at the Proprietor's expense (not a planning matter).
- Need to regulate the occupants of the extra accommodation (not a planning matter).
- Scheme has changed since the initial PAN consultation with the introduction of Zip wire and 31 luxury lodges and added features (proposal acceptable within the PAN regulations).
- There remains questions over accessibility to the public park beyond the “dawn to dusk” opening of the surf facility (hours of operation of the surf facility addressed by planning condition, the site will remain ungated and accessible 24 hours a day).
- Concern regarding safety of proposed fire pits.

Conclusion

The proposal complies with the Edinburgh Local Development Plan and the Council's non-statutory guideline. The proposal is a unique opportunity to reuse the redundant quarry, there is no impact on the setting of the Scheduled Ancient Monument, there are opportunities to enhance the biodiversity of the site and provide enhanced cycle and footpath connections. The design is of an appropriate standard. There are no material considerations that outweigh his conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Notwithstanding the information submitted on the plans hereby approved, detailed planning permission must be sought for all the support buildings (including orientation building, HUB reception building, WETs building and Service Building), the recreation facilities (including the water sports facility, zip wire, ski and snowboard kicker, the tubing slide and ancillary structures), and the visitor overnight accommodation buildings (including lodge and pod buildings) shown on the proposed masterplan drawing reference 14048 L106 EOO. The total gross floor area of the buildings should not exceed 4500 square metres and the buildings should not exceed two storeys in height A.O.D.

The detailed application should include the following information:

- Height, massing, siting and ground floor levels.
- Design and external appearance of all buildings, roof form, open space, public realm and other structures.
- All operational aspects of water sports facility, open space and public realm.
- Existing and finished site and floor levels in relation to Ordnance Datum.
- Roads, footways, cycleways, servicing and layout of car parking and cycle parking provision in accordance with standards agreed within the approved layout; including an access management plan.
- Amendments of any treatment to adopted roads and footways.
- Surface water management, drainage arrangements, SUDs proposals and SUDs maintenance plan.
- All operational aspects and noise assessment of the commercial and business uses including details of servicing arrangements, opening hours, all external plant, machinery and/or ventilation, hours of deliveries and collections, inclusion of a site management plan; details should be provided which confirm that the ventilation will meet the relevant criteria.
- Waste management and recycling facilities.
- External lighting, including floodlighting and street lighting arrangements for the development.
- Site investigation/decontamination arrangements.
- Ecological studies including mitigation works to protect against any damage to protected species, bats, otters and badgers full details of the proposed centralised energy centre.

- Detailed soft and hard landscaping plan and levels around the proposed buildings.
 - A schedule of all plants to comprise species, plant size and proposed number and density.
 - Inclusion of hard and soft landscaping details including tree removal.
 - Landscape management plan including schedule for implementation and maintenance of planting scheme.
 - Any boundary treatments, including noise barriers.
2. Prior to the commencement of works a Construction Environmental Management Plan (CEMP) will be submitted to the Planning Authority for approval, in consultation with relevant Statutory Consultees. The CEMP will detail the procedures and methods to be followed to minimise any potential adverse effects of construction on the local environment relating to local air quality, noise and vibration levels, water resources, habitats and species, visual amenity and ground conditions. The approved CEMP shall include the mitigation methods set out in the Environmental Statement in 4.4.5 Table 4.1 and shall be adhered to by contractors working on the site.

Within the CEMP the following shall be carried out:

- a. A pre-construction survey of Great Crested Newts shall be undertaken prior to the commencement of works which will inform the requirement for any further consultation with SNH including licensing requirements or mitigation.
 - b. Prior to any tree felling the site should be pre-inspected for bats and necessary licence obtained.
 - c. A pre-construction survey of badgers shall be undertaken two months prior to construction, and should include a minimum of two weeks camera trap monitoring. This will inform the requirement (if any) for consultation with SNH to obtain licensing that allows disturbance of the sett during construction activities. The applicant is reminded that should the design of the proposed development further change any works located within 30m of the potential outlier sett must be reassessed by a suitably qualified ecologist at the earliest opportunity. An updated badger survey should be completed no more than one month prior to the commencement of works associated with the proposed development in the North West of the site.
3. Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the approval of the Planning Authority.
4. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction".
5. The approved landscaping scheme shall be fully implemented within six months of the surf facility becoming operational.

6. Construction details, specifications, including trade names where appropriate, of all proposed external materials shall be submitted to and approved in writing by the Council as Planning Authority before work is commenced on site. Note: sample panels of the materials are to be erected and maintained on site for an agreed period during construction.
7. Footpath and cycle-path connections from the development to the external networks to be provided, prior to the opening of the surf facility, generally in accordance with the approved planning drawings with specific connections to Hallcroft Park and the Cala Craigpark development where existing public transport connections are available.
8. The onsite overnight visitor accommodation hereby approved in principal, including camping pods and lodges, shall not be occupied until the surf facility is fully operational and open to the public.
9. Full details of fencing to the rear of the houses on Hallcroft Park, backing onto the reopening of the old cart road, shall be submitted to the Planning Authority for approval, and erected prior to the opening of that route.
10. 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) in accordance with a written scheme of investigation which has been submitted by the developer and approved by the Planning Authority.

That approved programme of work should 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 developer.

11. Parking for a minimum of 58 cyclists (inclusive of both employees and visitors) shall be provided on site prior to the full operation of the surf facility. General cycle storage (short stay) should be covered and secure, located adjacent to the main entrances of the public buildings. Cycle parking for employees (long stay) should comprise secure, covered cycle storage situated close to the building(s) but preferably out of sight of the general public. Details shall be submitted for the approval of the Planning Authority.
12. Parking shall be provided in accordance with the approved planning drawings inclusive of disabled spaces which will constitute 8% of the total provision - 239 car parking spaces, 9 minibus parking spaces and 5 coach parking spaces.
13. i) Prior to the commencement of construction works on site:

- a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
- b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
14. The water sports facility, the zip wire, the ski and snowboard kicker and the tubing slide shall only operate between the hours of 8 am and 8pm.
15. The hub building shall be open between the hours of 08.00 and 23.00 hours only.
16. 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.

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, rooks and any communal roosts of starlings, woodpigeons, and corvids to nest, roost or loaf on the site, this includes buildings and trees. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gulls, rooks, starlings, woodpigeons and any corvid activity must be monitored on the site and all roofs checked regularly to ensure that these do not utilise the roof. Any of these birds 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.

17. 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.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. To provide mitigation to any significant environmental residual effects arising from the development.
3. In order to safeguard protected trees.
4. In order to safeguard protected trees.
5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
6. In order to consider these matters in more detail.
7. To encourage sustainable forms of transport to the site.

8. The level of accommodation proposed is only acceptable in the countryside as an ancillary element to the leisure facility.
9. In order to protect the privacy of adjoining neighbours.
10. In order to safeguard the interests of archaeological heritage.
11. To encourage alternative modes of transport.
12. In order to ensure that the level of off-street parking is adequate.
13. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
14. In order to safeguard the amenity of neighbouring residents and other occupiers.
15. In order to safeguard the amenity of neighbouring residents and other occupiers.
16. 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.
17. 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/>).

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 applicant will be required to enter into a suitable legal agreement covering the following matters, which take cognisance of this application and the previous 05/01229/FUL and 15/05021/FUL permission.
 - a) An agreed date for 100% completion of the park.

The agreement shall secure public access to the Country Park during daylight hours.

The agreement shall require the whole park site to be kept in one ownership subject to the same provisions as the existing S75 agreement for this site.

An obligation shall be made on the developer to ensure the maintenance of the park in perpetuity. This shall make reference to the Bond included in the previous applications.

b) The agreement shall require the submission and approval of a finalised Landscape and Habitat Management Plan which shall comply with BAA requirements for bird management and include a bird hazard management plan. It shall include tree retention details, planting proposals, habitat creation and protected species measures, as well as a schedule relating to the phased implementation and the maintenance of all landscape works. The LHMP shall be implemented and reviewed on a regular agreed basis by a specified Ecological Clerk of Works. The findings of the review shall be implemented as agreed.

c) A contribution of £444,689 towards the provision of a new footbridge/cycleway over the Union Canal to link the new development and the National Climbing Centre.

5. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.
6. A parking management strategy shall be developed and submitted for approval by the Council. In association with this a proposal for monitoring the use of the car park to be developed and submitted to the Council for approval. The approved monitoring regime to be implemented for a period of 24 months from the opening of the development. All costs associated with the implementation of the management and monitoring of the car park to be met by the applicant.
7. 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, including off-street spaces. The applicant should therefore advise the Council if he wishes any off-street bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

8. Electric vehicle charging infrastructure to be provided at a rate of 1 in every 6 standard car parking spaces (a minimum of 38). Slower chargers for long stay purposes should be served with 7Kw chargers with 70 or 50kW (125 Amp) DC with 43kW (63 Amp) AC unit made available for at least 10% of the total spaces provided. 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.
9. For the duration of the 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.
10. The developer shall consult with the the BAA before erecting a crane on the site.

Advice from BAA is as follows;

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.

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/operations-safety/>)

11. No tree shall be felled during the bird breeding season (March -September) unless otherwise agreed in writing by the Planning Authority.
12. Geo-environmental Phase I and II reports would be required for the Building Warrant application.
13. Scottish canals should be consulted on bridge landings, lighting and signage strategy, water supply/drainage in to the canal. Third party works approval will be required through the Scottish Canals official process.
14. The canal is designated as a Scheduled Ancient Monument. Any work that affects a Scheduled Monument will require Scheduled Monument Consent from Historic Environment Scotland.

15. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details.
16. The applicant is advised that the use hereby permitted relates solely to the watersports facility, the zip wire, the ski and snowboard kicker, the tubing slides and the tourist accommodation facilities. Public events, unrelated to these activities, may require a licence.
17. All proposed energy plant must comply with the Clean Air Act, details of required chimneys should be submitted at the detailed planning stage. Plant above 1Mw may require a secondary abatement technology. Biomass is not appropriate for this site.
18. Construction Mitigation
 - a) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.
 - b) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.
 - c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.
 - d) Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.
 - e) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.
 - f) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.

g) This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.

h) No bonfires shall be permitted.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been 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 meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The planning application and the Environmental Statement were advertised in the Edinburgh Evening News on 23 June 2017. 605 letters of representation were received. 563 letters of support, 35 letters of objection and 7 letters of comment.

Scheme 2

Additional information was received with respect to justification for the lodge accommodation, phasing programme, path hierarchy and access and tree details.

The application was re-advertised on 24 November 2017.

A further 74 letters of representation were received, 65 letters of support, 7 letters of objection and 2 letters of comment.

The reason for support are largely as scheme 1 with enthusiasm for the sports facility and suggestion that the development also include a skateboarding and pump track. Support has also been given to the impact of the Edinburgh economy.

A full assessment of the representations can be found in the main report in the Assessment Section. The comments from Ratho and District Community Council can be found in the consultation 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 designated as countryside in the Edinburgh Local Development Plan.

Date registered

31 May 2017

Drawing numbers/Scheme

1-4, 5a,6a,7a, 8-16, 17a, 18-24,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jennifer Paton, Senior Planning Officer

E-mail:jennifer.paton@edinburgh.gov.uk Tel:0131 529 6473

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 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 10 (Waterside Development) sets criteria for assessing development on sites on the coastal edge or adjoining a watercourse, including the Union Canal.

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 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 Env 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

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

LDP Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

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

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

LDP Policy 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 Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

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 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

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.

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 17/02471/FUL
At Craigpark Quarry, 1 Craigpark, Ratho
Outdoor leisure complex incl. water sport+training facilities
infrastructure,
access(pedestrian+vehicular),landscaping+ancillary
works(full planning permission), ancillary class 1
(retail)+class 3 (food+drink) uses, tourism accommodation
facilities (PPP).**

Consultations

Edinburgh Urban Design Panel

Summary

1 Recommendations

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

- o The emerging design concept and sensitive restoration of the landscape;*
- o Commitment of the design team to look beyond the red line of the application boundary, particularly to maximise landscape integration and access opportunities.*

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

- o The broader inclusivity of the proposed facility and the need to reflect this in the proposed design, uses and activities on offer;*
- o Consider the character of the entire park in the further development of the landscape design proposals;*
- o Encourage the further development of the pedestrian and cycle network to maximise accessibility to all levels of the site;*
- o Promote the use of an architectural competition for the design of the individual buildings on the site;*
- o Further explore access and opportunities via the Union Canal;*
- o Promote sustainable design measures to minimise the carbon footprint of the development including renewable energy and the potential for hydro electric power generation.*

Main Report

2 Introduction

2.1 The proposal for review is the proposed development of a leisure complex including water sports and training facilities with ancillary retail and food and drink uses, tourist accommodation, infrastructure and landscape works at the former Craigpark Quarry, Ratho and West Edinburgh. These proposals were identified for consideration by the Panel due to the significance of the site and design issues raised, particularly those relating to the re-use and landscape restoration of the former quarry.

1.2 This is the first time that these proposals have been reviewed by the Panel

1.3 No declarations of interest were made by members of the Panel.

1.5 This report should be read in conjunction with the pre meeting papers which provide concept plans, sections and elevations these supported by contextual information and site analysis.

1.6 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.

3 Project Concept

3.1 Overall, the Panel strongly supported the nature of the proposals and the emerging design concept.

3.2 The Panel expressed some reservation to the broader inclusivity of the proposed facility. It was noted that not all visitors will be there surfing and the facility should seek to offer an openness for the wider user also promoting the function of the space as one which is accessible to all. The project design should also further consider opportunities for integration with the Country Park and adjacent leisure facilities.

3.3 The Panel would strongly encourage the consideration of complementary activities, e.g. other watersports activities or educational opportunities as part of the development and these should be considered from the outset. The development of complementary activities could also help the overall viability of the proposals, and their relationship with the existing Edinburgh International Climbing Arena (EICA) and Union Canal.

3.4 The Panel strongly encouraged the notion of a 'living or outdoor classroom' to promote educational opportunities.

3.5 The Panel noted that the adjacent Bonnington Quarry to the south is due to be re-enacted in the near future. The Panel expressed concern regarding the potential impacts arising of dust and noise and whether these could have a detrimental impact to the proposals. The implications of the re-opening of the quarry and requirement for mitigation should be further considered.

4 Landscape Design

4.1 The Panel welcomed the restoration of the denuded landscape from previous quarry function and the landscape restoration to create a Country Park. The Panel were also encouraged by the commitment of the design team to looking beyond the red line of the application boundary, particularly to maximise integration of the proposals with the surrounding landscape and to promote alternative access routes immediately outwith the site.

4.2 The Panel noted the intention to implement previously approved landscape restoration proposals for the site. However, the Panel felt that this should not inhibit the overall landscape design approach with the character of the whole park being taken into consideration not just the original country park. The Panel remarked that the landscape restoration undertaken to date has largely been engineering based. In view of this, the Panel would encourage the use of more 'playful' land forms and a more informal landscape design approach. The Panel welcomed the re-use of the quarry features as part of the design approach, although the further use of softer material treatments would also be encouraged.

4.3 The Panel commented on the relative tightness and enclosed nature of the site. The visual containment provided by the cliff faces and surrounding land levels give the impression of isolation but it is not apparent how the presence of the housing development adjacent will affect the character of the site. The Panel felt that further consideration should be given to land forms across the site to maintain the visually isolated and rural character of the site.

4.4 The Panel commented on the design approach for fencing and boundary treatments, which could greatly impact upon the landscape character of the site. Other forms of protection measures including ha-ha's and defensive planting would be strongly encouraged. All fence lines should be clearly illustrated as part of the overall landscape design approach.

4.5 The Panel noted that the central SUDS facility already in place through previous permission. However, the further use of reed beds could promote the wider biodiversity of the site.

4.6 The Panel noted that proposed camping facilities these would comprise camping pods in managed areas with opportunities for informal 'wild' camping in other parts of the site. Camping would be tented and would not include motor homes. The Panel recommended that the location and design of facilities to support camping, including sanitation facilities and possible security measures should be further considered to ensure good integration with the landscape.

4.7 The Panel welcomed the proposed use of soft landscape treatments akin to a country park rather than an area of hard-standing.

5 Architectural Design

5.1 The Panel noted that a number of structures are proposed adjacent to the beach area, to the north eastern side of the wave pool. These would provide a 'Hub' to accommodate changing facilities, ticketing, café and retail. A further building to accommodate plant would be situated to the southern end of the wave pool. A building to provide Park Ranger facilities has previously been consented to the south east corner of the site.

5.2 The Panel noted that it was intended to take design cues from the previous industrial activities on the site and agreed that these influences could offer very different dynamics, e.g. a softer landscape based approach or an 'edgy' industrial aesthetic.

5.3 The Panel urged the design team to consider about 'pushing the boundaries' and exploring 'alternative' design solutions. In order to deliver such aspirations, the use of an architectural competition for the design of individual buildings was strongly encouraged by the Panel.

6 Accessibility and Connectivity

6.1 The Panel expressed some concern regarding the accessibility of the proposed facility, with the existing EICA not particularly accessible in view of the relatively limited public transport serving the area. The patronage of the facility is therefore likely to be car based. However, the Panel commented that the presence of the Union Canal and the development of existing bus routes could improve the accessibility and in turn the viability of the facility.

6.2 The Panel noted that the nearest bus stops to the site are located at Wilkieston Road or Hallcroft Park to the east, approximately 500 metres distant. The frequency of existing bus services are poor, particularly in comparison to other part of the city, and could not be easily extended into the site. However, the project proposal should seek to promote the most direct walking route to the nearest bus stops.

6.3 The Panel felt that the Council should seek to promote public transport accessibility to the site through a Section75 agreement. To support this aim, the Panel suggested that a shuttle bus service could be trialled to Ingliston P&R and the tram route.

6.4 The Panel commented that the draw of the facility would not only be citywide, but also regional and national. In view of this, the Panel enquired whether, as part of the wider promotion of the facility, incentives could be offered to discourage car use.

6.5 The Panel welcomed the notion of 'one way' canoe or cycle hire along the Union Canal from the Lochrin Basin. This could enhance access possibilities from Edinburgh City Centre to offer an exciting proposition and should be explored further.

6.6 The Panel noted that the bridge proposal to link the site with the EICA and Union Canal cycleway to the north was previously identified as part of Section 75 agreement for housing development to the north east of the site with potential funding support from Sustrans. The feasibility of this proposal is currently being further considered. The Panel also commented on the pronounced level difference between the two sites. The requirements of the Equality Act would require the bridge approaches to be ramped.

6.7 The Panel enquired to the proposed car parking arrangements and to whether these would need to be larger than the existing Country Park facility. The nature of the operation would see steady usage of the facility throughout the day with surfers booked into particular slots. The requirement for additional parking provision would need to be further considered as the project develops.

6.8 The Panel noted that the proposed network of paths would largely reflect the consented Country Park scheme. However, the Panel would encourage further development of the pedestrian and cycle path network to maximise accessibility to all levels of the site.

7 Sustainability

7.1 The Panel noted a range of sustainable design measures currently being considered as part of the project including the use of renewable power sources for the wave maker plant and re-use of existing rock within the site in the development of landscape features. However, the Panel would further encourage the use of measures to minimise the carbon footprint of the development, including renewable energy and the potential for hydro-electric power generation.

Archaeology comment

The proposed development site occupies the site of the former late Victorian Craigpark Quarry and is bounded to the north by the Union Canal (a Scheduled Ancient Monument). Quarrying activities to the north of the canal and the insertion of the M8 extension in the 1990's have revealed significant prehistoric burial remains along with Anglian occupation of the 7-9th centuries AD.

Although the site has been significantly impacted upon by the quarrying activities, the NW corner of the site contains an area of high ground which may have been relatively unaffected and as such may be regarded as having archaeological potential. Further, the effects of the site on the bordering Scheduled Ancient monument must be considered Accordingly this application must be considered under terms the of Historic Environment Scotland's Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and CEC's Edinburgh Local Development Plan (2016) Policies ENV8 & 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.

As stated the development will largely be contained within the former quarry site already subject to recent landscaping works, in areas with no archaeological implications. However, the NW corner of the site contains an area of high ground which appears not have been significantly impacted upon by the operation of the quarry. The plans indicate landscaping and new paths in this area. Given the occurrence of prehistoric burials in similar locations during quarry of the sister site on the north side of the canal there is a low possibility that such significant remains survive in this location. Accordingly, it is recommended that a programme of archaeological work is undertaken prior too/ during to development in this area in order to fully excavate, record, analyse any significant remains that may be disturbed.

In terms of the impacts upon the Union Canal. It is considered that there are no significant impacts upon either its setting nor physical remains by these proposals. However as works affecting this scheduled monument will require consent, HES must be consulted.

It is recommended that the following condition is attached if consent is granted to ensure that this programme of archaeological works is undertaken.

'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) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

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

Police Scotland comment

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.

Scottish Water comment

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following.

Water

There is currently sufficient capacity in the Marchbank Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

This proposed development will be fed from Newbridge Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request.

We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

Next Steps:

Single Property/Less than 10 dwellings

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

10 or more domestic dwellings

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for nondomestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk.

Trade Effluent Discharge from Non Dom Property:

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes.

Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?"

Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/tradeeffluent/trade-effluent-documents/trade-effluent-notice-form-h>.

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com.

Waste Services comment

If this development is purely commercial then there is no need to agree waste strategy with us.

As this is a commercial development, the Council will not be the provider of waste management services to this property. 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. Depending on the size and use of the property it may also be that they are required to segregate other streams such as fluorescent lamps, batteries and electrical equipment as well.

It would be the responsibility of any third party commercial organisations using the site to source their own trade waste uplifts.

Building Warrant comment

Geo-environmental Phase I & II reports would be required for the Building Warrant application.

Scottish Canals comment

We are pleased to see this exciting visitor attraction come forward for this canalside site. The unique facility will help to bring new visitors and appeal to the area. Generally, the proposals look well considered and appropriate to their setting.

The canal offers the site an attractive waterside setting which we are keen to see celebrated and enhanced with treatment appropriate to its heritage and character. This will help to ensure that the Union Canal, a Scheduled Monument, continues to thrive and be enjoyed by future generations to come. Scottish Canals seeks to work in partnership with the Council with a view to ensuring delivery of canalside improvements which are supported by the Edinburgh Union Canal Strategy in developing opportunity for tourism, business and community resource.

- 1. For any work occurring adjacent or on Scottish Canals Land, the developer is obliged to seek our Third Party Works Approval through our official process. This can be found at: <https://www.scottishcanals.co.uk/corporate/our-estate-works-planning/third-party-works/>*
- 2. The canal is designated as a Scheduled Monument. Works that affect a Scheduled Monument may need Scheduled Monument Consent from Historic Environment Scotland.*
- 3. The canal is used by protected species, such as bats and otter. A Phase 1 habitat survey or a protected species report should be considered.*
- 4. We are pleased to see the full integration of the canal edge into the scheme design with proposals to encourage people to enjoy the waterside environment. The detail of this requires agreement with Scottish Canals to ensure the continued operation and navigation of the canal and Historic Scotland for Scheduled Monument consent. It will require refinement to allow for moorings and operation purposes and we will be able to liaise and develop with the applicant on this at the appropriate stage through our Third Party Works procedure.*
- 5. We note that the proposals may require water supply/ drainage into the canal from the basin. This is subject to our separate agreement with the applicant.*
- 6. It is noted that the masterplan includes the potential new footbridge across to the climbing centre which is being looked at by the City Council. We would be supportive of this new connection and look forward to details in due course. At this stage adequate space for bridge landings should be allocated to allow future delivery.*

7. *Lighting - it would be good to see details of the proposed lighting scheme as this is brought forward. There will be requirement to provide appropriate lighting to the canal edge for safe access, etc. It would also be appropriate to see enhancement of lighting to the existing bridge across to the climbing centre and improved path lighting into the village to facilitate use by the local community. We would welcome involvement in a signage strategy to enhance local navigation.*

Economic Development comment

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

Commentary on existing uses

The area in question is a brownfield site which is a former quarry; the quarry ceased operating in the 1990s. There is an existing permission in place for this site to become a country park. The site is currently disused and supports no jobs.

Commentary on proposed uses

Leisure Complex

The main portion of this application covers the creation of a unique to Scotland leisure complex in the form of a "Wavegarden" creating a synthetic wave for surfers, and other sports, to learn, practice and compete.

The applicant has attached an economic impact statement, using similar methodology to that which the Economic Development Service uses, regarding this use as it is not comparable to other uses in Edinburgh. The economic impact statement outlines that there will be 46 permanent jobs created at the complex, temporarily increasing to 52 in the high season. Taking the Scottish Government multipliers into account the development has the potential to create 15 additional jobs in Edinburgh via the effects of supply chain expenditure and expenditure by employees, taking the total number of permanent new jobs to 61. As the average GVA added per employee in the arts, entertainment and recreation sector of Edinburgh is £13,334 (2014 prices) these jobs have the potential to create an additional £613,364 in GVA for Edinburgh per annum, increasing to £813,374 once multiplier effects are taken into account.

The creation of this new attraction in Scotland has the potential to add to the existing tourist attractions in the Edinburgh city and region and the Economic Development Service acknowledges this potential to contribute to the economy in this way. The potential to host additional competitions in the city would also add to the economic impact of this development, albeit for short periods. The applicant's statement estimates visitor numbers will reach 155,000 after year five. While there are no directly comparable facilities in Scotland, the Nevis Range has recorded 150,865 visits¹ in 2009 and could be a comparable venue due to the seasonal increase in visitors from skiing, even though there are other ski facilities in Scotland. We would not be able to confirm that these visitors are solely travelling to Edinburgh to use the Wavegarden and could be counted as additional.

Of the 155,000 visits per annum it is estimated in the provided Economic Impact Statement that 26% (40,300) will be users who are not local to Edinburgh. The average visitor spend in Edinburgh is £92. Assuming these figures, after year five, the centre has the potential to support £3.7m of additional visitor expenditure in Edinburgh annually, supporting new jobs in the tourism sector. Based on average visitor spend profiles, it is anticipated that 38% (£1.4 million) of this expenditure would be on accommodation (part of this figure could reasonably be assumed spent within the Wavegardn complex) while 62% (£2.3 million) would be in the wider economy on eating and drinking; shopping; entertainment; and travel and transport.

The site itself is adjacent to the Union Canal and connections to this asset are encouraged by the Economic Development Service in line with the Edinburgh Union Canal Strategy. The applicant refers to the Union Canal Strategy in their application and we welcome their ongoing engagement with Scottish Canals to utilize connections with the Union Canal while protecting the sites heritage.

Ratho is already the location of the Edinburgh International Climbing Arena (EICA) and connections between the EICA, Union Canal and the Wavegarden has the potential to create an outdoor pursuits hub. The benefits of the proximity to these existing uses has been acknowledged in the application.

Class 1 (retail), Class 3 (food and drink), Accommodation

The application contains an element of retail, food and drink and accommodation services, however the jobs associated with these uses have been included as part of the wider job creation figure submitted by the applicant.

Summary response to consultation

The site currently does not support any jobs and creating a leisure complex on this area would benefit Edinburgh through jobs created. Developing this site has the potential to create 61 in Edinburgh and the surrounding area with the annual contribution to the economy being estimated as £813,374.

The estimated visitor number of 155,000 after year five, the figures in the lead up to this are not provided but it could be assumed that they would increase on a gradual scale. These visitors would also contribute to the wider Edinburgh economy though additional spend on accommodation and food on and off site as part of their trip which has the potential to generate an additional £3.7m of visitor expenditure in Edinburgh.

As the site is currently economically inactive the job creation and additional GVA associated with the development would be of greater benefit to Edinburgh than the undeveloped site.

Economic Development comment - Economic Benefits Statement

This response is specifically with regard to the development of accommodation comprising 31 lodges and associated economic impact statement submitted by the applicant as part of an outdoor leisure complex within a country park.

An original response by Economic Development dated 27 June 2017 was submitted on the basis of the proposed overall complex and associated economic impact statement covering the full site.

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

Commentary on existing use

The area in question is a brownfield site which is a former quarry; the quarry ceased operating in the 1990s. There is an existing permission in place for this site to become a country park. The site is currently disused and supports no jobs.

Commentary on proposed uses

The application covers the creation of a unique to Scotland leisure complex with associated class 1 (retail), class 3 (food and drink) and on-site accommodation. The leisure complex aspect involved the creation of a "Wavegarden", or synthetic wave for surfers, and other sports to learn, practice and compete.

The original economic impact statement submitted covering the full site outlined that there will be 46 permanent jobs created at the complex, temporarily increasing to 52 in the high season. Taking the Scottish Government multipliers into account the development has the potential to create 15 additional jobs in Edinburgh via the effects of supply chain expenditure and expenditure by employees, taking the total number of permanent new jobs to 61. As the average GVA added per employee in the arts, entertainment and recreation sector of Edinburgh is £13,334 (2014 prices) these jobs have the potential to create an additional £0.61 in GVA for Edinburgh per annum, increasing to £0.81m once multiplier effects are taken into account.

The original application contains an element of accommodation services, however the jobs associated with these uses have been included as part of the wider job creation figure submitted by the applicant.

Commentary on proposed lodge accommodation

The latest economic impact statement deals specifically with the lodge aspect of the proposed accommodation for the site. As in the initial economic impact statement provided, the applicant again uses similar methodology to that which the Economic Development service uses.

It is proposed to develop 31 lodges, consisting of 15 two-bedroom lodges (sleeping four people) and 16 three-bedroom lodges (sleeping 6 people). This would provide 156 beds across the lodge accommodation, with a potential 59,940 bed nights available (number of beds x 365 days in a year).

The economic impact statement submitted by the applicant estimates that the lodges would support 6 FTE jobs which is a reasonable assumption for this type of accommodation. This could provide gross value added (GVA) of £0.16m based on 'accommodation' classification at 2015 prices. Once multiplier effects are taken into account the lodges could support 7.8 FTE jobs and provide a GVA of £0.23m.

It should be noted that the estimates for employment and GVA were included within the Economic Development response to the original economic impact assessment for the proposed development of the whole site. The calculation of jobs supported and potential GVA of the lodges aspect of accommodation were included within this and therefore the figures supplied above are not in addition. This would be with the caveat that the calculations on the whole site were based on the information provided by the applicant and using the overall general classification of the site as 'arts, entertainment and recreation' and not breaking down the individual different components of the site such as by different accommodation, catering, leisure, etc.

Of the applicants projected 155,000 visits per annum it is estimated in the provided economic impact statement that 26% (40,300) will be users who are not local to Edinburgh. The average visitor spend in Edinburgh is £92. Assuming these figures are achieved, after year five the centre has the potential to support £3.7m of additional visitor expenditure in Edinburgh annually, supporting new jobs in the tourism sector. Based on average visitor spend profiles, it is anticipated that 38% (£1.4 million) of this expenditure would be on accommodation with some of this reasonably assumed to be spent within the Wavegarden complex) while 62% (£2.3 million) would be in the wider economy on eating and drinking; shopping; entertainment; and travel and transport.

As calculated above the proposed lodges would have 56,940 bed nights available. VisitScotland figures state that the annual average self-catering unit occupancy rates for Edinburgh & Lothians is 68% (2016 figures¹). Applying this average to bed nights gives 38,719 bed nights for the proposed lodges and therefore daily visitors. The caveat here is assuming a lodge unit is booked at full occupancy, though of course this may not necessarily be the case depending on group size for a booking. As these are visitors staying on site, the 38% accommodation component can be subtracted from the £92 average daily visitor spend. This means daily visitors would each spend an average of £58 in the wider economy, (£2.25m) with some of this likely spent on the Wavegarden site facilities.

Summary response to consultation

The site currently does not support any jobs and as per the initial Economic Development response creating a leisure complex on this area would benefit Edinburgh through jobs created. Developing this site has the potential to create 61 FTE jobs in Edinburgh and the surrounding area with the annual contribution to the economy being estimated as £0.81m.

Within the proposed development are plans for 31 lodges supporting an estimated 7.8 FTE jobs and providing a GVA of £0.23m. These figures are a component part of the jobs supported and GVA provided for the overall leisure complex, and not in addition. The lodges provide a potential 59,940 bed nights and at an annual average self-catering unit occupancy rate of 68%¹, this would be 38,719 bed nights assuming full occupancy of a lodge unit per booking. Daily visitors using the lodges would potentially spend an additional £2.25m in the wider economy, which would in turn support creation of further jobs in Scotland.

As the site is currently economically inactive the job creation and additional GVA associated with the lodges would be of greater benefit to Edinburgh than the undeveloped site.

SNH comment

We note the illustrative proposals and the likely range of impacts to existing site conditions, including substantial areas of cut and fill to accommodate the proposals. However, while acknowledging these likely impacts we broadly welcome the approach adopted to site layout and detailed design.

As currently proposed we recognise that the project seeks to work with and enhance the natural features of the site, including existing areas of habitat and prominent rock features. From SNH's perspective, if suitably implemented to high standards, and maintained thereafter, the project has the potential to improve access to and enjoyment of the natural heritage. This relates to the proposals within the application area but also in terms of providing positive habitat and public access linkages to the wider area.

Delivery of Habitat Protection and Proposed Landscape Works

We advise that the accommodation of the built development proposals within a naturalistic landscape setting will rely on a detailed and combined approach to the retention and protection of existing habitats, along with the successful delivery of the proposed landscape works.

We advise that all areas of habitat retention are suitably identified through drawings and protected on site from any construction impacts. We note and welcome the red line around the existing woodland listed in the Scottish Semi-Natural Woodland Inventory and advise that the proposals for protection and future enhancement of this site asset should be secured through further detailed proposals.

We also highlight that there are significant areas of new planting set out in the masterplan and associated detailed and softworks drawings and other areas. In particular, we note the strengthening of the perimeter woodland planting which could deliver wider landscape and habitat benefits.

While there are as yet no detailed planting specifications for such areas we broadly welcome the approach to planting layout, as set out in the 'softworks' drawing. This illustrates the proposals will predominantly utilise native species. We would recommend that further detailed plans and specifications, in line with the submitted layout proposals, are produced prior to commencement of the project.

Landscape and Habitat Management Plan

We consider the successful delivery of a natural setting for this development over the longer term will to a large extent rely on how the site is maintained and managed. We would therefore recommend that a Landscape and Habitat Management Plan is secured through any proposed consent to ensure appropriate maintenance of the existing habitats and proposed landscaping. We would advise that sufficient financial commitment towards the delivery of management proposed should also be evidenced and secured. A Landscape and Habitat Management Plan will also support the relatively intimate and amphitheatre impression to the Wavegarden and help to realise the 'garden' aspect of the proposal.

Access rights and responsibilities

We note and welcome path and access proposals within and connecting to outwith the application area.

In recognising the planning history of the site and the existing nearby housing, we would be supportive of a clearly defined approach to promoting public access in relation to the application area. We would suggest that an access management plan could be the most appropriate means for achieving such clarity over the longer term.

We do however advise that you consult your Council's Access Officer to ensure appropriate measures related to the access rights and responsibilities for the site.

Protected species

We note the updates in Section 4.4.5 of the Environmental Statement on the protected species recommendations set out in the Technical Report, Wavegarden, Edinburgh, Extended Phase 1 Habitat Survey (WSP, February, 2017). We recommend that the mitigation measures set out in Table 4-1 are fully considered.

SNH further comment

While we do not consider the further information and changes to the development proposal substantially alters the SNH advice on this application we wish to maintain our position on much of our previous advice particularly that important details relating to the site, its accessibility and management, should be provided. These matters are highlighted below.

Public Access

We note that an access management plan has not been submitted as part of the further information. We therefore remain uncertain on proposals for public access management. We strongly advise that such information is produced to clearly illustrate areas where statutory access rights are to be maintained and areas where they are to be withdrawn.

Details of how public access will be managed should also be provided, including the design and location of any proposed fencing or other security measures. We note that fencing is mentioned in the note from the Edinburgh Urban Design Panel but we cannot locate information on this important part of the application. We would highlight that fencing and gates to the development has the potential to impact adversely on both public access and wildlife movement but there may be means to reducing adverse effects through well considered design approaches.

Delivery of Habitat Protection and Proposed Landscape Works

We welcome further information regarding protection of existing woodland listed in the Scottish Semi-Natural Woodland Inventory and further details of planting in areas that are central to the site. We would recommend that all such works should be secured as the Council sees fit, through the use of planning conditions or legal agreements.

Landscape and Habitat Management Plan

We maintain our advice that a Landscape and Habitat Management Plan should be provided in order to secure the stated ambitions for the successful delivery of a natural setting for this development over the longer term. We consider this an important aspect of the overall proposal and we would advise that sufficient financial commitment towards the delivery of management over the longer term should also be evidenced and secured.

Given the requirements for a Bird Hazard Management Plan as set out by Edinburgh Airport, including maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow we would advise that there is merit in understanding in advance the effect that such requirements will have on the overall development, the scope for additional planting to be delivered and its ability to produce a natural setting and screening of built proposals. We would therefore suggest there is merit in securing such information in advance.

Finally, we would like to reiterate that full consideration be made on all potential impacts on protected species.

SNH further comment

SNH has been contacted by members of the public concerned about the proposal impacting on protected species including great crested newts. However, we are reassured by the protected species surveys carried out to date that the proposal's potential impacts on protected species have been fully considered to date and that negative impacts are unlikely.

Nevertheless, we advise that the mitigation measures outlined in the Environmental Statement (Table 4-1) and detailed in the Protected Species Report (WSP, August 2017) be conditioned if your Council is minded to grant consent to the proposal i.e. CEC could conclude on the application with a view to further surveys being carried out prior to the commencement of works, as detailed in these reports.

ScotWays comment

Although we do have an interest in a nearby path (LC35, the Union Canal towpath) which may be affected by this development, that particular path is also designated as a Core Path in the City of Edinburgh Council's Core Paths Plan, as well as being part of the National Cycle Network. As such, if you have not already done so, we recommend consulting CEC's own Access Officer, Martin Duncan. Additionally, as the new non-vehicular bridge link to EICA shown on the Masterplan drawing is labelled as a footbridge, it may be relevant to consider whether this is sufficient provision.

ScotWays further comment

The National Catalogue of Rights of Way shows LC35 may be affected by a proposed "new footbridge to EICA" shown on the Masterplan. LC35 is not recorded as a right of way, instead it is listed as an "other route". However, as LC35 is the Union Canal Towpath, it is a well-used and widely promoted recreational resource. The Forth-Clyde/Union Canal Towpath has been designated as one of Scotland's Great Trails by Scottish Natural Heritage and it also forms part of the National Cycle Network's route 754. For reference, in the vicinity of the site, LC35 (Union Canal Towpath) runs on the north side of the Union Canal which is itself marked on the Masterplan on the northern boundary of the site.

As there is no definitive record of rights of way in Scotland, there may be routes that meet the criteria to be rights of way but have not been recorded as they have not yet come to our notice.

You will no doubt be aware there may now be general access rights over any property under the terms of the Land Reform (Scotland) Act 2003. We strongly recommend the Core Paths Plan, prepared by the Council's own access team as part of their duties under this Act.

With reference to the Masterplan, we are concerned that the new link from the proposed development to the adjacent off-road network is labelled as a footbridge. Whilst this would appear to be a welcome link, as the bridge connects the proposed outdoor leisure complex (which includes a mountain bike skills track) to the National Cycle Network, it is seemingly an oversight that provision isn't being made for usage by cyclists, or indeed any non-vehicular access takers other than solely pedestrians. The Masterplan also appears to imply that the bridge is to be delivered by the City of Edinburgh Council rather than forming part of this application and being provided by the applicant. As such, we must submit a holding objection to this application on the grounds of apparent insufficient provision for non-vehicular access to the site.

If there is additional documentation available online regarding public access, in particular anything relevant to the above identified concern, we will be pleased to have this brought to our attention. We recommend that that any proposed improvements to the local recreational access network are discussed with the Council's access officer. We further suggest that any agreed improvements are secured via a condition of planning consent.

As the planned development is adjacent to LC35 and may include a component directly affecting the route, the Society requests that LC35 remains open and free from obstruction before, during and after construction of the proposed development, if consented. Where temporary closure is deemed necessary for safety reasons, this should be for as short a period as possible and should be clearly signposted - an alternative route should also be made available where practicable. We anticipate that any necessary closures would take place through close liaison with the Council's access officer.

ScotWays further comment

Thank you for flagging up the additional and revised drawings submitted regarding planning application 17/02471/FUL. As these do not appear to address the concerns raised in our letter of 28/07/2017, we continue our holding objection.

Scotways further comment 27 March 2018

Thank you for the update regarding the Craigpark Quarry planning application. We'd be content to remove our objection provided the proposed non-vehicular access bridge is secured through a planning condition. This is to ensure that there is adequate non-vehicular access (including cyclists, wheelchair users, pushchairs etc) to the development. The connecting ramp from the Union Canal towpath is an integral part of any such provision. It is not clear whether the proposed bridge will be available to horse-riders, however we suggest that this should be a consideration as we understand there is equestrian use of the towpath.

SportScotland comment

We note that sportscotland is not a statutory consultee with regard to this proposal, and so any comments we offer are advisory only.

As noted at the pre-application stage, we recommend that the applicant engages with the relevant Governing Bodies to ensure that any development meets the needs of the sport.

HES comment

Our remit is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.

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

Our advice on the current proposals

We note that the project comprises the elements as laid out in Figure 2-1 of the Environmental Statement. We are content that the proposals for the current stage of this project as shown in this figure are not likely to have significant impacts on our interests. We therefore do not object to the planning application.

Our advice on the future proposals

We note that design and access statement and masterplan documents identify future development along the scheduled monument known as Union Canal, Fountainbridge to River Almond (SM 11097). This includes 14 narrowboat moorings, and a bridge connection from the country park to the Edinburgh International Climbing Area and canal towpath.

These future proposals have the potential to have significant impacts on the scheduled monument, and its setting. We would need further, detailed information on both the proposed moorings and bridge to come to a view on the level of impact. We strongly recommend that pre-application consultation is undertaken with us before a formal planning application is submitted.

The proposed moorings, and potentially the bridge crossing, will have a direct impact on the scheduled area of the canal.

For information, these works would therefore require scheduled monument consent (SMC), separate to any planning permission. This consent is administered by Historic Environment Scotland. Works on scheduled monuments should normally be the minimum necessary to conserve the important features of a monument. The applicant should therefore seek pre-application advice from HES on this issue, using the following email address hmenquiries@hes.scot.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object 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.

Environmental Assessment comment

The site is located to the west of the village of Ratho, west of Edinburgh. The site is bounded to the north by trees, shrubs and the Union Canal; to the west by agricultural land; to the south by Bonnington Quarry and to the east by Ratho village. The Edinburgh International Climbing Arena (EICA: Ratho) is located to the north, beyond the canal. The site is currently accessed from Wilkieston Road.

The Applicant plans to submit an application for an outdoor leisure complex including water sport and training facilities with ancillary Retail and Food and Drink uses and tourism accommodation facilities e.g. self-catering lodges and campsite, infrastructure, access (pedestrian and vehicular), landscaping and ancillary works. The indicative masterplan of the site includes up to 250 parking spaces, camping platforms, camping pods, camping facilities block, meadow areas, footpaths, viewpoints, water sports area (the cove), tower and viewing platform, the Hub and Wets buildings.

Noise

The applicant has identified the nearest sensitive receptors being the residential properties immediately to the east of the site boundary, Ratho Mains (660 m to the east of the Proposed Development). The applicant will need to assess the impacts on the newly constructed cala homes that are juxtapose the proposed development site.

The applicant will need to provide details on where all the proposed uses will be located including specific use classes. The noise impact assessment will need to take into consideration the worst-case scenarios for each use. For example, the outdoor leisure complex including water sports should include possible jet ski motorboat hoover craft noise. The noise impact assessment will need to demonstrate how noise will be inaudible with the neighbouring residential uses.

Details of the food and retail uses will need to be assessed with proposed hours of operation, operational noise, plant and servicing noise all assessed to ensure that its inaudible within the neighbouring residential properties.

Self-catering lodges and camping pods may be a cause for concern on a site like this as it is likely they would be used by large groups for example stag and hen parties. The noise impact assessment will need to consider this. The applicant should also be aware there is an active quarry to the west of the proposed site where blasting will regularly occur.

Construction phase noise will need to be carefully planned as blasting may be required, any noise impact assessment will need to detail where when and what blast techniques will be used during construction.

The noise impact assessment will need to provide specific details of any required mitigation measures. Locations of mitigation measures will need to be shown on plans submitted with drawing numbers.

Local Air Quality Impact Assessment

Due to the size scale and number of proposed car parking spaces the applicant must provide an air quality impact assessment. Any proposed energy centres must also be considered in the air quality impact assessment. The applicant should be advised that Environmental Protection shall not support the use of biomass. All these issues must be incorporated into the air quality impact assessment including nearby committed developments. The air quality impact assessment must be provided at the PPP stage if this is submitted. The provision of at least 1 Electric Vehicle (EV) "rapid charge" point per 10 car parking spaces of commercial floor space.

Where development such as this generates significant additional traffic, provision of a travel plan (with provision to measure its implementation and effect) which sets out measures to encourage sustainable means of transport (public, cycling and walking) via subsidised or free-ticketing, improved links to bus stops, improved infrastructure and layouts to improve accessibility and safety.

Typical measures that may be considered to offset emissions include:

- o Support and promotion of car clubs EV chargers;*
- o Contributions to low emission vehicle refuelling infrastructure;*

- o *Provision of incentives for the uptake of low emission vehicles;*
- o *Provide rapid chargers specifically for Taxis*
- o *Improvements to cycling and walking infrastructure.*

We would advise using the air dispersion model ADMS-Roads for assessment purposes, it should be noted that we do not accept DMRB models. The model should consider current year and the year of opening both with and without development to ensure for all scenarios that the National Air Quality Objectives are met.

Use existing diffusion tube data to verify the model (we can provide this data if required). On request, we may also be able to provide you with the most up-to-date annual average NO2 concentration for this location for validation purposes.

Environmental Protection encourage the applicant to keep parking numbers to a minimum and make provisions for electric vehicle (EV) charging throughout the development. Environmental Protection also advised the applicant that any proposed energy centres must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.

The applicant will need to consider the impacts the construction phase will have on the neighbour residential properties. Mitigation measures will need to be detailed in the assessment.

Odours

The applicant will need to provide specific details on where the flues will be located serving the commercial cooking operations. The flue will need to terminate at roof level the system will need to be capable of achieving 30 air changes per hour. The applicant must provide plans and elevations showing exactly where the plant will be located.

Contaminated land

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

Environmental Assessment further comment

Environmental Protection provided the applicant with pre-planning advice regarding a proposed application for: the erection of an outdoor leisure complex including water sport and training facilities with ancillary (class one) retail and (class three) food and drink uses, tourism accommodation facilities (e.g. Self-catering lodges and campsite), infrastructure, access (pedestrian and vehicular), landscaping and ancillary works. Following on from this is this detailed planning application.

Environmental Protection advised that any detailed application would need to be supported with a detailed noise impact assessment and air quality impact assessment covering construction and operational phases. The applicant has provided details on the construction and operational phase noise and local air quality.

The site is located to the west of Ratho, within the former Craigpark Quarry. The land use surrounding the development site to the west and east is agricultural, with residential to the north-east mining to the south and the Edinburgh International Climbing Arena located directly to the north over the Union Canal.

The applicants noise impact assessment has advised that the proposed facility will be operational for only 9 months of the year with it being closed between December and February. The applicant has advised that the proposed hours of operation will be split between two seasons June to August 08:00 to 22:00 hours with the remaining operational months being open 10:00 to 20:00. The applicant has advised that they would be willing to accept a condition controlling the hours of operation. Therefore, Environmental Protection shall recommend a condition restricting the hours of use.

The applicant has highlighted that the main activity area proposed are mainly concentrated in the basin area of a former quarry, which is approximately 30m below the perimeter of the site. The majority of operational activities will take place in this area and nearest residential properties will be shielded from operational noise to a significant degree.

The applicants supporting noise impact assessment has provided detailed operation noise models for the proposed Zip Wire, plant used for wave machine and the surfing area activities. The assessment has included taking measurements from these actual activities taking place at other locations. The applicant has then modelled these events against the development site cumulatively. The model advises that no significant noise impacts are expected at the neighbouring sensitive receptors. The applicant advises that this is due to the distance between the receptors and any noise-generating activities, and the noise levels of equipment will also be minimal.

The applicant had originally provided a summary of events that they proposed being held on the site including:

- o Surf competitions*
- o Night surfing event*
- o Official launch of the new Olympic Team GB Surfers, Climbers and Ski and Snowboard teams ahead of Tokyo 2020*
- o Chilled live music*
- o Winter/Christmas markets*
- o Farmers markets*
- o Summer outdoor cinema nights*

These activities are likely to have an adverse impact on the residential amenity however the applicant has advised that they are willing to accept a condition to ensure only the activities covered in the noise assessment can be developed out until further supporting materials are produced to demonstrate that the other activities will not adversely impact local residential amenity.

The applicant has also recommended that a condition of permission could be that the applicant submits a management plan to the Council indicating measures to minimise the risk of disturbance. Such measures could include, time-limiting or banning the use of sound reproduction equipment or musical instruments in areas close to residents that will be used at night (e.g. the lodges). Signage requesting users to respect neighbours with regards to noise, especially evening and night-time. On site personnel available to address any disturbance or safety issues that could arise. A 24-hr phone number for residents to call in the event of any disturbance occurring. An action plan for steps to take following a complaint or notification regarding noise. Environmental Protection are not convinced that any of the above suggested recommendations will meet the tests of a planning condition. However, this related to the lodges uses and this is not a cause for concern for Environmental Protection.

The applicant has confirmed that the food and retail uses will be likely located over 30m from the nearest residential properties. However, details of the food and retail uses will need to be assessed with proposed hours of operation, operational noise, plant and servicing noise all assessed to ensure that its inaudible within the neighbouring residential properties.

Any future noise impact assessment needs to provide specific details of any required mitigation measures. Locations of mitigation measures need to be shown on plans submitted with drawing numbers. These are what planning conditions can be based upon.

Environmental Protection recommend that conditions are attached to any consent to ensure residential amenity is protected.

Local Air Quality

The applicant has submitted a supporting air quality impact assessment. This was requested due to the number of proposed car parking spaces exceeding one hundred. The applicant has identified that the development site is not located within or immediately adjacent to an Air Quality Management Area (AQMA). The closest AQMA is the Glasgow Road AQMA, located approximately over 1.5 km to the north of the development site.

The applicants supporting air quality impact assessment has demonstrated that the site will not have an adverse impact on local air quality.

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.

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

The new Edinburgh Design Guidance (October 2017) states that to ensure that the infrastructure required by the growing number of electric vehicles users is delivered, one of every six spaces should include a fully connected and ready to use electric vehicle charging point, in developments where ten or more car parking spaces are proposed. EV parking spaces should be counted as part of the overall car parking provision and not in addition to it.

The applicant has committed to installing electric vehicle charging points. The applicant has also provided detailed plans showing where some of the chargers will be located and it's been agreed that the detailed location of the remaining chargers will be highlighted when the details plans are submitted. Environmental Protection would be requiring electric vehicle charging points of various outputs to be provided throughout the proposed public car. Slower chargers for long stay purposes shall be served with 7kW or 22kW chargers with 70kW or 50kW (125 Amp) DC with 43kW (63 Amp) AC unit made available for at least 10% of your total proposed spaces. 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. It should also be noted that the taxi industry is moving towards plug-in taxis. The latest model of the London taxi is a plug-in electric taxi and with Edinburgh being the second biggest market for London taxis there will many of them on the roads in Edinburgh therefore locating chargers for taxis must be further considered.

Environmental Protection are pleased that the applicant has produced an outline of a Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts;

- o Appointment of a Travel Plan co-ordinator to oversee the implementation of the Travel Plan and to engage with site employees;*
- o Provision of footpaths throughout the site that link with the existing pedestrian network and adequate signage within the Site to encourage walking, particularly for any employees living within Ratho to the east of the Site;*
- o Provision of secure cycle parking facilities for employees and, potentially, employee shower/washroom facilities, to encourage travel by bicycle;*
- o Provision of posters and leaflets to promote the health benefits of walking and/ cycling;*
- o Provision of a sustainable travel noticeboard, to include details of pedestrian and cycle routes, bus service routes and timetables; and*
- o Promotion of the benefits of car-sharing schemes for employees.*
- o In addition, it is understood that the following measures have been recommended for consideration by*
- o CEC for inclusion as part of a planning condition or informative:*
- o Developer contribution towards the provision of a pedestrian and cycle bridge over the Union Canal and link with the Union Canal Towpath (National Cycle Route 754);*
- o Development of a signing strategy on the primary road network to direct visitors to the Site to minimise travel via local routes and travel through more sensitive areas (such as the residential are of Ratho);*
- o Provision of a minimum of 58 cycle parking spaces (both visitor and employee spaces), although the*
- o requirement should be reviewed on a regular basis to ensure the provision meets demand;*

- o A parking management strategy to be developed and submitted to CEC for approval and monitored for a minimum period of 24 months from opening;*
- o Electric vehicle (EV) charging infrastructure to be provided at a rate of 1 in every 6 standard car parking spaces. CEC has suggested that slower chargers for long stay purposes should be served with 7kW chargers with 70 or 50kW (125 Amp) DC and with a 43kW (63 Amp) AC unit made available for at least 10% of the total spaces provided.*

With regards to the EV charging infrastructure, the exact specification will be confirmed at the detailed design stage.

Environmental Protection would support any recommendations by Transport Planning Officers with regards sustainable transport options.

It should be noted that grants may also be available for the installation of EV charge points more information can be found at;

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

Chimney Height Calculation may need to be submitted in accordance with the Clean Air Act 1993. We will need details on the proposed centralised energy centre serving the larger buildings, for example the proposed fuel and size (energy in/output). Environmental Protection will not support biomass. It is recommended that the applicant submits a chimney height calculation at the earliest possible stage to ensure planning are satisfied with any proposed chimney which may need to be sizable. The applicant has advised that this information is currently not available and will be submitted with any detailed planning application.

The applicant had indicated that they intend small wood burning stoves in the proposed lodges. The applicant has been advised that Edinburgh is a Smoke Control Area and any wood burning stove must be compliant with the Clean Air Act 1993. In Scotland, there is a list of exempt appliances published by the Department for Environment, Food & Rural Affairs. The applicant has agreed not to install wood burning stoves as it was highlighted that Environmental Protection would not support the application if it included a cluster of biomass/wood burning stoves.

Environmental Protection recommended that the applicant does not install a wood burning stove as it is likely to impact the neighbouring residential properties due to the low-level chimney and likelihood of fumes being trapped in the wider area.

Odours

The applicant has confirmed that it will provide specific details on where the flues will be located serving the commercial cooking operations at the detailed planning stage. The applicant has confirmed that all the likely locations for the flues will terminate at roof level with the capability of achieving 30 air changes per hour. The applicant has confirmed that the likely locations of the flues will be in excess of 30m from the existing residential properties.

Contaminated land

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

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

i) Prior to the commencement of construction works on site:

a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

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

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

1. The use hereby permitted relates solely to the watersports facility, the zip wire, the ski and snowboard kicker, the tubing slides and the tourist accommodation facilities. Outwith the above no public events, unrelated to these activities, are permitted to be held without the prior written approval of the planning authority.

2. Detailed noise assessments will be required at the detailed planning stage, to assess noise and vibration impacts from the proposed development (Surf competitions, Night surfing event, Chilled live music, Winter/Christmas markets, Farmers markets, Summer outdoor cinema nights) from operational noise, on the proposed development and existing neighbouring sensitive receptors. This must identify appropriate mitigation measures.

3. The water sports facility, the zip wire, the ski and snowboard kicker and the tubing slides shall only operate between the hours of 8am and 8pm.

4. The hub building shall be open to visiting members of the public between the hours of 8am to 11pm.

5. No wood burning/biomass stoves are permitted as part of the development.

6. A minimum of thirty-eight 7Kw electric vehicle charging outlet (wall or ground mounted) shall be installed and operational prior to occupation. Two commercial space shall have a rapid electric vehicle charging point installed and operational prior to occupation. The rapid charger shall be of the following standard with specific specifications and locations provided at the detailed stage:

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.

Class 3 Uses

7. Cooking odour ventilation details should be provided at the approval of matters in conditions (AMC) stage. In this regard, details should be provided which confirm that the ventilation will meet the following criteria:

(i) The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and cooking effluvia shall be ducted to roof level to ensure that no cooking odours escape or are exhausted into any neighbouring premises.

(ii) The ventilation system being designed and installed so that gases are expelled with a minimum upwards velocity of 15 metres per second.

(iii) The ventilation system shall be installed, tested and operational prior to the use hereby approved being taken up.

Informative

All proposed energy plant must comply with the Clean Air Act, details of required chimneys should be submitted at the detailed planning stage. Plant above 1Mw may require secondary abatement technology. Biomass is not appropriate for this site.

Construction Mitigation

a) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.

b) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.

c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.

d) *Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.*

e) *All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.*

f) *Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.*

g) *This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.*

h) *No bonfires shall be permitted.*

Ratho + District Community Council comment

Ratho & District Community Council has no disagreement in principle with the concept of a country park incorporating water sport and training facilities (Wavegarden) at the above site but there are material issues in the submitted application brought to our attention by local residents and to which the Community Council objects.

The Community Council attended both public exhibitions at Planning Application Notice (PAN) stage in February 2017 and we have had some positive discussion with the Applicant about both conceptual design and operational matters. Whilst some matters raised by local residents and the Community Council have been addressed, residents have raised concerns over the number of added features that were not part of the PAN consultation process, and relating to which we object as follows:

NOISE

At PAN stage, the inclusion of a zip-wire was specifically discounted by the Directors of Tartan Leisure, and no mention was made at that time about the inclusion of luxury lodges, a kicker jump for snowboarder training, tubing slides, the MTB skill track, or a base for orienteering activities. It is considered these activities will generate excessive noise that, as noted further below, has not been considered in the Environmental Statement and will be a detriment to the local community.

TRAFFIC and ON STREET CAR PARKING

Whilst a traffic assessment has been completed, residents are concerned as to the potential increase in cars parking on residential streets in relation to local dog walkers and the like who will be attracted to the Country Park, and others from the local area visiting the leisure facilities. In particular this relates to the Hallcroft area, making use of the re-opening of the old gated access from Hallcroft Park, and the footpaths connecting with the Gala Craigpark development.

In addition concerns are raised associated with the anticipated increase in traffic accessing the facilities and the associated impact on "rush-hour" traffic through Ratho village seeking to avoid congestion on the B7030 and surrounding road network, together with the safety of the existing junction from the B7030 allowing access to the EICA, the scene of several accidents (including a fatality) in recent years.

LOSS OF EXPECTED AMENITY

The initial planning consent (05/01229)/FUL) generally allowed development of residential housing in a prime location on the basis of the provision of a Country Park for unfettered open public amenity. However it now appears that the original concept of a peaceful country park, allowing access in perpetuity to local residents during daylight hours, is in danger of being overtaken by a multi-faceted visitor holiday facility.

LIGHTING

The impact of necessary lighting is not considered to be adequately assessed in the application (as further noted below) and local residents have noted objection to the impact on background ambience resulting from potential flood lighting required for the safe operation of the facilities.

CANAL MOORINGS

At the suggestion of the Urban Design Panel new canal moorings have now been proposed adjacent to the site. We have been advised by the Seagull Trust that operates boats for the benefit of disabled people on this area of the canal that the excessive number of moorings proposed in this location will deny adequate space for passing vessels and as such is unacceptable.

SPECIAL EVENTS

The impact of holding "Special Events", introduced into the facility scenario since PAN is in indeterminate without further information, but raises increased concerns relating to noise, traffic congestion and parking, pollution, and security of the neighbouring residential properties.

In addition, the Community Council is aware of numerous anomalies and omissions within the documentation supporting the application all as noted below.

1 PLANNING HISTORY

Consent granted in August 2009 against application 05/01229/FUL authorised the infilling of the Craigpark quarry with inert waste to form a country park for the benefit of the community at large, together with housing development to the eastern part of the site.

Subsequently, consent granted in November 2014 against application 13/02527/FUL authorised a material variation to planning permission Ref; 05/01229/FUL to provide amended housing layout and substitution of house types and associated works.

It transpires that both consents were conditional upon Section 75 Legal agreements the second of which, drawn up without notice within the Planning Application and so without public knowledge or scrutiny, appears to relax some of the conditions of the first, insofar that:

- o *It provided that nothing in the Agreement should prohibit or limit the Proprietors right to operate commercial leisure interests and business in the Public Park or otherwise develop any part of the Public Park (subject to Planning Permission)*
- o *The Proprietors shall be obliged to complete the Public Park Works on or before 30 June 2018, contrary to original more stringent requirements related to the associated residential development*
- o *A total of £180,000 be paid by the Proprietor as contributions reduced from £210,000 previously required.*

At this time, two further applications (15/05021/FUL and 16/03437/FUL) relating the Craigpark Quarry remain listed since late last year as "awaiting decision" though it is noticed that the Council is minded to grant permission subject to Legal Agreements which should include inter alia:

- o *An agreed date for 100% completion of the park.*
- o *Agreement to secure full public access to the park during daylight hours.*
- o *Agreement to require the whole park to be kept in one ownership subject to the same provisions as the existing S75 agreement.*
- o *An obligation shall be made on the developer to ensure the maintenance of the park in perpetuity.*

These conditions are deemed significant insofar that it is perceived that the present application 17/02471/FUL may considerably impact these requirements. Consequently it is considered that until confirmation of these two outstanding consents and the full content of associated legal agreements is made known the Community Council is unable to properly scrutinise the application 17/02471/FUL and offer appropriate and fulsome comment on these matters.

2 DEFICIENCIES WITHIN THE PLANNING APPLICATION

Examination of documentation supporting the application reveals, inter alia, the following errors, anomalies and omissions:

PLANNING SUPPORTING STATEMENT

Refers to landholdings of Tartan Leisure Ltd at Craigpark whereas we understand Craigpark Quarry is wholly owned by Alex Brewster & Sons.

States the "site is heavily treed to the south", whereas there is only nominal tree growth in that area.

Refers to vehicle and pedestrian access to the site from Wilkieston Road, whereas there is no public pedestrian access from Wilkieston Road

States "buildings will be the subject of a design competition later this year, .These buildings include the maintenance building for the onsite staff". We consider that the visual impact of the buildings will be significant and building details should be included for consideration within the present application. We are unable to identify the "maintenance building" referred to, unless it is a reference to the "Agricultural Building" already constructed to serve the Public Park under consent 14/02128/FUL.

Refers to the "SUDs pond attracting and supporting wildlife", whereas the SUDS pond is a fundamental requirement of the existing consent for residential housing and is essentially not a part of this application.

States , "alterations have been made to the proposed scheme" in relation to "noise concerns during pre-application discussions in relation to previously proposed 'wild camping", whereas no reference is made to the introduction (since PAN) of the zip wire, MTB pump track, kicker jump and tubing slides all of which will encourage additional noise.

States "Public access will be marginally reduced from 19.58ha to 18.66ha from the approved plans for the country park", whereas in relation to approved plans additional proposed car parking exceeds 1ha, the areas set aside for luxury lodges is in the region of 1.25ha to say nothing of the MTB track, glamping pods and fire pit area, and space taken up with the kicker jump, zip wire, buildings and other attractions.

States "14 moorings have been added to the masterplan, which provides scope for boats as an additional mode of transport to access the site". It is considered that a significant length of canal bank, (up to 140 metres) will be required for this number of moorings. Moored boats over such a length without adjacent widening of the canal will impede passing vessels insofar that the canal has insufficient width to accommodate two vessels passing in opposite directions alongside moored boats.

TRANSPORT ASSESSMENT

States "The Union Canal path is designated as Sustrans Regional Route 754, providing traffic-free access (for Cyclists) directly from the site" whereas the canal path lies on the north side of the canal, requiring cyclists to climb 7m to access the EICA before crossing the canal via the access road bridge.

Clauses 2.3.2 and 2.3.3 (Facilities for Cyclists) are self-contradictory. The B7030 is the only part of the local road network providing cycle access to the site entrance and is subject to frequent heavy goods traffic to and from the Newbridge Industrial estates in addition to heavy peak time commuting traffic. It does not provide, as stated "a favourable cycling environment".

States "Edinburgh Park Station which is approximately 5.5km to the west of the site", whereas this station is to the east of the site.

States "The results of the (isochrones) assessment are illustrated in Figure 3-2". We find fig 3-2 to be misleading insofar that agricultural land with no public access immediately to the west and south of the site are shown as within 0 - 15 minutes walking distance. Generally the diagram does not appear to take into full account areas of restricted entry for public access on foot that surround the site and the extended routes required to accommodate same.

States "the extensive network of cycle facilities within the vicinity of the site will encourage .travel to and from the site by cycle, and provides good opportunity for users to journey to the site using multi-modal travel." We consider the "extensive network within the vicinity of the site" to be limited to the Union Canal Towpath offering only limited opportunity for "multi-modal" travel.

States: "It is expected that the Proposed Development will periodically hold special events which will likely require additional parking to that provided for general day to day operation. It is proposed that an overspill car park will be provided either on-site or on land under control of Tartan Leisure." We consider this to be a matter of concern insofar that we understand that Tartan Leisure has no land under their control. We further consider the full intention and nature of potential proposed "events" should be determined at this stage so that adequate consideration may be given to the provision of additional facilities, if any, required both on and off site so as to allow a complete assessment of this application.

States "The site is reasonably well located to facilitate access by sustainable modes. With the potential rerouting of the number 20 bus service, this will be further enhanced and the site will have an excellent opportunity for access by cycle and multi-modal journeys" We consider access by bus will inevitably require multi modal journeys that will be least attractive to visitors. We consider that in reality the facility will be only reasonably be accessed by car and a proportion of cyclists, and it is disingenuous to suggest otherwise.

States 225 spaces will be provided for car parking: It is noted from the Planning Supporting Statement that "Gator' vehicles will be the only other form of vehicle permitted within the country park, outside of the car park", and that visitors accessing the Luxury Lodges and Camping Pods will be transferred to their accommodation from the car park. The car parking assessment does not appear to address the situation of a possible total of 91 accommodation units in use at peak times, with all these residential visitors' vehicles parked in the car park in excess of those of normal daily visitors.

States "After considering the access requirements the TA has estimated the vehicular traffic flows ... has found that the impact of the increase in traffic resulting from the Proposed Development will be negligible. The Proposed Development is not predicted to result in a significant detriment to existing users of the transport network."

The report indicates (Appendix E) that at peak times during high season traffic on the B7030 approaches from the north and south will increase by approximately 16% and 35% respectively. Traffic on the EICA access road will increase by approximately 70%. These figures are hardly "negligible" but are recognised as probably being within the capacity of the existing B7030 saving improvements required to junctions and signage. It is noted that the B7030 between Wilkieston Road and Bonnington road is in poor condition and is too narrow to accommodate two passing heavy goods vehicles requiring accommodation works to render it safe.

Similarly it is questioned whether the existing EICA access road, initially constructed as a private road, meets relevant current design standards for potential intended use both in construction and operation phases in conjunction with ongoing use to access the EICA facility.

ENVIRONMENTAL STATEMENT

States "The noise environment at the Study Area is influenced by quarry activity (at the adjacent Bonnington Quarry)" whereas Bonnington Quarry has been dormant for several years.

States "There are no known electricity transmission cables, gas mains or underground telecommunications services situated within the Study Area", whereas there is a power supply to the existing agricultural/maintenance building accessed from Wilkieston Road.

States "Potentially Sensitive Receptors within and adjacent to the Study Area are identified in Figure 1-6 below." It is noted that potential sensitive receptors to noise, dust and air pollution at Bonnington Mains Farm, and the community of Bonnington Cottages have been excluded in the assessments. It is considered the assessment should be reviewed with these receptors included.

States "The scale of the Proposed Development will result in a negligible increase in the number of vehicle movements across the study network", whereas, the Transport Assessment concludes that vehicle movements on the B7030 will increase by up to 35%, and up to 70% on the EICA access road.

States "The type of development proposed will generate significantly less HGV traffic during the construction and operational phases than that of the original use of the site", This statement is considered meaningless as traffic associated with the original use of the site ceased many years ago, though the ongoing infilling to form the country park has resulted in continuing HGV traffic on Wilkieston Road over the past several years. It is noted that access for construction of the proposed facility will be from the B7030 via the EICA access road. This being the case, whilst it is considered there will be little change to traffic on the B7030, traffic on Wilkieston Road will be reduced, and will be welcomed by the Community Council.

States: "As such, there is no potential for significant environmental impacts in relation to Accidents and Safety" whereas the traffic assessment has considers the accident record at the junction of the B7030 and EICA access road and recommended material improvements related to safety.

States: "there is no potential for significant environmental impacts on nearby sensitive receptors in relation to waste. Therefore, further consideration of Waste is scoped out from the EIA", whereas Cove water will be continually treated to "swimming bath standards". There is no consideration of potential overspill of treated water or treatment chemicals etc., into the natural drainage and Union Canal which we believe should be included in the assessments.

States: "effects related to lighting are not considered to be significant", whereas operating hours over the full season will include 117 days in which sunset will occur prior to closure of the facility, with a maximum period of up to 3½ between sunset and closure. We consider that extensive floodlighting will be obligatory in order for the facility to function safely and as such an important assessment of the impact of this is missing from the application.

States: all operational phase traffic will be directed to use the B7030, which does not run through any residential areas (and therefore avoids receptors sensitive to pollutant emissions), before dispersing onto the M8, M9, A8, A89 and A71). It is noted that the B7030 (as Bonnington Road) runs through the residential area of Wilkieston passing residential property and a day nursery, and also passes immediately adjacent properties, namely Wilkieston Manse, 17 Bonnington, and Bonnington Cottage, in addition to being in close proximity to the hamlet of Bonnington Cottages. As such the Environmental Statement is lacking in a full assessment of air quality impact.

States: "There are no residential properties located to the north, west or south of the Site" which ignores the existence of Bonnington Mains Farm and Lodge, Bonnington Cottage (on the B7030) and the hamlet of Bonnington.

The Design Statement notes that "Craigpark Quarry is an uncontaminated brownfield site". Significant quantities of material have been imported to the site over the past several years under seemingly ad hoc arrangements, and whereas bulk filling may appear to have been carried out with inert waste from other quarry activities in the area, tipping from skip hire wagons has been noted on occasion together with the early morning burning of waste. In respect of the Environmental Statement we consider it pertinent that the potential risk of pollution from contaminates be at least considered in the assessment.

In addition we note the supporting documentation appears silent on the following issues:

WATER and POWER SUPPLIES

From a preliminary estimate based on evaporation rates from standing open water, exacerbated by frequent wave disturbance, it is believed that the facility will place a high demand on water supplies to maintain operational status. The site has no natural water source other than rain water run-off, yet we find it disturbing that the application makes no reference to this vital service requirement, or the potential impact on local supplies.

Furthermore, the power input required to "move over 30 tonnes of waterat over 6 metres per second. .every 8 seconds" must be substantial, yet again there is no reference to this requirement in the supporting documentation. We consider that both these issues should be included in an amended Environmental Impact Assessment for completeness of the application, in particular in relation to associated carbon footprint and sustainable energy sources.

In passing, and noting seemingly favourable comparisons elsewhere with Surf Snowdonia, that facility's power is supplied by a dedicated hydro-electric station which also provides a unique water supply that is supported by a fall back supply from Welsh Water via a dedicated pipeline from a local pumping station.

ECONOMIC INCOME ASSESSMENT

States: "It will generate +155,000 additional tourism trips and +£8.821 million annual on and off site tourism expenditure. Whilst this assessment is based on anticipated income of £5.15m at the facility and a further £3.67m from additional tourism in Edinburgh, it is noted that these figures appear to represent gross turnover. True benefit to the local economy may only be represented by increased tax revenues directly to the local Authorities. Whilst a significant portion of the gross turnover may attract VAT, this is payable directly to HMRC, and any income or corporation tax on the net profits does not directly benefit the local economy. As potential local customers only have so much to spend there can be no assessment of how much of the assessed income will actually be diverted from other recreational pursuits, and the only true benefit to the economy will be spending by incoming tourists visiting solely to use the facility giving rise to a much reduced, and indeterminate figure at this time.

SUMMARY

As noted previously, Ratho & District Community Council has no disagreement in principle with the concept of a country park incorporating water sport and training facilities but has noted objections in relation to

- o Omission of Full Intended Scope at PAN Consultation,*
- o Noise,*
- o Traffic,*
- o Off-site car parking,*
- o Loss of Expected Amenity.*
- o Lighting,*
- o Proposed canal moorings, and*
- o Special events*

We have outlined anomalies and perceived omissions within the supporting documentation that we consider need to be addressed.

Furthermore, in order to mitigate the impact of the proposed facility upon the local Community we consider that should the Council be minded to grant consent to these proposals, the Community Council would wish to be satisfied that the following obligations are placed upon the developer.

- o The maintenance in perpetuity of all pre-existing conditions associated with consents associated with the Public Park together with an embargo on any further expansion of the leisure facility, saving by permission of the City of Edinburgh Council and further planning consent.*
- o Given that Tartan Leisure, being in existence only since 2014, and appearing to have no significant assets, together with the historic financial collapse of the similar leisure venture that is now the Edinburgh International Climbing Arena, then a requirement should be placed upon the developer in the form of a bond or other such instrument, covering all costs associated with reinstatement of the areas of the Public Park should the venture collapse.*
- o The junction of the existing access to the EICA from the B7030 should be improved as recommended within the Transport Assessment.*

- o Given the perceived increase in traffic on the B7030 then a Section 75 contribution should be sought for the whole costs associated with improving the B7030 between Wilkieston Road and Wilkieston, namely increasing the carriageway to a safe working width, together with resurfacing the carriageway that is presently in a wholly unsatisfactory condition.
- o Saving immediate access to the Site Managers Office/Residence and the adjacent "Agricultural" building, there shall be no public vehicular or pedestrian access from the Wilkieston Road. We consider that a failure to address this concern will inevitably lead to car parking along the Wilkieston Road by dog walkers and the like to access the Public Park.
- o All special events should require, on an individual basis, licence from the City of Edinburgh Council such that the Council and the local residents may be sure of no adverse impact in terms of noise, car parking and pollution ensues.

In view of the complexity of these issues, together with concerns relating to outstanding Consents outlined above we would be pleased, should you so wish, to meet with you to discuss these further with a view to a clearer understanding of the application.

Ratho + District Community Council further comment

We refer to your letter of 20th November 2017 notifying an additional period for comment on the application referenced above and in relation to additional information provided by the Proposer since the initial application in May of this year, namely the proposer's letter of 10th November 2017 - "Justification for Lodge Accommodation" together with modified and additional new drawings.

As stated previously in our letter of 19 July 2017, Ratho & District Community Council has no disagreement in principle with the concept of a country park incorporating water sport and training facilities (Wavegarden) at the above site, but the material issues in the submitted application together with our objections so brought to your attention at that time remain.

Ratho and District Community Council convened a Public Meeting held on 4th December 2017 attended by 42 persons, and as a result has the following objections and comments in respect of new information arising since the Application:

Justification for Lodge Accommodation:

As previously noted the concept of Luxury Lodge Accommodation was not included for consultation at PAN stage early in 2017 but only appeared within the full application in May 2017. Our understanding from this document of "Justification", and as confirmed by Tartan Leisure during the open meeting of 4th December 2017, is that the lodges will be offered for private sale and/or lease arrangements.

Such a position is indicated by statements within the document as quoted here:

- o *"always viewed them as an organic addition to our business plan"*
- o *"now clear that they are a an integral foundation for our success"*
- o *"The provision of lodges onsite has now become an important part of our business plan..."*

o *"The foundations for these alternative social, sporting and economic plans have taken years to create and will fall apart of lodges are not now included. This was not the case twelve months ago, but is now."*

This being the case we consider that the overriding reasoning for justification is based wholly on commercial gain and has no basis for acceptance for planning consent. Furthermore present Conditions governing the development of the Public Park under consented applications prohibit the sale or lease of any part of the Public Park area without the specific consent of the City of Edinburgh Council.

Drawing Ref: 17_02471_FUL-21__PROPOSED_PHASING-3774575

It is noted the drawing indicates two stages of construction for the proposals, namely:

Phase 1 indicating the "Country Park" to be constructed to the currently consented scheme, and open to the public in 2018, with "Alterations/enhancements to the phase 1 areas, proposed in this application, ...implemented within the operational constraints of public access to these areas", and:

Phase 2 indicating the "Area of construction works to facilitate this application and Wavegarden operational footprint."

It is noted that the Phase 1 works include fourteen mooring berths on the Union Canal though the proposals appear devoid of any information as to what will be provided and remain silent as to whether berths would be provided for seasonal use and/or live aboard as presently promoted across the whole lowland canal system by Scottish Canals. We are advised that significant works would be required to provide berths at this location to say nothing of ancillary facilities required to provide fresh water, power, and disposal points for grey and black water necessary at useful berths.

Secondly, the areas shown within the Phase 1 zone and designated for the provision of luxury lodges (for which full planning permission is not requested at this time) will require significant additional works to provide foundations, together with access roads, and water, drainage and power services. This will inevitably lead to significant further disruption of the completed Public Park.

As such it is considered that these areas of proposed development will necessarily need to be incorporated into Phase 2.

It is noted that at this time:

o *The existing consent for the Public Park (13/02527/FUL), itself a material variation to planning permission Ref; 05/01229/FUL, requires under Legal Agreement that the Proprietors shall be obliged to complete the Public Park Works in full and to the reasonable satisfaction of the Council on or before 30 June 2018.*

o *A further application for a material variation (15/05021/FUL - Re-shaping of slope profiles and water bodies, alterations to proposed footpath network and proposed landscape scheme - material variation to consent 05/01229/FUL) as yet remains to be granted, pending a Legal Agreement, more than two years since the application was lodged.*

o Whilst the latter application refers to "re-shaping profiles" in essence the proposed general layout of footpaths within the Public Park remain as consented against 05/01229/FUL.

o Drawing 17_02471_FUL-21__PROPOSED_PHASING-3774575 indicates extensive additional footpaths within "Phase 1" of the Public Park Layout, together with access ways to proposed lodge accommodation that are not a part of the presently consented works to the Public Park that are to be completed by June 2018.

This being the case it would appear that the proposals are at variance with the understanding that the Public Park would be open in its entirety to unfettered Public access during daylight hours from June 2018 insofar that considerable disruption to the Public Park will occur beyond the required completion date of June 2018.

Furthermore it is noted that the provision of the Public Park and its subsequent maintenance in perpetuity is incumbent upon the "Proprietor", namely Alex Brewster and Sons, and is not within the remit of Tartan Leisure to whom, under the present Consent Agreements, the entire Public Park will be required to be conveyed either by lease or sale and with the consent of the City of Edinburgh Council should this application be granted. It is further noted that in so passing to Tartan Leisure obligations for maintenance in perpetuity will pass to a body of limited liability.

It is noted that the initial Planning Permission (05/01229/FUL) eventually consented in August 2009 allowed for housing development on a limited area of the whole quarry lands on the basis of the restoration of the redundant quarry to provide a Public Park for unfettered use by the community and public at large during daylight hours, to be maintained in perpetuity by the Developer, Alex Brewster and Sons. At that time this consent raised the prospect of the Park being available to the community within a reasonable period, given the significant restrictions on house building conditional upon the completion of the Public Park.

Should permission now be granted for the proposed application 17/0247/FUL, it is considered that a further significant delay in access for the community to the Public Park will be incurred, whilst at the same time house building approaches completion, in total conflict with the basic principles of the original consent.

Further Information

Access

A further drawing has been posted in the Public Domain on social media by the Proposer, namely Tartan Leisure Drawing 14048_L_107 "Area Breakdown" as amended on 5th December 2017 following the Public meeting on the previous day. The drawing indicates five annotated areas, with percentage areas quoted as parts of the overall park, these being:

- | | | |
|---|---|-------|
| o | The Total Country Park Boundary | 100% |
| o | Country Park with free public access dawn - dusk | 77.6% |
| o | Free entry area during Wavegarden Operational Hours | 9.7% |
| o | Facilities with Paid use/entry | 11.1% |
| o | Maintenance Facility | 1.6% |

The following points are noted as requiring clarification:

- o Both sets of camping pods are located in the area designated for "free entry area during Wavegarden Operational Hours".*
- o The luxury lodges are annotated individually as "Facilities with Paid use/entry", but are wholly surrounded by the "Country Park with free public access dawn - dusk".*
- o Operational hours for the Wavegarden have been proposed as from 10 a.m. till 9.00 p.m., extending beyond dusk for a significant part of the year.*
- o It is understood that other than access from the EICA Access road to and from the carpark NO vehicular access will be permitted within the WHOLE facility.*
- o Consequently it would appear that visitors resident in the camping pods, luxury lodges or canal side berths will be unable to access the carpark to leave or return to the facilities after dusk when access to the Country Park is not permitted.*

Irrespective of the above, the issue of access to the Public Park and the WaveGarden facilities was raised by local residents at the open meeting of 4th December 2017. On the basis of responses from representatives of Tartan Leisure it is understood that other than limited access from the Wilkieston Road to the "Maintenance Facility" (consisting solely of an Agricultural Building and Manager's Residence and annotated on drawing 14048_L_107 referenced above) there will be NO vehicular access to the Public Park and all associated facilities both during and after construction, other than from the EICA access road.

It is further understood that access within the Public Park and all associated facilities will be suitable for the disabled.

Loss of Amenity

With respect to quoted percentage areas it is inferred that 77.6% of the whole will remain as Country Park. However it is believed that in quoting this figure no consideration has been given to the loss of general amenity and access that will occur in areas surrounding accommodation and other facilities for the Wave Garden. Consequently, from information to hand we challenge the validity of this statement insofar that the entire area of the Public Park as originally planned will be reduced further by approximately 15% to 62% as follows:

- o 4% taken with additional car parking*
- o 1.7% dedicated to the proposed mountain bike track*
- o 1.5% taken with proposed tubes and snowboard jump*
- o 2.7% taken with proposed camping pods*
- o 5% taken with luxury lodges*

Drawing 17_02471_FUL-19__HYBRID_DEFINITION (FUL/PPP)-3774578

The drawing indicates significant parts of the proposed development, including all buildings, the proposed zip wire, snowboard kicker jump, tubes, camping pods and luxury lodges are submitted for Permission in Principle only.

Given the significant additions to the proposal since PAN stage, together with the Proposers statement that "The whole project has been a moving feast from day 1" (page 2 of Justification for Lodge Accommodation) it is considered that the proposals as they stand are insufficient as a whole to allow adequate appraisal and consideration for consent. It is a significant concern that should consent be granted at this time without confirmation of full scope and details, then the community at large will be unable to comment on the development as a whole, given the overall impact on the expectations of the originally proposed and consented Public Park.

Furthermore the application remains silent on fundamental key issues including:

- o Noise - apparently dis-regarded at this time with the view that noise impact will be assessed at some later stage of development,*
- o Lighting pollution - implied as of no significance on the assumption of limited low level pathway lighting that clearly has not been considered in relation to health and safety of proposed waterborne activities during hours of darkness,*
- o Supporting technical data relating in particular to perceived significant demands for power and water supplies which are not considered within the Environmental Impact Assessment, and, as noted at the Public Meeting of 4th December 2017*
- o Landscape and Habitat Management, particularly in respect of the impact on existing wildlife within the reservation of much of the total area within a fenced zone for the Phase 2 Area of Construction.*

It is therefore our position that it is in the public interest that the Proposer should re-consider the application and submit all relevant information as necessary under a new application to allow full consideration of the whole development at this time.

In view of the complexity of these issues, together with concerns relating to outstanding Consents outlined above we would be pleased, should you so wish, to meet with you to discuss these further with a view to a clearer understanding of the application.

Edinburgh Airport comment

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:

- o monitoring of any standing water within the site temporary or permanent*
- o 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>).*
- o 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*
- o reinstatement of grass areas*

- o maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
- o which waste materials can be brought on to the site/what if any exceptions e.g. green waste
- o monitoring of waste imports (although this may be covered by the site licence)
- o physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
- o 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, rooks and any communal roosts of starlings, woodpigeons, and corvids to nest, roost or loaf on the site, this includes buildings and trees. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gulls, rooks, starlings, woodpigeons and any corvid activity must be monitored on the site and all roofs checked regularly to ensure that these do not utilise the roof. Any of these birds 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:

- o Attenuation times
- o Profiles & dimensions of water bodies
- o 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.

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/operations-safety/>)

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.

Edinburgh Airport further comment

Edinburgh Airport has no objections to the revised drawings (09/11 and 15/11), however our conditions remain the same on our previous response (EDI2649).

SEPA comment

Advice for the planning authority

We have no objection to this planning application, but please note the advice provided below.

We responded on 29 May 2017 (our reference PCS/152967) to consultation on the scope of the EIA. The advice in this letter on groundwater, drainage and waste arisings should be taken into account in consideration of this letter. Below is our detailed advice on flood risk.

1. Flood Risk

1.1 We have no objection to the proposed development on flood risk grounds. Notwithstanding this we expect the City of Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority.

1.2 The application is for a large outdoor leisure complex which includes tourism accommodation, retail and food and drink facilities at Craigpark Quarry in Ratho.

1.3 Review of the SEPA flood hazard map shows that parts of the development site are at risk of surface water flooding during the 0.5% annual probability flood event. This is due to the low lying nature of old mine workings. The surface water flood map also shows flood risk along the small watercourse which is present along the northern boundary. Due to the small catchment area of this small watercourse, the associated fluvial flood risk has not been modelled within the SEPA flood hazard maps: the surface water map, however, provides a proxy of the risk of fluvial flooding.

1.4 The small unnamed watercourse risk of flooding has been assessed using the mannings equation. It has been estimated to have a carrying capacity of 1.77m³/s which is in excess of the 0.5% AP flow which is 1.2m³/s. We would highlight that no information has been provided on the culvert into which the small unnamed watercourse enters. Culverts can be a source of increased flood risk due to limited capacity and also in the event that the culvert became blocked. A review of the masterplan, however, identifies that no built or habitable accommodation is proposed within the vicinity of the culvert and that this area will solely be used for car parking. As a result, we do not object to the proposed development.

1.5 When producing more detailed design of the wavegarden, the applicant has to ensure groundwater levels are fully understood to inform design. If continuous pumping of groundwater is required as part of this development, the discharge of the ground water should be taken into account when determining runoff rates. One important aspect of this development is to ensure that runoff rates from the development are controlled and released at greenfield rates. We note that the surface water will be discharged into the Union Canal and agreement has to be sought with Scottish Canals on the appropriate discharge rate.

1.6 For information, the FRA makes reference to PAN 69. This was superseded by the "Online Planning Advice on Flood Risk" in June 2015 (<http://www.gov.scot/Topics/Built-Environment/planning/Policy/Subject-Policies/natural-resilient-place/Flood-Drainage/Floodrisk-advice>)

Caveats & Additional Information for Applicant

1.7 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit http://www.sepa.org.uk/flooding/flood_maps.aspx.

1.8 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to the City of Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from www.sepa.org.uk/planning/flood_risk.aspx.

Roads Authority Issues

We would request that the application should be continued in order for the applicant to provide further information/justification.

Reasons:

1. The applicant's Transport Assessment makes the following statements:

At Paragraph 3.2.2, "The Union Canal path borders the northern boundary of the site providing traffic-free access to the village of Ratho and many destinations beyond. It is proposed to provide a connection to the canal path, providing a direct link from within the site via an internal traffic free footpath network."

At Paragraph 3.2.5, "There are existing plans in place, to upgrade the existing facilities for crossing the Union Canal in the vicinity of the Proposed Development and the EICA. The proposals for the bridge are currently being assessed by an independent external consultancy in conjunction with the CEC. Although the bridge proposals are separate from the Wavegarden planning application, Tartan Leisure consider this essential for providing cross visitation opportunities for both developments and improved access to the wider Ratho area."

These are contradictory and we would therefore seek clarification on what the applicant's intentions are in regard to providing a connection with the Union Canal Towpath (NCN 754)

2. We seek clarification in regard to the conclusion (or otherwise) of discussions with Lothian Buses and CEC Public Transport team in respect of the alteration/extension of the Service 20 route. However, we note from the email correspondence that the Service 20 may potentially be extended into the CALA Craigpark development site. Notwithstanding this, the delivery of the proposed footpath links within the development site and the adjoining residential development will be key in achieving the walking distances to PT services reported in the Transport Assessment.

3. We acknowledge correct reference to CEC, "Parking Standards for Development Management, December 2009." The proposed development uses require the parking provision to be "assessed individually." The Transport Assessment report states that Table 3-1 of said report, "summarises the car parking and cycle parking standards which will be appropriate for the Proposed Development," yet at Table 3-2 only provides a summary of the proposed vehicular parking provision. We would therefore seek confirmation of the proposed cycle parking provision.

Furthermore, paragraph 3.6.5 states, "in line with the above standards, the parking provision for the Proposed Development has been based on information provided following the site specific feasibility study undertaken by Colliers International and parking provision from other inland surf facilities in the UK." The proposed vehicular parking provision consists of 225 car (which will include 5% suitable for disabled use), 5 coach and 9 mini-bus parking spaces, as summarised in Table 3-2 of the report.

The Colliers' Planning Supporting Statement report states (Section 4.3.3), "due to the unique nature of the proposal, it is necessary that it is assessed individually for its requirements. The applicant has assessed the level of parking provided based upon the experience of Surf Snowdonia. Justification for the number of car parking space is contained within the Transport Assessment." No such justification is provided in Transport Assessment. In a later part of the Colliers' Statement report it states (Section 5.5), "The level of car parking proposed has taken cognisance of CEC's Parking Standards and has been based on information provided following the site specific feasibility study undertaken and parking provision from other inland surf facilities in the UK." However, no further information is provided.

Consequently the proposed parking provision cannot be adequately assessed or commented upon.

4. The development trip generation uses information from the Colliers' feasibility study in regard to the expected visitor numbers using the various uses on site. This appears to be a reasonable methodology.

It is noted that the development is unlikely to operate during the winter months of December to February, inclusive and therefore usage is concentrated over 9 months of the year and split into two business seasons - Mid and High. According to the Transport Assessment during the mid-season there are 111 weekdays (non-holiday Monday - Friday), and 72 weekends (Saturday - Sunday) and holidays (public holiday Monday, assumed). During high-season there are 31 weekdays (non-holiday Monday - Friday), and 61 weekends (Saturday - Sunday) and holidays (public holiday Monday, assumed).

Apportionment of the expected visitor numbers by the number of day types in each season does not replicate the summary Table 4-2 of the Transport Assessment where the visitor numbers for this type of development a clearly weighted towards weekends and holidays as may reasonably be expected. We would however request additional information from the applicant in this regard.

We note that trips to the proposed development are expected to be made outwith the weekday morning commuting peak. It is stated that there is the potential for a "significant" number of pass-by type trips (i.e. not "new") during the evening peak, although not quantified. Travel to and from the site is expected to be governed by a large number of visitors to the proposed development being family groups or part of other pre-booked groups; with larger groups travelling by mini-bus or coaches, and will therefore reduce the number of vehicle movements.

The predicted vehicle trips calculated from the data presented is on the basis of the methodology used by others for the Transport Statement supporting the planning application for what is now Surf Snowdonia, which assumes that visitors travel by car with an average vehicle occupancy of 2 people. A sensitivity test using an average car occupancy of 1.5 people is also provided. We note it is stated that this scenario is highly unlikely to occur in practice given the large number of pre-booked groups. The calculation of an average hourly vehicle trip arrival departure is arithmetically correct. However, it would be useful to understand from experience at Surf Snowdonia - visitor profiles, activities booked at different parts of the day (e.g. free surf, instructed groups and other activities) etc to build up a potential trip profile aligned to the scale of proposed development at Craigpark for comparison. We would anticipate the busiest period for this type of development would potentially be the evening commuter peak or early evening in the lead up to closing time which is not reflected by the use of an average hour.

Roads Authority Issues

The application should be approved subject to the following being included as conditions or informatives as appropriate:

1. The applicant will be required to:

a. Contribute the sum of £444,698 towards the provision of a pedestrian and cycle bridge over the Union Canal and link with the Union Canal Towpath (National Cycle Route 754). The sum to be indexed as appropriate and the use period to be 10 years from date of payment;

b. Contribute the sum of £2,000 (per order) to progress a suitable order to introduce waiting and loading restrictions as necessary;

2. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

3. A signing strategy to be developed and submitted for approval by the Council in respect to the public road network to ensure the use of the main strategic/principal road network is exploited for access to the development to minimise use of more sensitive local routes through Ratho and Wilkieston. Separate approvals will be required from the trunk road authority. All costs associated with the implementation of an approved signing strategy to be met by the applicant;

4. Parking to be provided generally in accordance with the approved planning drawings inclusive of disabled spaces which will constitute 8% of the total provision - 239 car parking spaces, 9 minibus parking spaces and 5 coach parking spaces. No overspill parking onto the public road network will be permitted;

5. Parking for a minimum of 58 cyclists (inclusive of both employees and visitors) to be provided. This requirement should be reviewed on a regular basis or as part of ongoing monitoring and review of the development's Travel Plan with additional parking provided to cater for demand. General cycle storage (short stay) should be covered and secure, located adjacent to the main entrances of the public buildings. Cycle parking for employees (long stay) should comprise secure, covered cycle storage situated close to the building(s) but preferably out of sight of the general public;

6. A parking management strategy to be developed and submitted for approval by the Council. In association with this a proposal for monitoring the use of the car park to be developed and submitted to the Council for approval. The approved monitoring regime to be implemented for a period of 24 months from the opening of the development. All costs associated with the implementation of the management and monitoring of the car park to be met by the applicant;

7. The layout of the access to the proposed development to be generally in accordance with the approved planning drawings;

8. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;

9. Access to the lodge accommodation from Wilkieston Road to be limited to maintenance and service vehicles only;

10. Footpath and cyclepath connections from the development to the external networks to be provided generally in accordance with the approved planning drawings with specific connections to Hallcroft Park and the Cala Craigpark development where existing public transport connections are available;

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

12. *Electric vehicle charging infrastructure to be provided at a rate of 1 in every 6 standard car parking spaces. Slower chargers for long stay purposes should be served with 7Kw chargers with 70 or 50kW (125 Amp) DC with 43kW (63 Amp) AC unit made available for at least 10% of the total spaces provided. 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.*

Note:

1. *Whilst the applicant argues that the Craigpark site is accessible by all modes there are recognisable deficiencies. For example, barrier free access to the NCR754 Union Canal Towpath for cyclists is at present 1 mile away via Clifton Road or 2.5 miles via Ratho Village and the Bridge Inn, with the latter distance potentially reduced by the internal path network proposed as part of the development. It is noted that the applicant proposes to link their internal foot and cycle path network to the existing 1.5m wide footway on the eastern side of the bridge crossing of the canal to the EICA facility - this is not considered acceptable. Monies were secured, by way of s75 Agreement, as part of the original consent for a country park and [Cala] residential development on this site for the provision of a bridge connection and wheel ramp to the NCR754. A significant proportion (78%) of the new development proposals remains as country park use but the updated proposals are an intensification of use. This connection is considered as absolutely necessary to ensure that the proposed development site is accessible by all modes. Further work into the alignment, design and costs associated with the construction of this crossing and connection to the existing canal towpath has been carried out by the CEC and this has been used to inform the relevant condition above. Estimated cost: £544,698. Contribution from consent of 05/01229/FUL £100,000. Remaining balance £444,698;*

2. *The Council's current parking standards do not provide clear guidance on non-standard (sui generis) development land uses such as those proposed. The applicant has used the experiences of a similar development - Surf Snowdonia, Dolgarrog, Conwy, North Wales - which is now operational. It is noted that Dolgarrog lies on the edge of the Snowdonia National Park area. In respect to the proposals, there are differences between the two developments. The Craigpark proposals include an open country park which constitutes approximately 78% of the site, by the applicant's own measure, and there is provision of overnight accommodation which exceeds that at the Surf Snowdonia site. Surf Snowdonia's approved planning drawings show 275 car parking spaces associated with the surf centre, ancillary retail, soft play, water obstacle course, camping pods / pitches, and food and beverage offer; with an adjacent hardstanding area within the site for overflow/ event parking. The overnight accommodation which fronts the surf lagoon at Surf Snowdonia is served by a separate access and car parking area;*

3. The applicant's transport consultant has stated that the "the [Surf Snowdonia] operators have confirmed that the site can accommodate 200+ cars, and have advised that this level of parking is sufficient for the number of visitors to the development." It is argued by the applicant's consultant that the differences between the two developments in terms of leisure/ancillary offer and additionally given poorer sustainable transport links, and the location of Surf Snowdonia in respect to the National Park mean that the visitor profiles are quite different with passing inquisitive tourists adding to the visitor numbers. However, no quantitative data has been provided by the applicant as it is advised that this would be commercially sensitive;

4. The development proposal for Craigpark Quarry provides a lower level of parking provision than at Surf Snowdonia, and has no such on-site overspill "buffer." It is understood that the applicant is considering 3 potential off-site locations for overspill parking, the specific locations of which is commercially sensitive and therefore cannot be divulged. However, it has been indicated that the sites are within the control of the applicant. No preferred option has been identified. Irrespective of the chosen site, the off-site nature will make it necessary to provide for visitor transfer to the main site;

5. The proposed 225 car spaces comprises the following allocations: 157 spaces for the surf lagoon, 68 spaces for general use of the country park both inclusive of disabled spaces. In addition to this, 5 coach spaces and 9 minibus spaces, 3 motorhome spaces and 4 campervan pitches are proposed. It is considered by the applicant that the proposed provision is deemed appropriate. Unfortunately, no quantitative data has been provided as justification. It is also considered by the applicant that overspill parking will only be required to cater for special events. In response to consultation responses the applicant has committed to remove the proposed motorhome spaces and campervan pitches, with 14 additional car parking spaces being generated. Resulting is a total of 239 car parking spaces. No specific parking provision has been proposed for the overnight accommodation component of the development;

6. As noted, the proposed development is considered *sui generis* in terms of the council's current parking standards with no specific development user class attributable to the proposed use. This council is not alone in this respect. Consequently, it is difficult to determine with certainty a quantity of car parking which would strike the correct balance between prevention of antisocial parking on the external road network and encouraging the use of more sustainable modes of travel to the site. On balance it is considered that the proposed provision is acceptable on condition of an approved parking management strategy and associated monitoring programme;

7. A staff travel plan framework has been submitted as part of the Transport Assessment report which contains initiatives and measures to promote travel to and from the development by modes other than the private car;

8. Vehicle trip generation by the proposed development has been based on the predicted visitors used in the applicant's business/economic case for their proposals. This is considered a reasonable approach given its unique nature. The nature of the development means that peak arrivals/departures will not in general coincide with the external road network commuter peaks. Any coincidence will be limited to the evening peak. The main peak activity will be isolated to weekends when external road network traffic flows are lower. During peak season activity - school, and in particular, summer holidays - the external road network traffic flows are also typically lower than at other times of the year. Access to the surf facilities is understood to be predominantly facilitated by pre-booked sessions, either as large group, multiple smaller groups or individuals. Therefore, access with exception of the ancillary uses can be controlled to a certain degree. The assessment of the external road network junctions predicted to be impacted by the trips generated by the proposals are still expected to operate within their practical capacity with no appreciable erosion in capacity or increase in delay;

9. The applicant's transport consultant has prepared an indicative access signing strategy as part of the TA report. It is noted that the indicative signing strategy includes the use of the A71 through Wilkieston village and Bonnington Road/Cliftonhall Road. It is expected that this route will be used by visitors from the local areas e.g. Currie, Balerno, Livingston, (The) Calder's etc. It should not be signposted as a suitable route from the much wider catchment or arrivals from the strategic road network such as the M8 / M9 or A720 Edinburgh City Bypass. Consequently, this outline strategy is not approved;

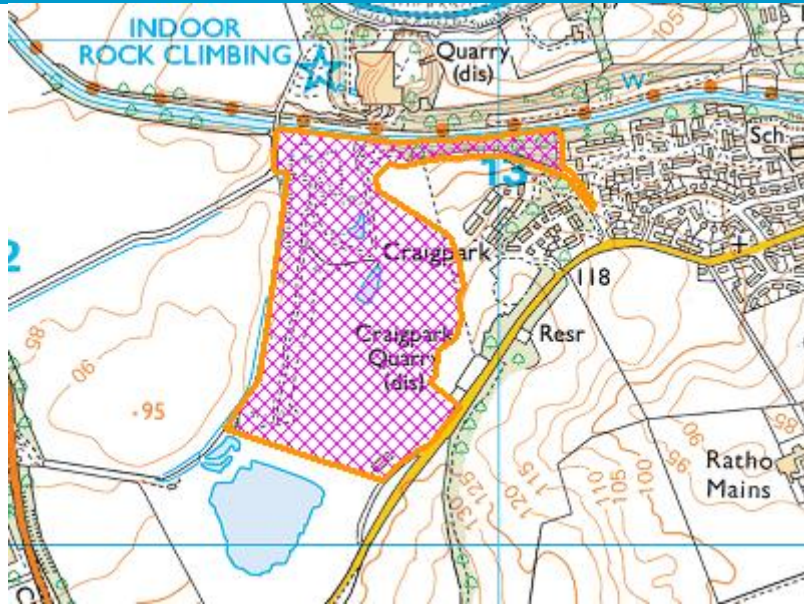
10. Access to the development is proposed from the road serving Edinburgh International Climbing Arena by formalising what is currently a gated access to the quarry site as an access junction. Whilst not adopted the access is classed as a road under the R(S)A 1980. This will provide access to the main car park serving all of the proposed facilities including overnight accommodation. Refuse collection for the whole development will be undertaken from the main access and carpark. The applicant has confirmed that a 12m long Refuse Collection Vehicle would be able to negotiate the internal layout and collect the refuse in forward gear;

11. It has been advised by the applicant's consultant that the existing access on Wilkieston Road serving a consented development for an agricultural storage building and manager's office (14/02128/FUL) associated with the extant consent for a country park and housing development (05/01229/FUL) will be provide access to the former buildings. Vehicles using this access will be limited to service vehicles including, "cleaning / laundry vans etc. and park maintenance vehicles." Furthermore, "access will not be permitted at this location for any visitors to the Proposed Development, or those people staying on-site in the lodges or camping pods." However, it is not clear from the applicant's submission how this will be controlled nor whether it can be effectively controlled.

Transport Scotland

No concern about potential impact of the proposed development on the trunk road, no statutory requirement for Transport Scotland to be consulted on the application.

Location Plan



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