

Development Management Sub Committee

Wednesday 29 August 2018

Application for Approval of Matters Specified in Conditions 18/00508/AMC

At Land 447 Metres Northeast Of 545, Old Dalkeith Road, Edinburgh

Application for Approval of Matters specified in Conditions 1 and 6 of Planning Permission in Principle 14/01057/PPP (Appeal Reference PPA-230-2131) - residential development, Ancillary Uses and Associated Development on Land 447 Metres Northeast of 545 Old Dalkeith Road Edinburgh.

Item number	7.3
Report number	
Wards	B17 - Portobello/Craigmillar

Summary

The site is allocated for housing and accords with the broad principles of the Local Development Plan site brief and the Reporter's recommendations. The increase in unit numbers has been assessed through the submission of an addendum to the EIA and the impacts are acceptable.

The design and layout of the proposal is acceptable and provides a range of housing types and sizes. The landscape impacts are acceptable and will not impact local views or views across the City.

Although a number of trees are proposed to be removed, the majority are for arboricultural reasons. A total of 18 are proposed to be removed to enable the development. The loss of these trees is compensated by the additional planting across the site. The landscape proposals are acceptable.

The proposal will provide 696 homes, including 25% affordable provision. It will regenerate an area where there is currently restricted access due to ground conditions and provide accessible open space and allow for the interpretation of the historical artefacts on site.

The proposal is in accordance with the LDP and meets the requirements of the PPP conditions. No material considerations outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LEN03, LEN09, LEN11, LEN12, LEN15, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU10, LTRA01, LTRA02, LTRA03, LTRA09, NSG, NSGD02,
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Report

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Recommendations

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

Background

2.1 Site description

The site, covering approximately 27 hectares, is situated within the grounds of the historic Edmonstone Estate within the southeast area of the city, between the areas of Greendykes and Moredun.

It is bounded to the south by Old Dalkeith Road (the A7). To the east is The Wisp, which forms the boundary with Midlothian Council. East of the Wisp is the settlement of Danderhall. To the north is open space and to the west is the Eight Acre Field and Walled Garden development sites, adjacent to the BioQuarter.

The perimeter of the site is defined by a stone wall along the eastern and southern boundaries. The wall varies in height but is generally 1.5 metres - 2 metres. The wall is in overall good condition, although there are some areas (particularly along The Wisp) where it is in a state of disrepair.

The historic Edmonstone House was demolished in the 1950s. However, the Policy woodland, gate houses and perimeter walls, walled garden and Ha-Has, as well as ruins of the former stable block, still remain.

The land is an allocated housing site (HSG 40) but is also a Local Nature Conservation Site and Special Landscape Area. The core area of trees along the western boundary are also Inventory Ancient Woodland and Heritage trees.

All the trees within the estate are covered by a Tree Preservation Order (TPO) confirmed in July 2008 (reference No.1542008). Throughout the site, parkland encompasses most of the area, with a scattering of widely-spaced trees of varying ages, including some which are up to 200 years old. There is an area of thicker woodland around the site of the former Edmonstone House. Generally across the site, there are a number of vegetation types including:

- Ornamental woodland extending from the south into the site providing a robust natural buffer between the development and the BioQuarter;
- A series of tree belts, which add structure and enclose the site from adjacent open spaces; and
- Recent woodland planting, which is located along the southern and eastern boundary of the site along Old Dalkeith Road and The Wisp.

The east gates and lodge are Category B listed (reference 49519, listed 7 October 2003). The south gates and lodge are also Category B listed (ref 49518, listed 7 October 2003). Both the East and South Lodges are currently in a derelict state, with the South Lodge being ruinous.

An historic field enclosure lies to the north of the site and is a scheduled monument (SM6038).

Access for vehicles and pedestrians is currently taken from the Wisp and Old Dalkeith Road at the South and East Lodges.

2.2 Site History

The Policies Site

3 July 2015 - Planning permission in principle for residential development, ancillary uses and associated development was granted on appeal (application number: 14/01057/PPP, appeal reference P/PPA/230-2131).

23 April 2015 - Planning permission in principle for a cemetery, crematorium, memorial garden, chapel of rest and associated development was granted (application number: 13/05302/PPP).

20 June 2016 - Planning permission in principle for a cemetery (including the provision for woodland burials), memorial garden, chapel of rest and associated development was withdrawn (application number: 13/05235/PPP).

15 April 2014 - listed building consent granted to alter and renovate derelict listed south lodge (545 Old Dalkeith Road) to form single dwellinghouse, with associated access and landscaping (application number: 14/00695/LBC).

24 April 2014 - application granted for renovations and alterations to the listed south lodge (545 Old Dalkeith Road) to form single dwellinghouse with associated accesses and landscaping (application number: 14/00694/FUL).

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

10 April 2018- Full Application and Listed Building Consent received for South Lodge for renovations and alterations to listed gatehouse, to form single dwellinghouse and associated works, including re-location of the existing gateposts (application numbers: 18/01543/LBC and 18/01544/FUL).

Eight Acre Field and Walled Garden

14 February 2008 - outline planning permission for an 80 bed private hospital on the site of the former house, granted subject to a legal agreement to secure the reinstatement of the designed landscape including use of the policies as a country park and transport contributions (application number: 04/03551/OUT).

27 July 2010 - outline planning permission for a residential care village on the field to the south of the hospital site (and south and west of this application site), granted subject to a legal agreement to secure a landscape strategy and transport contributions (application number: 08/00934/OUT).

27 July 2010 - outline planning permission for the erection of a care home in the walled garden, granted subject to a legal agreement to secure a landscape strategy and transport contributions (application number: 08/00936/OUT).

11 October 2012 - planning permission for residential development with associated roads and landscaping refused on land largely to the west of the site in the Walled Garden and Eight Acre Field. The decision to refuse the application was appealed to the Scottish Ministers. The appeal was allowed, subject to a legal agreement, and a decision notice was issued on 20 September 2013 (application number: 12/01624/FUL).

11 June 2014 - application to amend existing consent 12/01624/FUL (residential development) to revise housing mix and elevations 'minded to grant' (application number: 14/00578/FUL).

Other Relevant Applications

8 November 2011 - full planning permission granted to form access road at the north of the site to serve private hospital, care home, care village (application number: 11/02143/FUL).

11 November 2011 - listed building consent granted to relocate existing stone gate posts at the East Lodge (application number: 11/02145/LBC).

6 June 2012 - section 42 application to extend the outline hospital consent (04/03551/OUT) for a further 3 years, approved subject to a legal agreement to deliver the landscape restoration and remaining transport matters in accordance with the original hospital consent. The legal agreement has not been signed (application number: 12/00764/FUL, appeal reference: P/PPA/230-2087).

7 June 2018 - Planning permission granted for the East Lodge for change of use to create a local shop (Class 1) (application number: 18/01561/FUL).

Main report

3.1 Description Of The Proposal

This application is for the approval of matters specified in conditions 1 and 6 of planning permission 14/01057/PPP.

Condition 1 requires the submission of all detailed design matters and road layouts, and condition 6 relates to surface water drainage.

With regards to condition 1, the proposal is for a total of 696 units. The market housing comprises 159 terraced/semi-detached properties with three bedrooms; 92 detached properties with four bedrooms; 14 townhouses with three bedrooms and seven bungalows with two bedrooms. It also comprises 90 colonies with two bedrooms, and 19 flats with one bedroom, 136 flats with two bedrooms and five flats with three bedrooms.

The affordable housing is proposed to comprise of 26 terraced/townhouse/semi-detached properties with three bedrooms; 36 colonies with two bedrooms and 110 flats with two bedrooms and two flats with three bedrooms.

Development of the site is laid out into three distinct zones; the northern portion, which predominantly faces The Wisp, the southern portion, which mainly relates to Old Dalkeith Road, and the woodland at the western side, adjacent to the former site of Edmonstone House and the remains of the stable block. Both the north and southern portions contain a mix of flats, houses and colonies, and are bisected by a linear area of open space. The western portion within the woodland contains three blocks of flats.

The flats along the edges of The Wisp are three storeys in height with flat green roofs, and there are four storey flats internal to the site. The flats in the woodland are all four storeys.

The houses and flats have a simple palette of materials, including brick and natural slate. Green roofs are proposed for the flats with flat roofs. The design of the properties within the main parts of the site are simple and contemporary. Within the woodland portion of the site, the flats are proposed to be finished in natural stone with a glazed upper level.

Vehicular access is proposed to be taken from two separate points along the Wisp and pedestrian and cycle access being proposed from Old Dalkeith Road to the south. This access from the south is via the existing listed gate piers and past the existing listed South Lodge. The northern most access on The Wisp is also through existing listed gate piers and past the listed East Lodge.

Internally, the main route connects the two access points from the Wisp and provides access to the blocks in the south. A network of secondary streets and lanes then provide access to the residential blocks.

Parking is provided within courtyards for the flats and terraced houses, and within the curtilage for the detached houses and colonies. Cycle storage is provided at a rate of 200% across the flats, and provision is made for electric vehicle charging points and city car club, where six spaces are proposed. There are around 50 spaces for disabled users across the site.

With regards to trees, the whole site is covered by a Tree Preservation Order. Throughout the site, parkland encompasses most of the area, with a scattering of widely-spaced trees of varying ages, including some which are up to 200 years old. Across the site, there are a number of vegetation types including:

- Ornamental woodland extending from the south into the site providing a robust natural buffer between the development and the BioQuarter;
- A series of tree belts, which add structure and enclose the site from adjacent open spaces; and
- Recent woodland planting, which is located along the southern and eastern boundary of the site along Old Dalkeith Road and The Wisp.

It is proposed that the majority of these trees and planting are retained, with the exception of individual trees which are required to be removed for arboricultural reasons, and some groups of plantation around the central core of woodland and a thin strip of planting along The Wisp and Old Dalkeith Road at the development side. A total of 18 trees are proposed to be removed to enable the development, and 60 are being removed for arboricultural reasons (mainly the health of the trees).

Additional trees are proposed within the site along streets and within existing tree belts.

Open space is provided within the site in various locations around existing tree clusters and belts. The main areas of open space are on an east/west axis extending from The Wisp to the main area of woodland on the north/south axis. There are other areas of incidental open space throughout the site around trees, as well as areas of tree planting along the boundaries of Old Dalkeith Road and The Wisp. The total amount of open space (excluding streets, semi-private courtyards and private gardens) is 9.34 hectares.

The historic features on the site, including the Ha-Has and remains of Edmonstone House are proposed to be retained within the landscape. The outline of the foundations of Edmonstone House are proposed to be reinstated as a gravel trench.

The wall along Old Dalkeith Road and The Wisp is not proposed to be removed or reduced in height. Areas where the wall is in a poor state of repair, or where the height is inconsistent, will be repaired and reinstated.

At the existing junction between the A7(Old Dalkeith Road) and The Wisp, junction improvements are proposed in the form of road alterations and the installation of signal improvements.

Previous Schemes

The original scheme was for a total of 800 units. It contained four blocks of flats in the central woodland area, and there was less woodland retained along The Wisp. Some houses also had a frontage onto the Wisp.

Supporting Statements

The following documents were submitted in support of the application:

- Environmental Statement addendum;
- Landscape Strategy;
- Surface Water Management Plan;
- Design and Access Statement;
- Tree Survey and Tree Shadow Plan; and
- Sustainability statement.

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

Scheme 1

The original scheme was for 800 units and the units came closer to The Wisp.

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 development complies with the planning permission in principle;
- (b) The details of the development are acceptable;
- (c) There are any other material issues, including representations; and
- (d) There will be any equalities or human rights impacts.

(a) Compliance with the Planning Permission in Principle

The site is allocated for residential development (HSG 40) 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.

The Planning Permission in Principle was granted following an appeal in 2015. The Reporter's key findings in the determination of the appeal related to the shortfall in the five year housing land supply, and the ability of the development to satisfy the greenbelt objectives, as per SESplan Policy 12.

SESplan Policy 12 requires local development plans to define and maintain green belts around Edinburgh to:

- (a) Maintain the identity and character of Edinburgh and Dunfermline and their neighbouring towns, and prevent coalescence, unless otherwise justified by the local development plan settlement strategy;
- (b) Direct planned growth to the most appropriate locations and support regeneration;
- (c) Maintain the landscape setting of these settlements; and
- (d) Provide opportunities for access to open space and the countryside.

Following the appeal decision, the site was allocated for housing in the LDP. As part of this allocation, a site brief was produced, which aimed to set the parameters of an appropriate development on the site that would be in accordance with the aims of SESplan Policy 12.

The site brief shows woodland on the southern and eastern boundaries of the site, with new footpath/cycle connections on both an east/west and north/south axis. This was broadly similar to the indicative site layout that was submitted to support the PPP application, and was intended to comply with the aims of SESplan Policy 12.

The proposed layout is derived from the indicative PPP layout in terms of building plots and developable area. The locations of the development plots are similar to the layout shown at the PPP stage, albeit the quantum of development is increased within the plots. In addition, the areas of woodland along the southern and western boundaries are retained, and footpath linkages are provided along the periphery, as per the LDP site brief.

In terms of the Reporter's findings, he noted that:

"Development of the site would bring the city edge close to Danderhall but it would help consolidate the disparate urban form in the wider local area. It would form a logical extension to the BioQuarter and approved housing at Edmonstone Estate. The layout and orientation of Danderhall ensures that it would retain its separate identity and character."

The proposed development layout retains the woodland edge along The Wisp and is similar to the indicative PPP layout. While visual permeability into the site is constrained by the woodland along the boundaries, development of the site will allow increased access and physical permeability from the wider areas. This cannot currently be achieved due to ground instability. It will regenerate the area and help consolidate the urban form as the development of the site will act as a transition from the urban developments into the parkland to the north. The site will retain its visual separation from Danderhall as a result of the retained woodland and boundary wall, and hence there would be no visual coalescence.

Therefore, it is consistent with the LDP site brief and would not result in coalescence with Danderhall.

Increase in unit numbers

Although the LDP site brief has an indicative unit capacity of 170-370, the proposed development is for 696 units. The LDP capacity was derived from the indicative layouts that were shown during the assessment of the PPP application, including the accompanying Environmental Statement.

At this stage, the increase in units is supported and makes better and more effective use of the land. The increase in units also provides a greater number of affordable homes, which is supported.

Communities and Families was consulted in order to ensure that the additional units would not have a detrimental impact on the capacity of local schools. The proposal is expected to generate more pupils than anticipated in the Council's Education Appraisal. The education infrastructure actions within the Council's Action Programme that are applicable to this site may have to be revised to accommodate the increase in the cumulative number of new pupils expected in the area as a result of development. The level of contribution which will be available from this development site for the delivery of new education infrastructure will be determined under the terms of the legal agreement attached to the planning permission in principle (14/01057/PPP), and the contribution is being sought on a per-unit basis. This identifies a per unit contribution which will be applied to all units.

It is anticipated that the additional contribution that will be received as a result of the higher number of units now proposed will enable the impact of the increase in the number of pupils to be mitigated.

The application was supported by a new Transport Assessment (TA), as well as an addendum to the Environmental Statement, which examined the increase in units and the effects on air quality, views and landscape impact, as well as transport impacts.

With regards to transport impacts, junction capacity assessments were undertaken for the road links within the vicinity of the site, as detailed in the TA. The assessments indicate a potential capacity issue at the existing signals of Old Dalkeith Road and The Wisp. This will, however, be addressed through a scheme of junction widening at the A7/The Wisp junction to aid the future flow through this junction, as per the legal agreement attached to the PPP consent. This has been taken into account when assessing potential transportation and access impacts arising from the proposed Development. It is concluded that no further specific mitigation measures are required as a result of the increase in unit numbers, however the timing of the widening is subject to a condition of this application to ensure that all necessary works are delivered prior to the occupation of the first unit on site.

The Roads Authority is satisfied that the junction improvements will mitigate the impacts of the proposed development.

An air quality impact assessment was provided in support of the application which concludes that the proposed development will not have an adverse impact on local air quality. The air quality impact assessment considered the potential adverse impacts on local air quality as consequence of vehicle exhaust emissions from road traffic generated by the proposed development.

The main increase in road traffic generated by the scheme has been identified as being on Old Dalkeith Road and The Wisp. The air quality impact assessment predicts that the contribution to the annual mean nitrogen dioxide measurements is not significant.

Environmental Protection is satisfied that the air quality impacts of this proposed development on its own will be limited, although there are concerns over the impact on air quality of the cumulative impacts of other developments in the area. The air quality impact assessment has taken account of other committed developments in the area, as well as developments that are under construction and found that the impacts of this development were acceptable.

Environmental Protection would require the applicant to provide electric vehicle charging points which are fully installed and operational prior to occupation serving 100% of the spaces. However, at this stage, the Edinburgh Design Guidance 2017 states that one in six spaces require to have an electric vehicle charging point and this is secured as an informative.

Therefore, the air quality impacts of this development are acceptable.

With regards to the landscape impact, the updated Landscape and Visual Impact Assessment shows that although the development sits near the Edmonstone ridge, the overall visual impacts are negligible. This is primarily due to the established woodland within the site, which is mostly being retained. Furthermore, the scheme proposes to retain the majority of the woodland along the boundaries of the site, hence the development will have little impact on the overall landscape in local views. In longer views, the development will sit within the context of the existing suburban housing areas, as well as the BioQuarter, and will not appear incongruous.

Therefore, the general principles and layout of the proposal is acceptable and in accordance with the PPP application.

(b) The Details of the Proposal

Condition 1(a) and (b) - Site Layout and Building Design

LDP Policies Des 1 to Des 9 of the adopted Edinburgh Local Development Plan (LDP) sets the policy framework for the design of developments. Also relevant is the LDP site brief for this site and the Edinburgh Design Guidance (2017). The LDP site brief sets out basic principles for development on this site, including footpath connections and key frontages.

Policy Des 1 (Design Quality and Context) requires that proposals will create or contribute towards a sense of place, drawing on positive characteristics of the surrounding area. The Edinburgh Design Guidance (2017) states that new suburban developments should make an efficient use of land and contain a variety of different housing types.

The surrounding built environment of Fernieside/Moredun and Danderhall contains a mix of detached, semi-detached and flatted properties with varying materials. The proposed mix of houses and flats will complement the built form of the existing residential areas.

In terms of the design of the houses, there are a range of different house types proposed throughout the site, finished in a range of materials. The use of brick, natural slate and natural stone is appropriate given the unique setting of the site, and it will enhance the quality of the built environment. In addition, the proposal incorporates site-specific design elements; for example, where there is a double frontage at a corner, the house at the corner addresses this by incorporating additional windows and landscaping.

The buildings range in height across the site, with two and three storey properties closest to The Wisp, and four storey flats sitting further into the site. The Landscape and Visual Analysis shows that the buildings will not be readily visible from key viewpoints, due to the amount of screening provided by the trees. The main visual impact would be on the Edmonstone House Special Landscape Area (SLA), where the analysis shows a major adverse impact. The main reason for the designation of Edmonstone House as an SLA is the value of the trees and parkland landscape. The introduction of houses on this SLA would change its character. However, this site is allocated for housing, and the design and layout of the proposal has sought to retain many of the trees as possible to retain the mature character of the site.

In terms of more localised views along The Wisp, some buildings may be visible, particularly the three storey colonies and flats. However, the buildings are set behind the landscape buffer and planting along Old Dalkeith Road and The Wisp, so it will only be glimpse views that are offered. This is appropriate in this location.

The proposals therefore comply with the requirements of Policy Des 1 (Design Quality and Context) and the Edinburgh Design Guidance (2017).

In terms of layout, LDP Policies Des 4 (Development Design - Impact on Setting) and Des 7 (Layout Design) set out that developments should have regard to the position of buildings on the site, and should include a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths and open spaces. Similarly, the Edinburgh Design Guidance (2017) states that new suburban developments should be laid out to give a variety of different streets and spaces. These should integrate with the hierarchy of the streets in the surrounding area.

The Reporter also noted that:

"It would be possible to develop a housing layout on the appeal site that would achieve the following objectives:

- fit within the landscape below Edmonstone Ridge without impacting adversely on the setting of this part of the city;*
- create a development layout that retained and enhanced core historic woodland;*
- incorporate sizeable areas of open space and parkland to retain internal views and open aspects to the south and east;*
- retain important elements of the historic landscape structure including the Ha-Has and perimeter retaining walls;*
- ensure the visual separation from Danderhall through sensitive design and screen planting;*
- integrate a network of footpaths, cycleways and open space to be part of the wider CSGN in South East Edinburgh, and*
- regenerate a degraded site and return it to beneficial use."*

Taking the policy framework and the Reporter's findings into account, the positioning and fit of development on the site is appropriate and the layout and landscape structure will protect the more sensitive landscape edges to the east, as well as being discrete against the Edmonstone Ridge. This scale is appropriate for the site and surrounding context. In particular, the houses are set within the landscape, particularly in relation to the central core historic woodland, and this forms an appropriate response in this location.

Development on the site will be visible from the east, west and south, but will sit adjacent to existing housing at Moredun and Danderhall, albeit these areas are not readily visible from key historic viewpoints such as Craigmillar Castle. In accordance with the requirements of the South East Wedge: Edmonstone Site Brief, the woodland will be retained and enhanced along the southern and eastern edges of the site. The landscape proposals will strengthen the existing landscape along these edges and will enhance connections and open space between this site and the surrounding areas to the east and north. The existing perimeter stone walls around the site are being retained and repaired where required. This enhances the edges in this location, which contributes to the objectives of Policy Des 9 (Urban Edge Development).

Linear green spaces have been introduced within the site, running on an east/west and north/south axis. This green space contains a network of footpaths and cycleways, which traverse this space and link to other areas outwith this application site. This will create an attractive and site-specific footpath network, which will contribute to a sense of place. In addition, the existing historic Ha-Has and outline of Edmonstone House have been retained and incorporated into the designs within the open space areas.

Footpath links are shown along the western edge of the site, which will connect the site to other housing areas to the west (Danderhall and Shawfair beyond) as required by the site brief. A further footpath is provided to the south of the site, linking into Old Dalkeith Road and Moredun beyond. This provides further linkage opportunities and fits with the objectives of policy Des 7 (Layout Design) which seeks to enhance connectivity across sites.

The legal agreement for the Planning Permission in Principle secured improvements to the cycle network by requiring a cycle track linking the development to Ferniehill Road. This is proposed as part of this application, and will improve footpath and cycle connections and permeability to other areas beyond the site.

The design, scale and height of the buildings is acceptable and accords with the design policies of the LDP by drawing on the positive characteristics of the existing area, strengthening the landscape features within the site and providing footpath links to surrounding areas.

Amenity for Residents

LDP policy Des 5 (Development Design - Amenity) states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

Existing Residents

The neighbours most affected by the proposals are located across The Wisp in Danderhall. However, the houses along The Wisp in Danderhall are set behind a landscape buffer and (for the most part) do not have a frontage onto The Wisp. In order to maintain amenity afforded to the existing houses, the proposed development has been sited in order to maximise the distance between the existing and proposed houses. There is also a buffer of retained landscaping within the development site along The Wisp. This will ensure a minimal impact on outlook and ensure that there is no privacy or overlooking between the existing and proposed houses. In addition, the distance between the properties ensures that there will be no loss of sunlight or daylight as a result of new houses or flats.

It is acknowledged that the area will experience a change in character from an open space to a residential site and this may have an initial impact on existing amenity through different patterns of use. However, the proposed land uses and design are complementary to the neighbouring area, and therefore, the development is in accordance with policy Des 5.

Future Residents

Sunlight and Daylight

The flats are dual-aspect and many of the living spaces face west and south and so will obtain sunlight into the main living areas. All of the properties will benefit from the required amount of sunlight and daylight as set out in the Edinburgh Design Guidance.

Privacy

The windows for the new houses will be greater than 18m apart or greater than 18m from existing windows. The units therefore have adequate levels of privacy.

Housing mix

Across the site, the applicant is also proposing a mix of property sizes in the form of houses, flats and colonies. The proportion of units with three bedrooms is in accordance with the Edinburgh Design Guidance, which states that 20% of units across the site should be homes for growing families with at least three bedrooms. The units are also offered as townhouses, colonies, terraces and flats, therefore providing a range of options available.

The overall development represents a positive contribution to meeting a range of housing needs and meets the policy requirements of Hou 2 - Housing Mix.

Open Space

Policy Hou 3 (Private Green Space) requires 10 square metres of open space to be provided for each flat. The applicant has demonstrated that this requirement has been met through a range of shared amenity spaces and private garden areas for ground floor flats.

The terraced houses and townhouses have private garden ground to the front and rear. The colonies share amenity space, where there is shared garden ground per three units.

In addition to the amenity space, there are areas of parkland throughout the site. In total, greenspace within the site exceeds the required 20% as required in policy Hou 3.

A condition is recommended requiring the management and maintenance of the landscaping to be submitted to ensure that all plants are established. The level and quality of open space proposed is therefore acceptable.

The proposal is therefore in accordance with policy Des 5.

Environmental Protection sought further details regarding the glazing specifications of the windows. However, this issue was not raised by the Reporter in the appeal decision, or conditioned as part of the PPP consent.

Overall, in terms of design and amenity, the proposed layout complies with LDP policies Des 4 (Impact on Setting) and Des 5 (Amenity) by providing an appropriate network of streets and open spaces which are well overlooked by residential properties. A strategy of boundary treatments has been proposed which provides good definition between public and private spaces, as required by Policy Des 5 (Amenity). It provides a legible environment which connects new housing to the existing street network effectively, in accordance with Policy Des 7 (Layout Design). There will be no impact on existing properties in terms of privacy, loss of sunlight or daylight.

Condition 1(c) and (d) - Car Parking, Access and Cycle Routes

Car Parking

LDP Policy Tra 2 (Private Car Parking) states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance.

Car parking is provided at differing rates across the site. All detached properties have in-curtilage parking, and there are 603 other spaces across the site for the other properties types, mostly provided in shared parking areas. There are also six City Car Club spaces within the site.

The detached houses have parking in the front gardens, which is contrary to the technical guidance of the Edinburgh Design Guidance. The guidance states that high amenity residential areas generally have car parking located on the street, set to the side or concealed from public view. This is in order to reduce the number of streets which are dominated by cars.

There are approximately 40 detached units where parking is located to the front of the house. Therefore, the parking for the majority of the site (i.e. the remaining 656 units) is concealed within parking courts or along the sides of the units. The aims of the guidance is therefore met, whereby the majority of the streets will not be dominated by cars.

Issues of air quality and impacts of additional traffic on the road network were assessed as part of the planning permission in principle and considered acceptable. The addendum to the EIA also states that there will be no adverse impacts as a result of the additional units.

Access and Cycle Routes

Vehicular access into the site is proposed to be taken from two accesses off The Wisp.

It is noted that the junction of The Wisp and the A7 is often congested, leading to long tailbacks along The Wisp. Representations also highlighted the current problems with traffic at this junction. However, the junction improvements as noted in the transport assessment are sufficient to negate any problems arising as a result of this development.

The Roads Authority has expressed no objections to the proposals.

There are a series of pedestrian/cycling accesses into the site, which link onto the central cycle/footway within the site and onto other areas to the east and west. This is in accordance with the Council's strategy for cycling and active travel.

Transport Scotland had no comments to make with regards to the application.

Therefore, the proposal is acceptable in terms of LDP Policy Tra 2.

Condition 1(e) - Waste Management and Recycling

It is important 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. Adequate provision should also be made for the effective segregation of materials within a 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.

Through discussions with the architect, a waste strategy was agreed for this site, and Waste Services are satisfied at this stage.

Condition 1(f) - Surface Water and Drainage Arrangements

The proposals include three SUDS basins, as well as swales and additional underground infrastructure. Scottish Water and SEPA have expressed no objections to the proposals, and Flood Planning is satisfied that the proposals are acceptable.

Condition 1(g) - Ground Levels

A plan was submitted showing the ground levels in relation to ordnance datum. The levels shown are acceptable.

Condition 1(h) - Sustainability

A Sustainability Statement was submitted in support of the application.

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

In addition to the essential criteria, the applicant has provided a commitment to further sustainability measures as set out in the desirable elements sections, including the use of photovoltaics.

The sustainability measures are therefore acceptable.

Condition 1(i) - Hard and Soft Landscaping and Open Spaces

Landscape Quality

LDP Policy Env 12 (Trees) states that development will not be permitted if likely to have a damaging impact on any tree worthy of retention, unless necessary for arboricultural reasons. Where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

The main areas of existing and proposed landscaping within the site are located along The Wisp/Old Dalkeith Road frontage, where there is a wide strip of planting and trees. These trees are of moderate quality when considered individually, but when considered as a whole they form a landscape feature of high value and with an extensive visual impact along these boundaries. This planting along these main roads provides a critical interface between the city boundary and surrounding local authority areas. This landscape feature is highly valued by local residents.

There is also the area of woodland leading from Old Dalkeith Road to the former site of Edmonstone House, which contains a number of mature trees of varying qualities.

An Arboricultural Report has been provided for all the trees within the site and shows the trees that are to be removed from the site. The removals are due to both the health of the trees and to enable the development. The 18 trees that are proposed to be removed to enable the development comprise a mix of holly, yew, cypress, ash, silver birch and cherry. These are all category B or C trees.

In assessing the loss of the trees, it is noted that all the trees are protected by a Tree Preservation Order, and that they are important to the area and form part of the established character. In terms of LDP Policy Env 12, the loss of the trees can be justified for arboricultural reason as many of them are in poor health, or are hindering the development of surrounding trees. While there are areas where trees are being removed to enable the development, Policy Env 12 allows for the removal of trees where replacement planting of appropriate numbers and species are provided.

New trees will be planted within the open space areas and streets, as well as within the woodland areas. The landscape strategy has been developed around the objectives of retaining as many of the trees possible. The strategy has also considered improving planting densities around the remaining trees (particularly in the woodland) in order to improve ground conditions and allow the trees to develop unhindered; enhancing the species mix and biodiversity by incorporating additional species, and; replacing lower amenity and non-native species with species more appropriate to the setting.

The proposed landscaping has been designed to complement the development as well as being sensitive to the historic setting. The Ha-Has and Edmonstone House are being reinterpreted into the landscape, and there will be no changes to the historic listed gatepiers at South Lodge.

The proposed landscaping also takes into account the lifespan of the existing trees and the constraints of the ground conditions. Supporting visualisations show how the area will look with the new tree planting and it indicates that the landscaping will enhance the area.

From a design viewpoint, the new landscaping will complement the existing on site, and will contribute positively to the character of the area.

Therefore, the proposed landscaping and new planting is suitable and will provide a robust landscape with increased longevity. The proposal is therefore in accordance with policy Env 12.

LDP Policies Env 15 (Sites of Local Importance) and Env 11 (Special Landscape Area) are relevant as the site is within a Local Nature Conservation Site and Special Landscape Area. Therefore the impacts of the development require to be assessed in terms of the impacts on these designations. Policy Env 15 states that development likely to have an adverse impact on the flora, fauna, landscape or geological features will not be permitted unless it can be demonstrated that the reasons for allowing the development are sufficient to outweigh the nature conservation interests, and the adverse consequences of allowing the development have been minimised and mitigated in an acceptable manner. Policy Env 11 states that planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscaped Area.

In this instance, the proposed development will not be readily visible in local views due to the retention of the tree buffers and woodland.

Scottish Natural Heritage (SNH) raised concerns that the generally increased height and changed positioning of the proposed blocks within the woodland areas near the site of the former Edmonstone House will generally test the principles of visual containment that have previously been discussed and explored in the PPP application. This is in part due to the overall increase in AOD levels and the positioning of blocks closer to the western edge of the site where woodland cover is narrower. In this regard, SNH also noted that there may be a degree of visual permeability of the woodland cover, particularly in winter conditions, this is noted, although these flats in the woodland will be closest to the BioQuarter. When developed, the BioQuarter will reach the higher slopes of the Edmonstone Ridge, and this housing development will be viewed in a more urban context. The design of the flats is high quality, using robust natural materials, and any incidental visual permeability will be acceptable.

Although the character of the area will change from being parkland to housing, the benefits of allowing development on the site in order to remediate the land and provide greater accessibility, outweigh any (albeit short-term) negative impact on the flora, fauna or landscape.

The proposal is therefore acceptable in terms of LDP Policies relating to the quality and impacts on the landscape.

Ecology

A Bat Survey and separate Ecological Survey were carried out for the site. The aim of the survey was to assess the trees within the site to support bats and to identify the presence and location of any bat roosts.

During previous surveys carried out in 2011, a total of six active bat roosts were identified, of which five were located within the site boundaries and one within woodland to the immediate west of the site. The active bat roosts within the site boundary were located as being three roosts within stable ruins associated with Edmonstone House in the northwest former stable block and two tree roosts within woodland in the southwest.

The dusk emergence surveys undertaken between June and August 2013 detected no bats roosting at any of the six roost sites that had been identified during 2011, other than at the south western end of the site. This roost was occupied by a single Common Pipistrelle bat.

The recent surveys carried out in 2017 indicate that only one of the bat roosts identified in 2011 was active. The roost was located within the stables and was occupied by a single Soprano Pipistrelle. No activity was identified within the other five previously identified bat roost locations and no new bat roosts were found.

A preliminary assessment of the trees in the open parkland was made in May 2017. This survey indicated that six trees had high roost potential, 18 had moderate roost potential, and 22 had low roost potential. However, as the trees had full leaf cover that could have obscured potential roost features, no further detail on these trees is provided within the Ecological Appraisal (including Extended Phase I Habitat Survey), and further assessment of these trees would be required prior to any works being commenced on the Site.

This is recommended as a condition.

No Badger setts or any signs of Badger activity were found within the Site or within 30m of it. However, two abandoned Badger setts were found to the west of the Site at approximately 100m and 150m from the Site boundary. Evidence noted during surveys indicate that these setts had not been occupied since 2011.

With regard to breeding birds, the EIA addendum noted that they are not considered to pose a significant ecological constraint to the development of the open areas of the site, as few breeding birds were present in the open field areas.

In the 2017 surveys, most of the breeding birds that were identified within the site were found within the peripheral woodland habitats, most of which will be retained. Development within the woodland would result in disturbance and/or habitat loss. However, impact on the species that would lose breeding habitat is considered to be at the site level only and would not significantly impact the breeding populations in the wider area. As the loss of the woodland habitats is minimal, this impact is acceptable.

Therefore, the ecological impact of the development is acceptable.

Landscape Design Details

Public open spaces are provided within the development in the form of linear parks on an east/west axis and north/south axis through the site. There are also three separate areas for SUDS basins in the centre of the site, as well as areas of informal open space throughout the site. Policy Hou 3 (Private Green Space in Housing Development) states that at least 20% of the total site area should be useable greenspace and this is met.

The linear open space layout through the centre of the site is positive and the locations of the cycleway/footways is supported.

Garden fences within the site are located outwith public areas and are not visible. Other boundary treatments comprise hedges and walls, and this is supported. The southern and eastern boundaries of the site have retained the trees and planting, which is a suitable edge on this approach into the city. The location and species of the trees and other soft landscaping is appropriate and in accordance with the Edinburgh Design Guidance, and a condition is recommended to ensure the long-term maintenance of the landscaping.

Condition 6

Condition 6 relates to surface water drainage scheme. SEPA were consulted as part of the proposals and offered no objections. This is on the basis that after the site is developed, overland flow pathways will remain as they are currently. SEPA does not consider there will be an increase in flood risk to nearby receptors if the SUDS are designed and installed appropriately.

Flood Planning were also consulted and offered no objections to the surface water drainage scheme.

This is acceptable and in accordance with LDP Policy Env 21 (Flood Protection).

(c) Other Material Issues

Material Objections

Representations were received for the various schemes during the consideration of the application. Earlier representations related to the previous schemes, which were for a higher number of units and had buildings closer to The Wisp, resulting in the loss of trees and woodland along The Wisp frontage. As a result of design changes carried out in subsequent schemes, many of these objections were addressed. However, the following are still relevant:

- Traffic impacts and road capacity issues (assessed in 3.3(b));
- Loss of wildlife (assessed in 3.3(b));
- Loss of trees within a Tree Preservation Order area (assessed in 3.3(b));
- Impact on sunlight and daylight (assessed in 3.3(b));
- Impact on amenity (assessed in 3.3(b));
- Flooding issues (assessed in 3.3(b));
- Infrastructure impacts (assessed in 3.3(b); and
- Excessive building heights (assessed in 3.3(b)).

The Danderhall Community Council noted objections relating to:

- traffic generation from residential units plus visitor spaces and the impact on traffic flows along The Wisp and farther afield;
- Impact on existing facilities;
- the local but nonetheless significant, adverse impacts with respect to landscape character, visual amenity and ecological/nature conservation integrity along The Wisp and the Old Dalkeith Road; and

- the loss of separation between Edinburgh and Midlothian at this point and thereby the erosion of identity at Danderhall through coalescence.

Non-material representations related to the principle of development on the site, and amenity issues during construction.

All representations were taken into account during the assessment of the application, and influenced the amendments sought.

(d) Equalities and Human Rights

The application has been assessed for any potential impacts on equalities and human rights.

The proposal would lead to the loss of the existing open area, though it would provide new housing, including 25% affordable and the provision of publicly accessible areas, which are currently inaccessible by mine workings, which could aid in improving the standard of life.

In relation to equalities, the design statement indicates that development will be fully accessible to disabled people and that the houses will be designed to accommodate changes in lifestyle and mobility that can be anticipated over the lifetime of their occupants.

The Edinburgh Access Panel was consulted and supported the number of accessible parking spaces, however commented on the lack of housing for the elderly or disabled owners/tenants.

As noted above, the houses can be accessible to a range of occupants. In addition, the adjacent site (the Walled Garden) currently has 47 houses under construction as Elderly Amenity housing.

Therefore, the site provides housing for a range of users, and the wider area has a proportion of housing specifically for elderly residents.

Overall Conclusion

The site is allocated for housing and accords with the broad principles of the Local Development Plan site brief and the Reporter's recommendations. The increase in unit numbers has been assessed through the submission of an addendum to the EIA and the impacts are acceptable.

The design and layout of the proposal is acceptable and provides a range of housing types and sizes. The landscape impacts are acceptable and will not adversely affect local views or views across the City.

Although a number of trees are proposed to be removed, the majority are for arboricultural reasons. A total of 18 are proposed to be removed to enable the development. The loss of these trees is compensated by the additional planting across the site. The landscape proposals are acceptable.

The proposal will provide 696 homes, including 25% affordable provision. It will regenerate an area where there is currently restricted access due to ground conditions and provide accessible open space and allow for the interpretation of the historical artefacts on site.

The proposal is in accordance with the LDP and meets the requirements of the PPP conditions. No material considerations outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. No development shall commence on site until the signalised junction of The Wisp with Old Dalkeith Road is upgraded to include a system of control by Microprocessor Optimised Vehicle Actuation or such other alternative system as may be agreed by the Planning Authority, together with carriageway widening and all additional measures required as shown on Transport Planning Ltd's plan, number TP430/SK/001 dated October 2017.
2. 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.
3. For the avoidance of doubt, the roof materials for all the pitched roofs on site shall be natural slate, and the flats roofs shall be living green roofs, the details of which shall be submitted for approval by the Planning Authority prior to the commencement of works on site. Samples of these shall be submitted as per condition 2.
4. The approved landscaping scheme shall be fully implemented within 6 months of the completion of each phase of the development. Any trees or plants which, within a period of five years from the completion of that phase of the development, die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.
5. The trees to be retained on the site shall be protected during the construction period by the erection of fencing, in accordance with clause 2 of BS 5837:2012 "Trees in relation to design, demolition and construction".
6. Notwithstanding the plans hereby approved, there shall be no changes or alterations to the listed gate posts or walls at the South Lodge, including widening.
7. For the avoidance of doubt, no vehicular access shall be taken from or onto Old Dalkeith Road/A7.

8. Prior to the commencement of works on site, a Species Protection Plan shall be submitted for consideration and approval by the Planning Authority. The Species Protection Plan should be informed by a further survey as recommended in the Ecology chapter 9 of Volume 1: Environmental Statement Addendum - Main Text (February 2018).
9. Prior to the commencement of works on site, a phasing plan shall be submitted showing the phasing for the delivery of the landscaping, active travel routes and SUDS throughout the site. This phasing plan shall then be approved by the Planning Authority (as appropriate) and works on site shall be carried out in accordance with this phasing plan.

Reasons:-

1. In order to mitigate the traffic impacts of the proposed development.
2. In order to enable the planning authority to consider these matters in detail.
3. To ensure the roofs are finished in an appropriate material, commensurate with the historic landscape and sustainability.
4. In order to ensure the landscaping is established, in the interests of amenity of the site and wider area.
5. In order to adequately protect the trees on site.
6. To define the permission.
7. In the interests of road safety.
8. In the interests of nature conservation.
9. To ensure the satisfactory delivery of the infrastructure on site.

Informatives

It should be noted that:

1. 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.
2. As soon as practicable upon the completion of each phase 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. 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.
4. In accordance with the Council's Local Transport Strategy Travplan3 policy, the applicant should develop a Travel Plan including provision of 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) and timetables for local public transport.
5. The developer of each phase shall ensure that one in every six parking space shall include a 7Kw (type 2 socket) charging provision, with a number of rapid 50Kw electric vehicle charging points installed to charge taxis, service vehicles and possibly buses. Information on chargers is detailed in the Edinburgh Design Standards -Technical Information Design Standards.
6. The final locations for the City Car Club spaces shall be agreed prior to the commencement of development.

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

The application was advertised on 20 February 2018 and nine letters of representations were received, comprising eight objections and one general comment.

Following the submission of amended plans, the application was advertised again on the 27 April 2018. During this consultation period, 21 letters of objection were received, and one general comment.

The third scheme was advertised on 15 June 2018, and this attracted nine letters of objection and one letter of general comment.

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 an allocated housing site (HSG 40) in the Edinburgh Local Development Plan. The site is also a Special Landscape Area and Local Nature Conservation Site.

Date registered

5 February 2018

Drawing numbers/Scheme

01, 02B, 03C, 04C, 05A, 06C, 07C, 08C, 09B, 10B, 11B, 13-27,, 28B, 29-32, 33B, 35B, 36C, 37B, 38B, 40, 41, 42A, 43, 44, 45A, 46, 47, 48A - 53A, 54B, 55A, 56A,, 57B, 58, 59, 60A, 61, 62, 63A, 64A, 65A, 66B, 67, 68, 69A,, 70A, 71A, 72B, 73A-74A, 75B, 76, 77, 78A, 79, 80, 81A, 82-86, 87A-91A, 92B, 93-102, 103A.,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lesley Carus, Senior Planning Officer

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

Links - Policies

Relevant Policies:**Relevant policies of the Local Development Plan.**

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

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

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

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

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

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

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

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

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

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

LDP Policy Tra 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.

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 18/00508/AMC

At Land 447 Metres Northeast Of 545, Old Dalkeith Road, Edinburgh

Application for Approval of Matters specified in Conditions 1 and 6 of Planning Permission in Principle 14/01057/PPP (Appeal Reference PPA-230-2131) - residential development, Ancillary Uses and Associated Development on Land 447 Metres Northeast of 545 Old Dalkeith Road Edinburgh.

Consultations

Coal Authority - date 05 March 2018

The Coal Authority is a non-departmental public body sponsored by the Department for Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority commented on this outline application to which this submission relates in a letter to the LPA dated 7 May 2014. In this letter we noted that we would expect the layout of the development to avoid locating any built development on or within the influencing distance of the mine entries in order to comply with our adopted policy.

It is noted that the current submission is for approval of matters relating to Conditions 1 and 6 of the planning permission. The Coal Authority notes that Condition 7 is the one which relates to coal mining legacy.

However, we would have expected the exact location of the mine entries to have been established in order to inform the site layout in order to ensure that adequate separation is provided between these features and any buildings proposed. The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

As no information has been provided to demonstrate that the layout proposed has been informed by the exact location of the mine entries, or that detailed consideration has been given to how these features relate to the layout, the Coal Authority objects to this current submission.

It is requested that the applicant provides additional information to demonstrate how the layout proposed has been informed by the coal mining legacy issues present on the site.

Transport Scotland - date 5 March 2018

Director, Trunk Roads Network Management Advice:

The Director does not propose to advise against the granting permission

To obtain permission to work within the trunk road boundary, contact the Route Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

Historic Environment Scotland - date 6 March 2018

Thank you for your consultation of 15 February and the accompanying addendum to the Environmental Statement for the above matters specified in conditions 1 and 6 for this development proposal.

Having reviewed the Addendum to the Environmental Statement I can confirm that we have no comments to offer on the updated predicted impacts or the application.

SEPA - date 13 March 2018

Thank you for your consultation email which SEPA received on 15 February 2018.

Advice for the planning authority

We have no objection to this planning application, but please note the advice provided below.

On 09 June 2014 (our ref PCS/133598) we removed our objection to planning permission in principle for this development on the grounds of lack of information on impacts to the water environment from Pulverised Fuel Ash grouting, Sustainable Urban Drainage Systems and impacts to Niddrie Burn.

1. Pulverised Fuel Ash (PFA)

1.1 SEPA only requires that the PFA grouting is undertaken in accordance with General Binding Rule 16 of the Controlled Activities Regulations and that the developer has assessed the risks to the water environment in their own interests.

1.2 SEPA would only become involved if there was evidence of impact on the water environment from grouting. We would not normally want to see evidence that the works had been completed (as per the condition). However, if the information is sent to us for review we will comment if there is anything useful we could add.

2. Sustainable Urban Drainage Systems (SUDS)

2.1 The proposals for SUDS do not appear to be accompanied by the output of the Simple Index Approach (SIA) Tool. Especially before this application is determined we advise you to ask the applicant to provide this in order to demonstrate that the SUDS proposed are adequate and appropriate. We do not need to review this SIA output but we will provide comments on it if you would find this helpful.

Regulatory advice for the applicant

3. Regulatory requirements

3.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in the local SEPA office at

Midlothian Council - date 12 April 2018

Background

In granting planning permission in principle for this development, Scottish Ministers adopted the conclusions and recommendations of the Scottish Government reporter. The reporter's description of the development (Report to the Scottish Ministers, p.12) refers to two indicative site layouts which accompany the application showing development of the 27 ha site for either 173 or 368 dwellings, both layouts having roughly the same 12 hectare development footprint split into four main development areas separated by open space, footpaths and some existing woodland. Other drawings accompanying the application show housing limited to two stories.

The reporter notes (p.40) that the greatest visual impact arising would be from local viewpoints close to the site around Danderhall, particularly at the junction of The Wisp/Old Dalkeith Road and along nearby sections of both roads, but that these impacts could be mitigated "by additional planting along both road boundaries and by retaining open [emphasis added] and planted areas closest to the junction." This Council had been pleased to note that these issues had already been addressed to some degree in the indicative site layouts, with substantial tree belts proposed along The Wisp and Old Dalkeith Road and a large open meadow proposed next to The Wisp/Old Dalkeith Road junction.

The reporter states (p.33) that in the event of planning permission in principle being granted, "further refinement [emphasis added] of the site layout would be required to address landscape and open space matters"; and that a suitably designed site layout could (p.7) "incorporate sizeable areas of open space and parkland; [and] ensure the visual separation [emphasis added] from Danderhall", etc.

The legal agreement accompanying the planning permission in principle requires improvements to the traffic signals at The Wisp/Old Dalkeith Road as mitigation of effects on local transport infrastructure.

Current Application

It is difficult to see how the current proposals for 800 dwellings represent a 'refinement' of either of the two indicative schemes, schemes relied on by the reporter in deciding to support the principle of development. The development footprint has increased, the main development areas have merged, and housing has increased in height and been brought nearer to the site boundary. As a result, the meadow/open space next to The Wisp/Old Dalkeith Road junction has been lost to housing and the tree belt along The Wisp to avenue trees. Housing now sits prominently when viewed from local viewpoints, not least around The Wisp/Old Dalkeith Road junction, along The Wisp, and at Edmonstone ridge; this is clearly illustrated in Viewpoint 10 (Edmonstone Road), Viewpoint 15 (The Wisp), Viewpoint 16 (Junction of A7 Old Dalkeith Road & The Wisp), and in the Site Layout Overview Edmonstone.

It will be understood that Midlothian Council is concerned by the landscape impact and lack of visual separation from Danderhall that would result were this development to proceed, and suggests the applicant is asked to address the above issues raised by the reporter.

In relation to transport, Midlothian Council agrees with the requirement identified in the Transport Assessment (TA) for improvement to the existing The Wisp/Old Dalkeith Road traffic signal controlled junction, which improvement is already a requirement of the legal agreement. The physical alterations to the Wisp, to allow the improvements identified in drawing TP430/SK/001 (Signalised Junction with Widening Indicative Layout) and described in section 9.27 of the TA, should be undertaken at the earliest opportunity. The introduction of a MOVA traffic signal control at the widened junction, as described in section 9.33 and 10.18 of the TA, will also be a minimum requirement to allow the junction to operate safely with the additional traffic flows arising from an increase in dwelling numbers. If necessary to ensure these further improvements, the existing legal agreement should be revisited. Technical details of the alterations to the existing junction will require to be approved by Midlothian Council Road Services staff and works within or affecting the public road including works in the footway/verge must be authorised in advance by the roads authority and will require a 'Road Opening' permit.

Gilmerton and Inch Community Council - date 30 April 2018

issues are a huge concern. 800 residential units with visitor spaces will have a very negative effect on the traffic flow in this area. The adjoining walled garden development - 100 units - will compound this issue with an exit also leading onto the Wisp. GICC sees no acceptable resolution to this unavoidable issue. Infrastructure issues are a huge concern. Local services are already overstretched and there is no resolution to accommodate the needs arising from 800 units. The overall landscape of the area will be adversely affected. 800 Units will adversely affect the visual character along The Wisp and Old Dalkeith Road. The ecological impacts on the local area will be negatively affected. Local wildlife will diminish with the loss of their habitats.

This Snaefell proposal is significantly altered to the schemes which were submitted to the Public Inquiry. 800 units is more than double these previous schemes.

GICC asks the City of Edinburgh Council to object to this proposal for previous 5 issues.

As an important addendum: GICC does indeed cover a section of this land. Please could you reflect this in the contents section both in relation to our area's local councillors as well as this Community Council.

Management Service - date 14 June 2018

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 residential development. We have been in discussion with the architect at this site and agreed on the waste strategy. However I would like to reiterate the following:

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 529 3030 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. Any changes to the current agreement will need to be discussed.

Waste Management Service – date 31 July 2018

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 residential development. The application form refers to agreeing to CEC waste guidelines but not in detail.

I would assume from the files that this is a mixture of houses and flatted properties. We would require to see this to ensure waste and recycling requirements have been fully considered.

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 608 1100 or contact the officer for the area Hema Herkes directly 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. It would be beneficial to go through the site plans and swept path analysis/vehicle tracking to show how the vehicle will manoeuvre.

Roads Authority – date 16 August 2018

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

- 1. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site, including suitable access to waste bin locations. The applicant is recommended to contact the Council's waste management team to agree details. The area also has extensive mine workings which may require appropriate measures and structural approval;*
- 2. A Quality Audit, as set out in Designing Streets, will be required to be submitted prior to the grant of Road Construction Consent. For the avoidance of doubt, the proposed layout is not approved at this stage and will require amendment to address a number of issues, including proposed parking layout and carriageway widths;*
- 3. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed 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 / occupiers as part of any sale of land or property;*
- 4. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority;*
- 5. In support of the Council's LTS Cars1 policy, the applicant should consider the introduction of car Club vehicles within the area. The introduction of such vehicles would require a contribution of £5,500 per vehicle plus £1,500 for the required order;*
- 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. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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) and timetables for local public transport;

8. The applicant should note that new road names will be required and they should be asked to discuss this with the Council's Street Naming and Numbering Team at an early opportunity. Street naming is likely to influence the progression of any traffic regulation orders.

Note:

A. A Minute of Agreement has been signed and registered (30 June 2015) in relation to the outline permission (ref.14/01057/PPP) including a requirement for the developer to address the following transport matters:

a. Carry out improvements to traffic signals at The Wisp/Old Dalkeith Road to the satisfaction of the Council;

b. Construct a 2m wide footway within the development between the northern access road and Edmonstone Road;

c. Construct a cycle track linking the development to Ferniehill Road;

d. Contribute £6,000 for traffic orders to: (i) designate disabled parking places; (ii) introduce waiting and loading restrictions (yellow lines); and (iii) introduce a 20mph speed limit within the development;

e. Contribute £2,000 to introduce a 30mph speed limit on The Wisp;

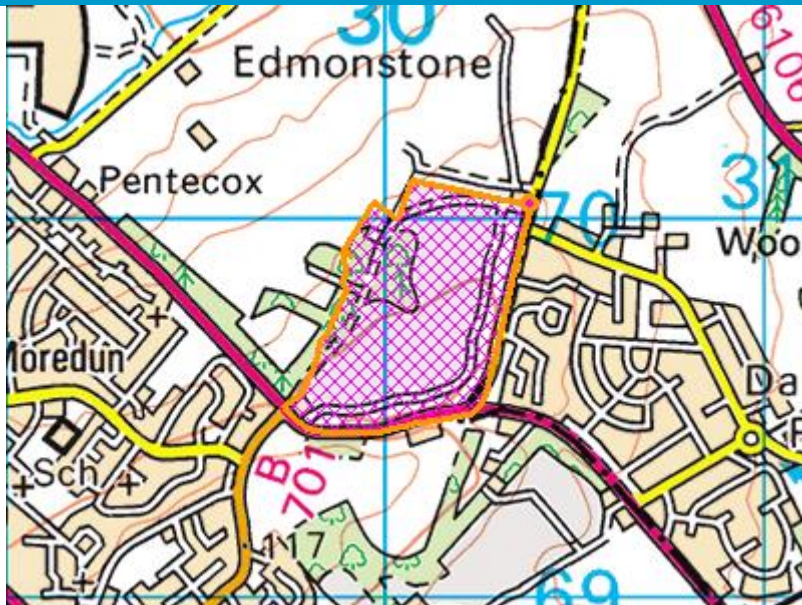
B. The Council's Action Programme identifies the site as being within the Sheriffhall Contribution Zone. There are currently no identified contributions for this work;

C. The proposed parking provision is in line with the Council's former parking standards (dated 2009) which applied at the time the appeal was granted in 2015;

D. Motor vehicle access to the development will not be permitted at the junction of Old Dalkeith Road and Ferniehill Road;

E. The proposed road layout will not be permitted to allow motor vehicles to travel directly through the site between The Wisp and Old Dalkeith Road.

Location Plan



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