

Notice of meeting and agenda

Development Management Sub-Committee of the Planning Committee

10:00am, Wednesday 12 September 2018

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

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

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1. Order of business

- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.
- 1.2 Any member of the Council can request a Hearing if an item raises a local issue affecting their ward. Members of the Sub-Committee can request a presentation on any items in part 4 or 5 of the agenda. Members must advise Committee Services of their request by no later than **1.00pm on Monday 10 September 2018** (see contact details in the further information section at the end of this agenda).
- 1.3 If a member of the Council has submitted a written request for a hearing to be held on an application that raises a local issue affecting their ward, the Development Management Sub-Committee will decide after receiving a presentation on the application whether or not to hold a hearing based on the information submitted. All requests for hearings will be notified to members prior to the meeting.

2. Declaration of interests

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

3. Minutes

- 3.1 None.

4. General Applications, 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

Applications

- 4.1 8 Ladywell Avenue, Edinburgh, EH12 7LH – Removal of an existing conservatory, chimney breast, windows and doors, lintel between garage and house, cladding and roof fascias; forming of openings, single storey extensions, entrance canopy, rooflights, replacement of windows, re-rendering of exterior walls and forming of brick basecourse, replacement of front door, new entrance steps, fascias and flue, paved terrace areas to rear and opening in boundary wall and gate – application no 18/02511/FUL – report by the Chief Planning Officer (circulated)

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

- 4.2(a) 10 West Scotland Street Lane, Edinburgh, EH3 6PT – Change of use at 9, 9a, 9b (1st floor) and 10 (ground and 1st floor) West Scotland Street Lane to Sui Generis (Flats) with internal and external alterations (as amended) - application no 18/02697/FUL – report by the Chief Planning Officer (circulated)

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

- 4.2(b) 10 West Scotland Street Lane, Edinburgh, EH3 6PT– Proposed internal + external alterations to nos 9, 9a, 9b (1st floor) and no. 10 (GF and 1st floor), as amended - application no 18/02885/LBC – report by the Chief Planning Officer (circulated)

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

5. Returning Applications

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

- 5.1 50 Pilrig Street, Edinburgh, EH6 5AL– Erection of five storey building to form 8 residential apartments with associated parking and amenity space – application no 09/03284/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 None.

7. Applications for Detailed Presentation

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

- 7.1 Boroughmuir High School, 26 Viewforth, Edinburgh – Change of use and conversion of former Boroughmuir High School to form residential accommodation; demolition of existing outbuildings and erection of new residential block – application no 18/02497/FUL – report by the Chief Planning Officer (circulated)

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

- 7.2 Greendykes Road, Edinburgh (At Land At Greendykes South Site) – Approval of matters specified in conditions (ref: 16/03848/PPP) as per condition three and condition six (as amended) – application no 18/01004/AMC – report by the Chief Planning Officer (circulated)

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

- 7.3 28 Wellflats Road, Kirkliston (At Land 135 Metres Northeast Of) – Residential development, landscaping, access and associated works – application no 17/04571/PPP – 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, Griffiths, McLellan, 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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Development Management Sub Committee

Wednesday 12 September 2018

Application for Planning Permission 18/02511/FUL

At 8 Ladywell Avenue, Edinburgh, EH12 7LH

Remove existing conservatory, chimney breast, windows and doors, lintel between garage and house, cladding and roof fascias; form openings, single storey extensions, entrance canopy, rooflights, replace windows, re-render exterior walls and form brick basecourse, replace front door, new entrance steps, fascias and flue, paved terrace areas to rear and opening in boundary wall and gate.

Item number 4.1

Report number

Wards B06 - Corstorphine/Murrayfield

Summary

The proposals comply with the development plan and the Council's non-statutory guidelines. The proposals preserve the character and appearance of the conservation area, will not adversely affect the character of the house and will not prejudice residential amenity.

Links

[Policies and guidance for this application](#)

LDPP, LDES12, LEN06, NSG, NSHOU, NSLBCA, OTH, CRPCOR,

Report

**Application for Planning Permission 18/02511/FUL
At 8 Ladywell Avenue, Edinburgh, EH12 7LH
Remove existing conservatory, chimney breast, windows and doors, lintel between garage and house, cladding and roof fascias; form openings, single storey extensions, entrance canopy, rooflights, replace windows, re-render exterior walls and form brick basecourse, replace front door, new entrance steps, fascias and flue, paved terrace areas to rear and opening in boundary wall and gate.**

Recommendations

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

Background

2.1 Site description

The property is a two storey detached house within a large garden in a back land location accessed by a long driveway off the west side of Ladywell Avenue. The house has a linked garage on its east side.

The house is of a modern design and has a predominantly white rendered finish to the walls and a tiled pitched roof.

To the south of the site is the small cul-de-sac of Ladywell Gardens. The application site is separated from Ladywell Gardens by a facing brick wall.

This application site is located within the Corstorphine Conservation Area.

2.2 Site History

6 August 1991- planning permission granted to alter and extend dwelling house (application number 91/01713/FUL).

Main report

3.1 Description Of The Proposal

It is proposed to remove an existing conservatory from the west side of the house and replace it with an extension and erect an additional smaller extension to the south side of the house.

Other proposed alterations include the replacement of the existing gutter and fascia on the part of the house adjacent to the proposed extension, the alteration of existing windows and doors, the installation of rooflights, the removal of a chimney, the installation of two small paved terrace areas on the west side of the house, a metal flue for a wood burning stove through the roof of the house and the creation of a pedestrian access with gate in the southern boundary wall.

The proposed extension to replace the conservatory will be positioned centrally on the west elevation of the house. The extension will be 4.9m wide by 4.9m deep on its north side and 1.0m deep on its south side.

It will be a contemporary designed flat roofed extension with protruding bespoke rooflight. The walls of the extension will be timber clad incorporating large sections of glazing.

The replacement gutter and fascia on the part of the house adjacent to the proposed extension on the west side of the house will match that of the extension.

The proposed extension to the south side of the house will be of a similar design using matching materials as the one proposed on the west side. It will be six metres wide by 1.2m deep.

The alterations to the windows and doors include the alteration of the existing entrance door and window on the south side of the house and a window to form a fully glazed door on the west side of the house.

The double rooflights are proposed on a west facing roof plane of the house.

The proposed chimney scheduled for removal is located on the south elevation of the house.

The paved terraces are low level (approximately 330mm above ground level) and are 2.4m wide by 1.8m deep and 6.8m wide by 2.7m deep. Both are located to the west side of the house.

The proposed flue is positioned towards the west side of the house and protrudes through the roof a maximum of 1.8m (550mm above the roof ridge).

The proposed opening and access gate to the southern boundary wall is located at a point where it would link with a footpath in Ladywell Gardens. The opening will be approximately one metre wide and the gate is proposed to be steel.

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 preserve or enhance the character and appearance of the conservation area;
- (b) the proposed scale, design and materials are acceptable;
- (c) the proposal is detrimental to the amenity of neighbours; and
- (d) representations raise issues to be addressed.

(a) Character and Appearance of the Conservation Area

Policy Env 6 of the Edinburgh Local Development Plan seeks to protect and where possible, enhance the character and appearance of Edinburgh's conservation areas.

The Corstorphine Conservation Area Character Appraisal acknowledges that there are sections of the conservation area where more recent development has not respected the integral character of the conservation area, stating:

The Conservation Area has both strengths and weaknesses. Its strengths are in the clarity and unifying spatial structure, the attraction and history of its traditional buildings and its village character. Recent interventions have not always respected the domestic scale prevailing in the area, and the opportunity of interpreting the vernacular mass and forms in a modern way has not always been taken.

In this instance, the application property sits on the southern edge of the conservation area where the character changes from that of detached/semi-detached properties within large garden grounds to more closely knit residential developments including long terraces to the south of the application site. The finishing materials evident in the conservation area around the application property are predominantly render for the walls and tiles for the roofs.

The house is of a modern design and is in keeping with the properties in the conservation area and its neighbours to the south of the site. Its back land location is not characteristic of the conservation area and the proposed extensions and alterations have a neutral impact on the character of the conservation area.

The proposals are for alterations and two modest extensions which are contemporary in design and in modern materials. Their visual impact on the wider conservation area as a result of its back land location will be minimal. The appearance of the conservation area is unaffected.

The existing conservatory and chimney are not key features of the house and their removal will not affect its character and appearance.

The proposals will preserve the character and appearance of the conservation area.

(b) Scale, Design and Materials

Policy Des 12 of the Edinburgh Local Development Plan (LDP) and the non-statutory 'Guidance for Householders' sets out the criteria against which a house extension will be assessed. In particular, the policy and guidance seeks to ensure that a proposal in its design and form, choice of materials and positioning is compatible with the character of the existing building, will not result in an unreasonable loss of privacy or natural light to neighbouring properties and will not be detrimental to neighbourhood amenity and character.

The proposed alterations are minor in nature and with the proposed removals will not affect the character of the house.

The proposed extension to the west side of the house replaces an existing conservatory. It is approximately 21 sq.m in area and is, in the main, similar in height to the conservatory it replaces. The extension is of a contemporary design using modern materials (glazing and timber cladding) and the existing protruding element adjacent to it is to be altered to complement the extension's design.

The proposed west extension is acceptable in terms of its scale, form and design including materials.

The south facing extension is the principal elevation of the house. The proposed extension to this side of the house is also of a contemporary design closely resembling that proposed on the west side. The extension is of a subservient scale and is of a modest size appropriate for the principal elevation.

The proposed southern extension is acceptable in terms of its scale, form and design including materials.

The proposed flue is a minor addition and located towards the western end of the house.

The proposed paved patio areas are low level and compatible with the design of the house.

The proposed opening in the southern boundary wall for a pedestrian gate is a minor alteration which will not have any adverse effect on the character and amenity of the surrounding area.

In view of the above, it is concluded that the development will not have an adverse effect on the character of the house or the character and amenity of the wider area. It therefore complies with policy Des 12.

(c) Amenity

The proposed extensions are positioned such that they comply with non-statutory 'Guidance for Householders' in relation to daylighting and sunlight.

In terms of privacy, the windows and fully glazed doors of the proposed extension on the west side of the house are all over nine metres from the boundary providing a suitable level of privacy in this context.

The window on the west side of the southern extension is over nine metres from the boundary providing a suitable level of privacy in this context. The window proposed on the south side of the extension is within nine metres of the boundary at approximately 8.0m. However, a facing brick wall delineates the affected boundary and no adverse loss of privacy will occur.

The proposals will not adversely affect neighbouring residential amenity, and so comply with policy Des 12.

(d) Public Comments

The representations all relate to the provision of a pedestrian access gate being formed on the southern boundary wall.

Material Representations - Objection:

- pedestrian gate unnecessary - this does not form part of the assessment of the acceptability of a pedestrian gate at this location;
- safety implications for children in cul-de-sac of Ladywell Gardens - the gate is proposed to be solid and locked;
- gate would impact on car parking within the cul-de-sac - the gate is positioned to link in with an existing footpath on the west side of Ladywell Gardens and would not impact on the available vehicular parking area at this location;
- pedestrian gate would encourage short cut - the gate provides access to a private dwelling.

Non-Material Representations:

- ownership of wall - the applicant has certified that they are the owners of all the land subject of the application. This has been confirmed verbally by their agent. Notwithstanding this, the granting of consent does not preclude the applicant from obtaining all other permissions required to implement the consent i.e. building warrant etc; and

- creation of gate would compromise the structural stability of the wall - this is a technical matter best addressed by Building Standards under the building warrant.

No community council comments have been received.

Conclusion

In conclusion, the proposals comply with the development plan and broadly comply with non-statutory guidance, preserve the character and appearance of the conservation area and would not prejudice residential amenity. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

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 granting of consent does not preclude the applicant from obtaining all other permissions required to implement the consent i.e. building warrant etc.

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 on 22 June 2018 and 14 letters of representation were received from neighbouring residents objecting to the proposals.

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 - Edinburgh Local Development Plan
Date registered	12 June 2018
Drawing numbers/Scheme	01 - 04, 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 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.

Relevant Non-Statutory Guidelines

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

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 Corstorphine Conservation Area Character Appraisal emphasises the retention of the village character and vernacular architecture, the varied grain of the area, the retention of the informal street layout and footpath network, the consistency in the use of traditional materials, and the prevalence of residential uses.

Appendix 1

Application for Planning Permission 18/02511/FUL

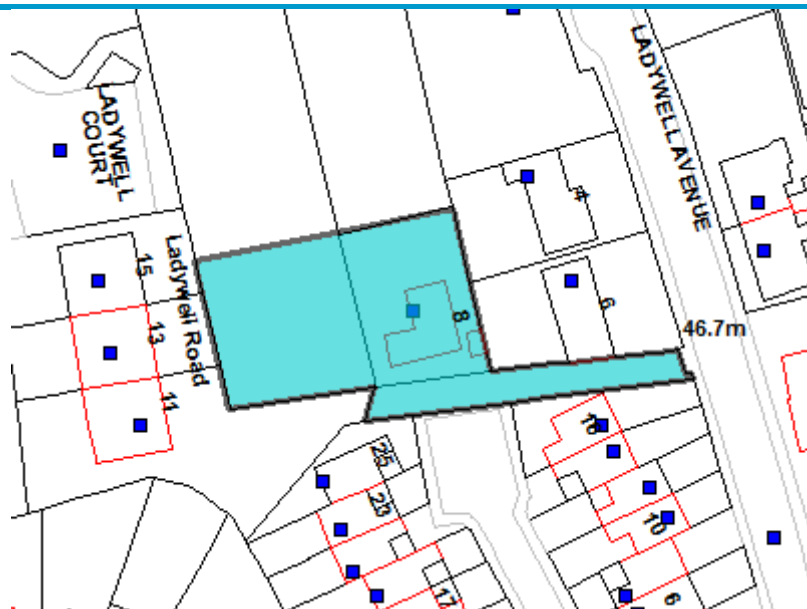
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Remove existing conservatory, chimney breast, windows and doors, lintel between garage and house, cladding and roof fascias; form openings, single storey extensions, entrance canopy, rooflights, replace windows, re-render exterior walls and form brick basecourse, replace front door, new entrance steps, fascias and flue, paved terrace areas to rear and opening in boundary wall and gate.

Consultations

No consultations undertaken.

Location Plan



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END

Development Management Sub Committee

Wednesday 12 September 2018

**Application for Planning Permission 18/02697/FUL
At 10 West Scotland Street Lane, Edinburgh, EH3 6PT
Change of use at 9, 9a, 9b (1st floor) and 10 (ground and 1st
floor) West Scotland Street Lane to Sui Generis (Flats) with
internal and external alterations (as amended)**

Item number	4.2(a)
Report number	
Wards	B11 - City Centre

Summary

The proposals comply with the Local Development Plan and are a minor infringement of the non-statutory guidelines, have no adverse effect on the character or appearance of the conservation area or character or setting of the listed buildings and have no detrimental impact on residential amenity, road safety or infrastructure. The benefit of bringing a building at risk back into use justifies a minor departure from non-statutory guidance. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LHOU05, LEN03, LEN04, LDES05, LTRA02, LTRA03, NSG, NSLBCA, NSGD02, CRPNEW, LEN06,
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Report

Application for Planning Permission 18/02697/FUL At 10 West Scotland Street Lane, Edinburgh, EH3 6PT Change of use at 9, 9a, 9b (1st floor) and 10 (ground and 1st floor) West Scotland Street Lane to Sui Generis (Flats) with internal and external alterations (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 relates to an early 19th century, two-storey mews building on the north side of West Scotland Street Lane, within a triangular courtyard. The building, which is constructed in rubble sandstone with a slate roof, is category B listed (reference 45526, listed on 24 March 1998) and within the Old and New Towns of Edinburgh World Heritage Site. It is also on the Buildings at Risk Register (reference 5246) due to its structurally dilapidated state.

The property has not had an active use recently, but was last in use as a workshop and garage. There are three private garages at ground level at no. 9 West Scotland Street Lane. The surrounding area is predominantly residential and the Georgian townhouses to the north and east on Royal Crescent and Dundonald Street are category A listed (reference 29679, listed on 22 September 1965).

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

2.2 Site History

There is no relevant planning history for this site.

Related Planning History

02 September 2014 - listed building consent granted for roof repairs including re-slating with Cupa H3 slates at 8 West Scotland Street Lane (14/02668/LBC).

Main report

3.1 Description Of The Proposal

The application is to convert no. 10 West Scotland Street Lane and the first floor of no. 9 to three residential flats: two 2-bedroom flats at no. 10 and one 1-bedroom flat at no. 9.

No parking provision is proposed in the development and the current parking space is being removed.

The following external alterations are proposed:

- reconstruct the roof with a lead-covered flat-central section and Cupa Heavy 3 slated pitches, raising the wallhead in matching sandstone by approximately 450mm;
- form a zinc-covered wallhead dormer with timber-framed glazed double doors and a Juliet balcony with a glazed balustrade on the front elevation and two single zinc-covered wallhead dormers on the east elevation;
- install a glazed/vertically-lined timber screen in the existing garage opening on the front elevation of no. 10; and
- replace the existing windows with timber-framed (or aluminium-clad timber-framed) windows.

The proposed internal alterations form part of the associated application for listed building consent (18/02885/LBC).

Scheme 1

The original scheme proposed a mansard roof with no increase in the wallhead height.

Supporting Documents

The following documents have been submitted in support of the application and are available to view on the Planning and Building Standards Online Services:

- Design and Access Statement;
- Planning Statement;
- Photographic Schedule;
- Structural Report; and
- Daylighting Study (Sun Path Analysis).

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 in this location;
- b) the proposals adversely affect the character or appearance of the conservation area or character or setting of the listed buildings;
- c) the proposals are detrimental to residential amenity, road safety or infrastructure;
- d) any impacts on equalities or human rights are acceptable; and
- e) public comments have been addressed.

a) Principle

Policy Hou 5 of the Edinburgh Local Development Plan supports the conversion of non-residential buildings to housing in this area, provided a satisfactory residential environment can be achieved with appropriate open space.

The gross internal floor area of each proposed flat (approximately 67sqm for the two-bedroom flats and 53 sqm for the one-bedroom flat) complies with the minimal floor area requirements as set out in the Edinburgh Design Guidance. Small residential flats are appropriate for mews buildings which do not typically have private gardens.

The garages below the proposed flat at no. 9 are in domestic use so there are no concerns regarding noise affecting the future occupiers of this flat.

Provided other policy requirements are met, the development is acceptable in principle.

b) Character and Appearance of Conservation Area and Character or Setting of Listed Buildings

The proposed residential use is in keeping with the predominantly residential character of the Second New Town in which the site is located.

The New Town Conservation Area Character Appraisal identifies the key characteristics of this part of the Second New Town as:

- *the grid hierarchy of grand streets, lesser streets, lanes and mews;*
- *terraces of buildings with regular building plot widths and the consistent relationship of building lines to the layout of streets;*
- *the overwhelming retention of buildings in their original design form with a standard materials palette, including blonde sandstone and slated pitched roofs.*

This building is on the Buildings at Risk Register due to its very poor structural condition. Although the building was in use as a workshop and garage until relatively recently, no proper maintenance had been carried out for many years. The term "derelict" is accurate for the current state of this building. The roof has partially collapsed and needs total reconstruction. Large cracks have formed on the front and side elevations and the south-facing gable wall is leaning outwards. This gable needs to be rebuilt and localised re-construction is required at the cracked areas. Internally, there are large cracks in the walls and significant timber decay. The proposed residential use will encourage the regular occupation and maintenance of the property, safeguarding its future.

The proposed first floor flats at nos. 9 and 10 would not be habitable in terms of head room if the existing dual pitch roof were to be reconstructed as existing. The revised scheme proposes a flat section with pitches to match the existing angle which will provide the required level of usable space in these attic apartments. The raising of the wallhead by approximately 450mm in matching recycled sandstone will have minimal visual impact on the appearance of the building, whereas the mansard roof profile previously proposed would have been significantly more noticeable. This increased height will allow for any additional structural depth that may be required and insulation to provide a better thermal performance in compliance with the building regulations. Whilst changes to the original roof form are contrary to the non-statutory guidance on listed buildings and conservation areas, the change is designed to have minimal impact on the listed building and bring a building at risk back into use. It is therefore a justified infringement of the guidance.

The revised arrangement will have no detrimental impact on the symmetrical entrance to the lane which is formed by this building and its matching equivalent at no. 1. The symmetry of the lane has already been compromised by the extension of the end building on the north side to a full two-storey height with a flat roof.

A detailed materials specification has been provided and the existing sandstone will be recycled as much as structurally possible. Any required infills will be in stone recycled from similar mews projects rather than using modern new stone, unless necessary for features such as lintels or cills. The original slate and roof timbers are beyond repair. The contemporary detailing will demarcate the 21st century age of this intervention and the new wallhead dormers and windows will provide a higher level of daylighting than traditional-scale openings would allow. The building on the opposite side of the lane has a similar lead-covered, flat-roofed dormer and most mews in West Scotland Street Lane have had their original garage doors, entrance doors and windows replaced with modern-style versions in traditional materials. The proposed new design features will not therefore be out of keeping with the character of the lane.

The existing drawings have been revised to include the two chimneys on the north elevation, one of which is not on the applicant's property. The removal of the one chimney and vents on the north elevation is acceptable as these are redundant features which are not key elements of the listed building's special interest.

The setting of the adjacent townhouses in Royal Crescent and Dundonald Street will not be impacted negatively by these relatively modest alterations to an existing mews building.

No mature or significant trees will be removed and there is no statutory protection for the mature shrubs or any wildlife in this location. Some small trees and ivy are growing into the building, adding to structural instability.

Due to the small scale nature of the proposal, there is no requirement to assess the impact on the Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site.

The proposals will therefore have no adverse impact on the character or appearance of the conservation area or character or setting of the listed buildings, in compliance with LDP Policies Env 6, Env 4 and Env 3.

c) Residential Amenity, Road Safety and Infrastructure

The proposed residences will have a satisfactory standard of amenity in terms of internal floor area and daylighting. While no private gardens will be provided, the properties are in close proximity to King George V park and within the vicinity of the Royal Botanic Gardens and Warriston park, so future occupiers will have adequate access to open space.

In terms of overshadowing, the existing structure overshadows the gardens of the townhouses on Royal Crescent to a certain degree. The sun path analysis carried out as prescribed by the Edinburgh Design Guidelines shows that the development will have no significant impact on the existing daylighting situation for these gardens. The building is too far away from the townhouses to have any impact on daylighting levels within these properties.

Normal privacy levels are relaxed for directly facing properties in mews lanes given that these standards would preclude the conversion of buildings to residential use. The installation of frosted glazing in windows to maintain privacy is neither appropriate in the historic context, nor enforceable in planning terms. The proposed additional windows in the side elevation are therefore acceptable.

The proposed residential use should not generate any significant noise for surrounding properties and any proposed future applications for change of use will be assessed on their own merits.

No off-street parking spaces are proposed, but the site is within Zone 1 of the Council's Parking Standards, which specifies no minimum number of parking spaces for two- or three-room dwellings (excluding kitchens and bathrooms). There is space within each flat for bicycles and the site is within a short walk of a major public transport route and local buses. Residents will be able to apply for a parking permit but the small scale nature of this development means there will be little impact on road infrastructure. A car-free development is unnecessary.

The development is not expected to generate any additional primary school pupils, so no financial contribution towards education infrastructure is required.

The proposed development will therefore have no detrimental impact on residential amenity, road safety or infrastructure, in compliance with LDP Policies Des 5, Tra 2 and Tra 3.

d) Impact on Equalities and Human Rights

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

e) Public Comments

Material Objections

- the small flats proposed are inappropriate in this location - this has been addressed in section 3.3 a).
- the building is not derelict and was in regular use as a workshop and garage until sold - this has been addressed in section 3.3 b).
- the raising of the height of the roof and change in profile will have an adverse effect on the listed building and conservation area and will destroy the symmetry of the lane opening - this has been addressed in section 3.3 b).
- there is a lack of information on the proposed re-use of materials and original materials should be re-used - this has been addressed in section 3.3 b).
- the demolition of the chimney and vents on the north elevation will have an adverse effect on character and these features are not shown on the existing drawings - this has been addressed in section 3.3 b).

- the modern design and roof dormers are out of keeping with the character of the surrounding area - this has been addressed in section 3.3 b).
- the removal of trees and mature shrubs will have a detrimental effect on the appearance of gardens and wildlife - this has been addressed in section 3.3 b).
- loss of daylight to neighbouring properties and gardens - this has been addressed in section 3.3 d).
- loss of privacy - this has been addressed in section 3.3 d).
- an increase in on-street parking problems in the surrounding streets, so the development should be car-free - this has been addressed in section 3.3 d).
- the existing garages are described as stores which is incorrect - this is indeed the case but is not material to the consideration of this application which does not include these properties.
- neighbour notification is incomplete - neighbour notification has been carried out in accordance with planning legislation.

Non-Material Objections

- The comments regarding noise, disruption and access for residents, emergency vehicles and refuse lorries during construction, potential letting and Airbnb use, owners' permission to alter the existing garages and the impact on telephone wires and utilities are non-material in planning terms.

Conclusion

The proposals comply with the Local Development Plan and non-statutory guidelines, have no adverse effect on the character or appearance of the conservation area or character or setting of the listed buildings and have no detrimental impact on residential amenity, road safety or infrastructure. There are no identified impacts on equalities or human rights and 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:-

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 22 June 2018. A total of 25 representations were received comprising 23 objections, including one from the Fettes Row and Royal Crescent Association, and 12 supporting 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 located within the Urban Area as defined in the Edinburgh Local Development Plan.

Date registered

12 June 2018

Drawing numbers/Scheme

01, 02, 03A, 04A + 05A,

Scheme 2

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

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

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 '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.

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

Appendix 1

Application for Planning Permission 18/02697/FUL At 10 West Scotland Street Lane, Edinburgh, EH3 6PT Change of use at 9, 9a, 9b (1st floor) and 10 (ground and 1st floor) West Scotland Street Lane to Sui Generis (Flats) with internal and external alterations (as amended)

Consultations

Historic Environment Scotland

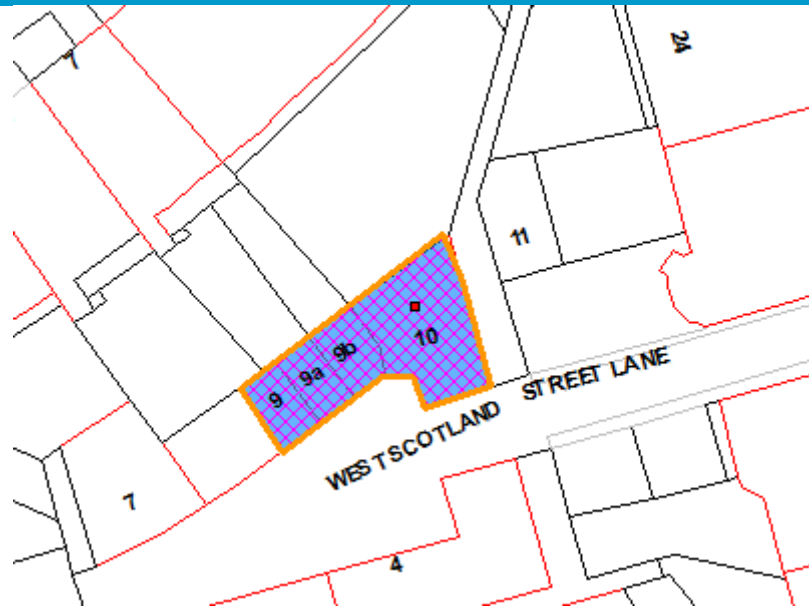
We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

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 3 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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Development Management Sub Committee

Wednesday 12 September 2018

**Application for Listed Building Consent 18/02885/LBC
At 10 West Scotland Street Lane, Edinburgh, EH3 6PT
Proposed internal + external alterations to nos 9, 9a, 9b (1st floor) and no. 10 (GF and 1st floor), as amended.**

Item number	4.2(b)
Report number	
Wards	B11 - City Centre

Summary

The proposals comply with the Local Development Plan and are a minor infringement of the non-statutory guidelines. This preserves the building and its setting and has no adverse effect on the character of the listed building or character or appearance of the conservation area. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#) LDPP, LEN04, LEN06, NSG, NSLBCA, CRPNEW,

Report

Application for Listed Building Consent 18/02885/LBC At 10 West Scotland Street Lane, Edinburgh, EH3 6PT Proposed internal + external alterations to nos 9, 9a, 9b (1st floor) and no. 10 (GF and 1st floor), 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 relates to an early 19th century, two-storey mews building on the north side of West Scotland Street Lane, within a triangular courtyard. The building, which is constructed in rubble sandstone with a slate roof, is category B listed (reference 45526, listed on 24 March 1998) and within the Old and New Towns of Edinburgh World Heritage Site. It is also on the Buildings at Risk Register (reference 5246) due to its structurally dilapidated state.

The property has not had an active use for several years. There are three private garages at ground level at no. 9 West Scotland Street Lane. The surrounding area is predominantly residential and the Georgian townhouses to the north and east on Royal Crescent and Dundonald Street are category A listed (reference 29679, listed on 22 September 1965).

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

2.2 Site History

There is no relevant planning history for this site.

Related Planning History

02 September 2014 - listed building consent granted for roof repairs including re-slating with Cupa H3 slates at 8 West Scotland Street Lane (14/02668/LBC).

Main report

3.1 Description Of The Proposal

The application is to convert no. 10 West Scotland Street Lane and the first floor of no. 9 to three residential flats: two 2-bedroom flats at no. 10 and one 1-bedroom flat at no. 9.

The following alterations are proposed:

- reconstruct the roof with a lead-covered flat-central section and Cupa Heavy 3 slated pitches, raising the wallhead in matching sandstone by approximately 450mm;
- form a zinc-covered wallhead dormer with timber-framed glazed double doors and a Juliet balcony with a glazed balustrade on the front elevation and two single zinc-covered wallhead dormers on the east elevation;
- install a glazed/vertically-lined timber screen in the existing garage opening on the front elevation of no. 10;
- replace the existing windows with timber-framed (or aluminium-clad timber-framed) windows; and
- remove the existing internal timber stair and erect a new stair and partitions to form living accommodation.

Scheme 1

The original scheme proposed a mansard roof with no increase in the wallhead height.

Supporting Documents

The following documents have been submitted in support of the application and are available to view on the Planning and Building Standards Online Services:

- Design and Access Statement;
- Planning Statement;
- Photographic Schedule; and
- Structural Report.

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) the proposals adversely affect the character of the listed building or character or appearance of the conservation area;
- b) any impacts on equalities or human rights are acceptable; and
- c) public comments have been addressed.

a) Character of Listed Building and Character and Appearance of Conservation Area

The New Town Conservation Area Character Appraisal identifies the key characteristics of this part of the Second New Town as:

- *the grid hierarchy of grand streets, lesser streets, lanes and mews;*
- *terraces of buildings with regular building plot widths and the consistent relationship of building lines to the layout of streets;*
- *the overwhelming retention of buildings in their original design form with a standard materials palette, including blonde sandstone and slated pitched roofs.*

This building is on the Buildings at Risk Register due to its very poor structural condition. Although the building was in use as a workshop and garage until relatively recently, no proper maintenance had been carried out for many years. The term "derelict" is accurate for the current state of this building. The roof has partially collapsed and needs total reconstruction. Large cracks have formed on the front and side elevations and the south-facing gable wall is leaning outwards. This gable needs to be rebuilt and localised re-construction is required at the cracked areas. Internally, there are large cracks in the walls and significant timber decay. The proposed residential use will encourage the regular occupation and maintenance of the property, safeguarding its future.

The proposed first floor flats at nos. 9 and 10 would not be habitable in terms of head room if the existing dual pitch roof were to be reconstructed as existing. The revised scheme proposes a flat section with pitches to match the existing angle which will provide the required level of usable space in these attic apartments. The raising of the wallhead by approximately 450mm in matching recycled sandstone will have minimal visual impact on the appearance of the building, whereas the mansard roof profile previously proposed would have been significantly more noticeable. This increased height will allow for any additional structural depth that may be required and insulation to provide a better thermal performance in compliance with the building regulations. Whilst changes to the original roof form are contrary to the non-statutory guidance on listed buildings and conservation areas, the change is designed to have a minimal impact on the listed building and bring a building at risk back into use. It is therefore a justified infringement of the guidance.

The revised arrangement will have no detrimental impact on the symmetrical entrance to the lane which is formed by this building and its matching equivalent at no. 1. The symmetry of the lane has already been compromised by the extension of the end building on the north side to a full two-storey height with a flat roof.

A detailed materials specification has been provided and the existing sandstone will be recycled as much as structurally possible. Any required infills will be in stone recycled from similar mews projects rather than using modern new stone, unless necessary for features such as lintels or cills. The original slate and roof timbers are beyond repair. The contemporary detailing will demarcate the 21st century age of this intervention and the new wallhead dormers and windows will provide a higher level of daylighting than traditional-scale openings would allow. The building on the opposite side of the lane has a similar lead-covered, flat-roofed dormer and most mews in West Scotland Street Lane have had their original garage doors, entrance doors and windows replaced with modern-style versions in traditional materials. The proposed new design features will not therefore be out of keeping with the character of the lane.

The existing drawings have been revised to include the two chimneys on the north elevation, one of which is not on the applicant's property. The removal of the one chimney and vents on the north elevation is acceptable as these are redundant features which are not key elements of the listed building's special interest.

The setting of the adjacent townhouses in Royal Crescent and Dundonald Street will not be impacted negatively by these relatively modest alterations to an existing mews building.

The proposals therefore have no adverse impact on the character of the listed building or character or appearance of the conservation area, in compliance with LDP Policies Env 4 and Env 6.

b) Equalities and Human Rights

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

c) Public Comments

Material Objections

- the building is not derelict and was in regular use as a workshop and garage until sold - this has been addressed in section 3.3 b).
- the raising of the height of the roof and change in profile will have an adverse effect on the listed building and conservation area and will destroy the symmetry of the lane opening - this has been addressed in section 3.3 b).
- there is a lack of information on the proposed re-use of materials and original materials should be re-used - this has been addressed in section 3.3 b).

- the demolition of the chimney and vents on the north elevation will have an adverse effect on character and these features are not shown on the existing drawings - this has been addressed in section 3.3 b).
- the modern design and roof dormers are out of keeping with the character of the surrounding area - this has been addressed in section 3.3 b).

Non-Material Objections

- The comments regarding the effect on the World Heritage Site, tree felling, loss of daylight/privacy, parking and neighbour notification and are not material to this application for listed building consent and have been assessed in the associated application for planning permission (reference 18/02697/FUL). The concerns regarding disruption and access for residents, emergency vehicles and refuse lorries during construction, the impact on telephone wires and utilities are non-material in planning terms.

Conclusion

The proposals comply with the Local Development Plan and non-statutory guidelines and have no adverse effect on the character of the listed building or character or appearance of the conservation area. There are no identified impacts on equalities or human rights and 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:-

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 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 on 29 June 2018. A total of 23 representations were received comprising 15 objections, including one from the Fettes Row and Royal Crescent Association, and 8 supporting 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 located within the Urban Area as defined in the Edinburgh Local Development Plan.

Date registered

20 June 2018

Drawing numbers/Scheme

01, 02, 03A, 04A + 05A,

Scheme 2

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

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

Relevant Non-Statutory Guidelines

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

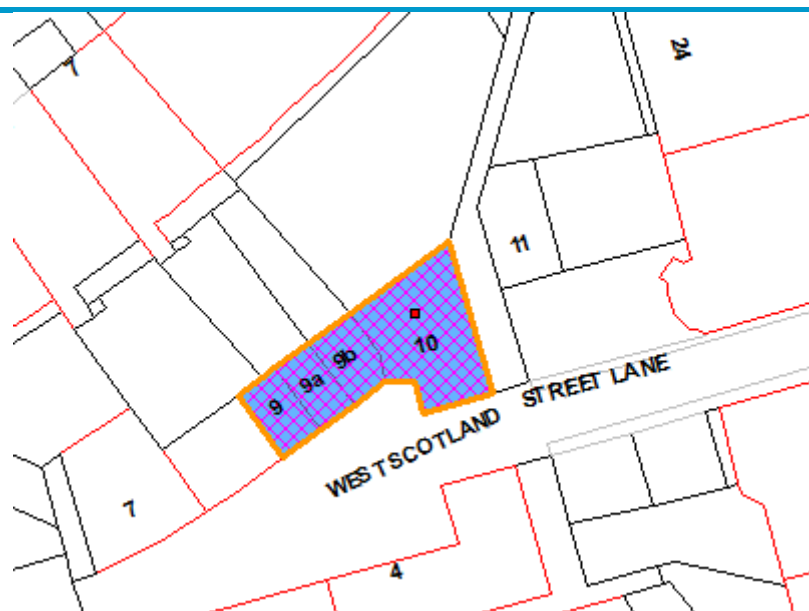
**Application for Listed Building Consent 18/02885/LBC
At 10 West Scotland Street Lane, Edinburgh, EH3 6PT
Proposed internal + external alterations to nos 9, 9a, 9b (1st
floor) and no. 10 (GF and 1st floor), as amended.**

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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END

Development Management Sub Committee

Report returning to Committee - Wednesday 12 September 2018

Application for Planning Permission 09/03284/FUL At 50 Pilrig Street, Edinburgh, EH6 5AL Erection of five storey building to form 8 residential apartments with associated parking and amenity space

Item number	5.1
Report number	
Wards	B12 - Leith Walk

Recommendations

It is recommended that this application be Refused for the reasons below.

Background information

At its meeting of 9 March 2011, Committee was minded to grant this application subject to a legal agreement relating to public transport infrastructure and a tram contribution. Despite reminders, the applicant has not taken steps to conclude the legal agreement and so planning permission has never been issued and the application is still 'live'. In the meantime, there have been new material planning considerations which means that the application needs to be re-assessed. The duty to consider all material considerations continues until the time a grant or refusal is made, whether or not the resolution to grant is subject to a legal agreement.

Main report

The new material considerations in this case are the Edinburgh Local Development Plan, the updated Edinburgh Design Guidance and the designation of Pilrig Conservation Area. The application has been re-assessed in relation to these new material considerations and requires a new decision by the Development Management Sub-Committee.

The principle of the development remains acceptable in terms of policy Hou1 provided it is compatible with other policies in the Plan.

The site is now located within Pilrig Conservation Area and lies adjacent to listed buildings. Policies Env 3 and Env 6 require new development to preserve or enhance the special character or appearance of the conservation area and to respect the setting of listed buildings. In addition, policies Des 1 and Des 4 are designed to ensure that new development creates a sense of place which draws on the positive characteristics of the surrounding area. New development must have a positive impact on its surroundings having regard to scale and proportions, height and form, position and materials and detailing. Edinburgh Design Guidance has been updated to inform these policies and achieve higher standards of design and is a material planning consideration.

The Pilrig Conservation Area Character Appraisal identifies the following essential characteristics:

- *The spatial structure of the area is characterised by its varied street pattern and terraced properties, contrasted with the green space of Pilrig Park and Rosebank Cemetery. The scale is set by two storey housing.*
- *The area is low density and although there are some streets which follow the traditional tenement scale of Leith Walk, other streets consist mainly of stone-built terraced housing.*
- *Extensive use of a restricted palette of natural stone, slate and cast iron detail.*
- *Similarity of proportions and terraced forms provide a unity of character in the area.*
- *The significant degree of uniformity resulting from the predominant use of traditional building materials.*
- *The variety of architectural styles that contribute to the overall character.*

The proposal is of modern design and continues the existing building line on Pilrig Street, but is closer to the road than the existing development on the south side of Dryden Street. The height of the building is lower than the adjacent buildings due to the flat roof. The proposed building will be in keeping with the existing heights. Although the new windows have a vertical emphasis in keeping with the traditional style of the neighbouring properties they do not line up with the adjacent building as the new building is three storeys up to eaves level whilst the listed building to the south is two storeys. This affects the uniformity of proportions which are part of the character of Pilrig Street. The Dryden Street elevation has large expanses of stone with some articulation on the corner but is otherwise featureless.

The use of plain sandstone on the elevation facing Pilrig Street connects well with the existing stone facades of the adjoining listed buildings. Ashlar faced sandstone details will be continued on the elevation facing onto Dryden Street in keeping with the traditional building on the opposite corner of Dryden Street. The rear elevation is partly ashlar stone and facing brick. The use of stone will preserve and enhance the character of the adjacent conservation area and will not be detrimental to the setting of the nearby listed buildings. However, brick is not a traditional material in the conservation area and is considered unacceptable.

The roof of the new building is basically a zinc clad box set back from the eaves. This is not a traditional roof form in the conservation area and is a discordant feature.

Whilst the scale and mass of the building are generally acceptable, the roof form and the proportions of the building are at odds with the character and appearance of the conservation area and adversely affect the adjacent listed building. The use of brick, even if only on the rear elevation introduces a non-traditional material. As such, the development is contrary to policies Env 3 and Env 6 and fails to comply with Des 1 and Des 4.

Other matters in relation to residential amenity and archaeology raise no new material planning issues. However, the required legal agreement to secure tram contributions has not been concluded despite reminders and so is contrary to policy Del 1. 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 City's transport infrastructure.

Conclusion

In conclusion, new material planning considerations have been assessed and the proposals do not comply with the development plan.

Whilst the scale and mass of the building are generally acceptable, the roof form and the proportions of the building are at odds with the character and appearance of the conservation area and adversely affect the adjacent listed building. The use of brick, even if only on the rear elevation introduces a non-traditional material. As such, the development is contrary to policies Env 3 and Env 6 and fails to comply with Des 1 and Des 4. In addition, a legal agreement has not been concluded for the tram contribution contrary to Del 1. There are no material considerations which outweigh this conclusion.

It is recommended that the Committee refuses this application due to non-compliance with the Development Plan.

Links

Policies and guidance for this application CITD3, CITE6, CRPLEI, NSG, NSDOP,

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=KV2173EW01U00>

Or Council Papers online

David R. Leslie

Chief Planning Officer

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Development Management Sub Committee

Wednesday 12 September 2018

Application for Planning Permission 18/02497/FUL At Boroughmuir High School, 26 Viewforth, Edinburgh Change of use and conversion of former Boroughmuir High School to form residential accommodation. Demolition of existing outbuildings and erection of new residential block.

Item number	7.1
Report number	
Wards	B10 - Morningside

Summary

Whilst the proposal broadly complies with the policies in the Edinburgh Local Development Plan there are policy infringement relating to the lack of open space, car parking layout and the design of the new build block. However, the constraints and planning history of the site are relevant material considerations which on balance, outweighs these infringements. The proposal will not have a deleterious impact on the character and setting of the listed building and it will not adversely impact on the character and appearance of the conservation area. It will not adversely affect neighbouring amenity and future occupiers will have satisfactory levels of amenity. Adequate car and cycle parking will be provided.

Links

Policies and guidance for this application	LDPP, LDES01, LDES02, LDES03, LDES04, LDES05, LDES12, LEN02, LEN03, LEN05, LEN06, LEN09, LEN12, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU05, LTRA02, LTRA03, LTRA04, NSG, NSGD02, OTH, CRPMAR,
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Report

Application for Planning Permission 18/02497/FUL At Boroughmuir High School, 26 Viewforth, Edinburgh Change of use and conversion of former Boroughmuir High School to form residential accommodation. Demolition of existing outbuildings and erection of new residential block.

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 former Boroughmuir High School and is located on the east side of Viewforth, between Westhall Gardens, Admiral Terrace and Viewforth Square. The main building is a three storey with a basement and attic, symmetrically designed with a rectangular double quadrangle-plan, incorporating Renaissance and Byzantine influences. The building was designed by John Alexander Carfrae, 1911-14.

There are three single storey annexes within the site.

The surrounding area is predominately residential with a mix of tenement and terraced houses.

The building is category B listed (date of listing: 12/12/1974, reference: LB30040).

This application site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

2.2 Site History

28 April 2017 - Planning permission refused for the change of use and conversion of Boroughmuir High School to form residential accommodation. Demolition of existing outbuildings and erection of new residential block, (application number 16/04581/FUL).

28 April 2017 - Listed building consent granted for the conversion of Boroughmuir High School to form residential accommodation. Demolition of existing outbuildings and erection of new residential block (as amended) (application number 16/04580/LBC).

28 April 2017 - Conservation area consent granted for the demolition of existing outbuildings (application number 16/04579/CON).

14 August 2017 - DPEA appeal against 16/04581/FUL dismissed (refused) on grounds of the affordable housing block design.

31 May 2018 - Application submitted for listed building consent for alterations for conversion of former Boroughmuir High School to form residential accommodation. Demolition of existing outbuildings (application number 18/02493/LBC).

Main report

3.1 Description Of The Proposal

Proposal

This application is a resubmission in response to the previous refused application, the appeal of which was dismissed.

The application seeks planning permission to alter and convert the former Boroughmuir High School into residential use and to erect a new residential block with associated parking, landscaping and bin stores. Three existing outbuildings are to be demolished. A total of 104 residential units, 98 private car parking spaces and 233 private cycle parking spaces are to be provided.

The school building will comprise 87 residential units with 87 private car parking spaces allocated. A provision of 199 cycle parking is to be delivered within the basement level of that block. There will be a mix of 15 x one bed, 47 x two bed and 25 x three bed flats.

Alterations to the main school building will include the erection of metal walkways within the existing courtyards for access; to extend the height of some windows on the front and rear elevations; and to reinstate windows following the demolition of an outbuilding to the rear.

The new build block will be five storeys in height with nine residential units. The first four floors will be finished in natural sandstone block and the fifth floor will be finished in vertically aligned powder coated metal panels. The roof will be set back from the eaves and hipped on all sides and will be slated to match the adjoining tenement. The windows will be framed in timber with powder coated metal Juliet balconies.

The affordable housing is to be located within the new build block and in the annex of the listed building. The proposed affordable units are a mix of 17 affordable rented delivered by Link HA, with the remaining nine units to be delivered as a commuted sum. The mix will comprise 12 x one bed and 5 x two bed units. There will be 11 private car parking spaces allocated for these affordable units and a provision of 34 cycle parking spaces.

An additional provision of 20 cycle parking spaces within the site for visitors is proposed.

The delivery of two city club car spaces on the roadside of Viewforth is proposed.

It is proposed to remove 5 trees within the site (Whitebeam and Cherry).

Supporting Statement

The applicant has submitted the following information in support of the application:

- Design and Access Statement;
- Preliminary Environmental Report;
- Daylighting Assessment;
- Preliminary Bat Assessment;
- Transport Statement;
- Affordable Housing; and
- Surface Water Management Plan.

These documents are available to view via the Planning and Building Standards online services.

3.2 Determining Issues

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

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

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of residential development is acceptable in this location;
- b) the demolition/removal of modern additions are acceptable;
- c) the development design will detract from the character or appearance of the conservation area;
- d) the proposal will affect the setting and character of the listed buildings;

- e) the proposal will impact on neighbouring amenity;
- f) the proposal address issues of road safety;
- g) the proposal will impact on existing trees;
- h) any other material considerations;
- i) equalities and human rights have been addressed; and
- j) any matters raised in representations have been addressed.

a) Principle

Policy Hou 1 of the Edinburgh Local Development Plan (LDP) allows new housing development on suitable sites within the urban area provided it is compatible with other policies.

The site is an urban area as designated in the LDP and is located within an established residential neighbourhood. Therefore, the principle of residential development on this site is acceptable, subject to compliance with other policies in the LDP.

Policy Hou 5 of the LDP states that planning permission will be granted for the change of use of existing buildings in non-residential use to housing, provided that a satisfactory residential environment can be achieved; housing would be compatible with nearby uses; appropriate open space, amenity and car and cycle parking standards are met; and the change of use is acceptable having regards to other policies in the plan. This is addressed in each turn below.

Residential Amenity

With the exception of Unit 8 within the school block, the proposed mix of units, including the affordable housing, complies with the minimum internal floorspace specified in the Edinburgh Design Guidance and will provide a satisfactory level of living amenity space. The floor space will have a range of 54 sqm to 162 sqm. Unit 8 will have a floor space of 49 sqm which falls below the minimum 52 sqm standard that is required for a one bed unit. Whilst this infringement would not be acceptable as part of a new build development, the provision of one non-compliant flat out of 87 units within the existing listed school building can be justified on the basis that it is a minor infringement and all the proposed flats exceed the minimum floorspace requirements. Future occupiers of each habitable rooms will receive adequate levels of daylighting.

More than 20% of the total number of units within the school block will have three bedrooms which is appropriate for growing families.

The site is located within 200 metres of open play space at Bruntsfield Links to the east. Therefore, there is no requirement to provide a play area.

The proposed mix of accommodation will meet a range of housing needs and accords with policy Hou 2 of the LDP.

Nearby uses

Housing in this location is compatible with nearby uses. The surrounding area is predominately residential. Bruntsfield Local Centre is located a short distance to the south.

Open Space

There is a requirement for the development to provide 1040 sqm of open space based on the number of flatted units proposed as per policy Hou 3 of the LDP. A minimum of 20% (approximately 1,753 sqm) of the total site should be useable greenspace (capacity to receive sunlight and use by residents for a range of functions). There is no requirement to provide public open space.

The non-statutory Edinburgh Design Guidance states:

"Car parking should not be provided at the expense of delivering open space required as a setting to development."

The site is constrained in terms of its ability to provide parking spaces for all the units (to offset the ability to get a residents' parking permit) and the required amount of open space. The proposal will provide approximate 676 sqm of semi-private open spaces within the ground floor courtyards of the school block which will be furnished with planters, decking, benches, hedges and tree planters. In addition, it is intended that the proposed metal walkways within the courtyards will provide a source for informal amenity space to be utilised. The capacity of this space to receive sunlight will be limited due to the enclosure of the courtyards arrangement. The pedestrian entrance to the front of the school block will provide another social space for interaction between neighbours.

The submitted 'Daylight and Sunlight Assessment on Existing Residential Properties' identifies two areas of communal space (approx. 438 sqm combined) to the rear of the school block that will be capable of receiving morning (07:00 - 10:00) sunlight during the spring equinox for three hours. The proposals do not therefore comply with the requirements of policy Hou 3. Discussions were held with the applicant concerning the possibility of reducing the front car parking to increase open space provision but given the objectors' concerns about parking on street and parking permit pressure, it was deemed more important to provide 100% parking on site for the non-affordable units so that they would not be eligible for a parking permit. As parking has been provided for the affordable units, future residents will also not be eligible for parking permits.

In addition, whilst the visual dominance of cars parked to the front of a building would not normally be considered acceptable in terms of Tra 4, the absence of sufficient open space was addressed in the previous application and did not form part of the grounds for its refusal either by the Committee or the Reporter. And whilst the Committee considered the previous proposals were contrary to Policy Tra 2 on the grounds of over provision of car parking, the Reporter was of the view that this was a car reduced scheme as the amount of parking was less than the maximum allowed under parking standards and so complied. This still applies albeit it is only 6 spaces less than the maximum allowed. It would therefore be unreasonable to refuse it on those grounds now. The proposal is for the conversion of a listed building as opposed to a new build residential layout. In addition, the site is currently surrounded by tarmac and whilst technically open space this does not provide a green, welcoming environment and can already be used for car parking. So whilst the proposals do not comply with policy Hou 3 of the LDP, the planning history of the site and local parking issues are relevant material considerations. In these circumstances, failure to provide adequate amount of open space within the site is justified. It should also be noted that the site is near Bruntsfield Links which will provide further open space and recreational opportunities.

Housing Density

The site is 0.89 hectares and with the provision of 104 units the site will be developed at a density of 117 dwellings per hectare. This will result in a density of development that is comparable with the neighbouring tenements and that is compatible with the site's central location to public transport, local facilities and shops.

The proposal complies with policy Hou 4 of the LDP.

Car and Cycle parking

The provision of car and cycle parking is addressed in section (f) below.

The car parking to the front of the building does not accord with the Edinburgh Design Guidance. With the exception of policy Hou 3, the proposal largely complies with policy Hou 1 to Hou 5 of the LDP.

b) Demolition

The proposal to demolish/remove the stand-alone teaching block to the front of the main building and to demolish the modern additions to the school block have been pre-determined under application number 16/04579/CON and 16/04580/LBC and the concurrent application for listed building consent 18/02493/LBC. The removal of these additions will have a positive impact on the school block, its setting and surroundings.

The proposal complies with policy Env 2 and Env 5 of the LDP.

c) Development Design and Conservation Area

Policy Des 1 to Des 5 of the LDP set out the requirement for well-designed developments to relate sensitively to the existing quality and character of the local and wider environment, generate distinctiveness and a sense of place, and help build stronger communities.

Policy Env 6 of the LDP states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area; is consistent with the relevant conservation character appraisal; and demonstrates high standards of design and utilises materials appropriate to the historic environment.

The site is located within the Marchmont and Meadows Conservation Area. The character appraisal states the following:

Boroughmuir High School nestles to the gradient of the site, with the classic structure well framed by the playground. It is a compact tight structure, with elegant decorative flourishes.... High quality local sandstone, slate roofs, timber sashes unify the different types and scales of housing. Chimney-stacks, bays, dormers and other flourishes continue this theme...The two schools, the churches and the hotel have strong mass and character with exuberant roofline features and identity...A human, urban scale with integrity of purpose...

The proposed alterations to the school building in connection with its conversion will not have an adverse impact on the character and appearance of the conservation area. The alterations will utilise existing features and reinstate previous features.

In comparison to the previously refused scheme, the bulk and mass of the proposed new tenement block has been scaled down from 6 storeys to 5 storeys and its positioning now affords glimpse to the existing annex building as part of its setting to the listed building. The number of units within the block has reduced from 20 to 9 units. Natural sandstone is proposed instead of brick. The floor level now aligns with the floor levels of the adjacent tenement building to the north and the previous asymmetric roof with zinc dormers has been replaced with a traditional pitched slate roof.

The Edinburgh Design Guidance does not preclude contemporary developments that are of high quality within conservation areas, provided that they fit in well with their surroundings.

The new wrap round tenement build is to align and infill a blank gable end to an existing five-storey tenement building on Viewforth and has been designed to read as a completion of that tenement form. It will have a continuous form with matching building lines and ridgeline height. The height of the eaves from the fourth floor will match the adjoining.

There are however, aspects of the proposed design that could relate more sensitively to the design of the adjoining tenement. The windows on the adjoining tenement demonstrates a coherent and strong rhythmic pattern/spacing, which is not reflected in the design and positioning of the new windows. The fifth floor will read as an abrupt flat roof addition with its vertical metal cladding and recessed pitched roof thus reading as a 'top-heavy' addition. This will not be in keeping with the pattern of the individual dormers on the adjoining roofs. In addition, the detail of the junction between the front and side elevation does not reflect the softness of the turret bay window features that were found to be characteristic of corner tenements on this street.

The above issues were discussed with the applicant but they explained that changing the alignment of the building and the design of the roof would not work for both technical and design reasons. The proposal in comparison to the previous refusal has downsized in scale and unit numbers. Changes to the fifth storey roof design to mimic the set back of the adjacent tenement, would reduce internal floorspace and it would not longer be compliant with Edinburgh Design Guidance. In addition, incorporating a turret bay window feature would be difficult to get the stone detailing correct.

The proposal is distinctive in design and contemporary in appearance. It was explained that the proposed design takes visual cues from the adjacent tenement but does not mimic it. The proposal will utilise a limited palate of materials with natural sandstone block featuring the main and complimentary material for the conservation area. The proposed tenement form is compatible and will harmonise with the scale and form of its surroundings. Within the constraints of the site, and the requirements to provide onsite affordable housing, the proposal has demonstrated attempts to address previous reasons for refusal. On balance, the proposed new build will not have such a deleterious impact on the character and appearance of the conservation area that would render the entire scheme unacceptable. Therefore, an exception to policy Des 4 on the development design of the new build block is justified in these circumstances.

A condition, requiring sample materials of the new build block on site is required. This is to ensure compatibility and to safeguard the character and appearance of the conservation area.

In terms of the impact on the character and appearance of the conservation area, the new build block takes its cues from the tenemental style of buildings in the area and is compatible in terms of form and mass and materials. The parking to the front of the building will be neutral in terms of impacts as the area is already a hard surfaced area used for parking. There will be no adverse impact on either the character or appearance of the conservation area.

The proposals will broadly comply with Des 1 to Des 5 and Env 6 of the LDP. The exception to policy Des4 is justified.

d) Setting and Listed Buildings

Policy Env 3 of the LDP states that development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

The proposed new build will not encroach into views of the main elevation from Viewforth or result in an asymmetrical arrangement. Equal spacing between the school block and the tenements on either sides will be maintained. The new build will be keeping with the scale and form of the adjoining tenement and will afford glimpses to the existing annex building. The proposal will not be detrimental to the symmetry or architectural setting of the school block and spontaneous surprises and views to the setting of the site will be maintained.

In terms of the proposed parking areas in front of the listed building, the area currently has tarmac and is a harsh, urban setting that was previously used for car parking. The parking to the front will include some green areas to soften the effect and on balance the impact will be neutral in terms of policy Env 3 on the setting of listed buildings.

The proposed alterations in connection with the conversion of the school building and annex to residential was approved under application 16/04580/LBC and that consent does not expire until April 2020. Therefore, it would be unreasonable to re-assess these elements of the proposal. The works to the listed building will not have an adverse impact on its character or its special interest.

The proposal complies with policies Env 3 and Env 4 of the LDP.

e) Neighbouring Amenity

The proposed conversion of the existing school building and annex will not impact on residential amenity in terms of loss of privacy, sunlight or result in any overshadowing.

The submitted 'Daylight and Sunlight Assessment on Existing Residential Properties' demonstrates that neighbouring windows will not experience an adverse reduction in sunlight as a result of the proposal and is compliant in this regard.

The proposal will result in a reduction of sunlight to the rear gardens of the existing tenements at Viewforth and Viewforth Square. These gardens are south facing and receive sunlight at present. The Edinburgh Design Guidance states that half of the area of new garden spaces should be capable of receiving potential sunlight during the spring equinox (21 March) for more than 3 hours. There is no corresponding guidance on existing gardens but calculations have been done that show the garden spaces will receive over 50% coverage at 0700, 1200 and 1300 on the 21 March. This is considered an acceptable impact on neighbouring amenity.

The new build block will be in-keeping with the privacy distance between buildings within the area and will not result in an adverse loss of neighbouring privacy levels.

The site is located within an urban environment and the proposed conversion to residential is compatible with the surrounding uses. The planning system cannot address noise issues that arise from people slamming car doors.

The proposal complies with policy Des 5 of the LDP.

f) Road Safety

Policies Tra 2- Tra 4 of the LDP sets out the requirement for private car and cycle parking.

The insufficient open space provision for the location and level of car parking proposed within the site is addressed in section (b) above. Therefore, an exception to policy Tra 4 of the LDP is justified.

The site is well served by public transport on Bruntsfield Place to the south and Gilmore Place to the north. The proposed conversion to residential use will generate fewer trips than the existing school use and this is acceptable.

The Council's 2017 Parking Standards permits a maximum of 104 parking spaces for the proposed development. The results of a parking survey undertaken demonstrates that on-street parking is currently under pressure in the Viewforth area.

The proposal is to provide 98 off street parking spaces and this complies with the parking standards. As a result of this provision, future residents of the school block will not be entitled to a residential parking permit and this is an acceptable mitigation.

A financial contribution towards the provision of two car club vehicles in the area is requested by Transport. This will enable residents' access to cars especially those within the new build/affordable block where 6 units will be without a parking space or residential parking permit. As the development includes a generous parking provision, which accords with guidance, there is no requirement for mitigation in the form of City Car Club provision.

The Council's 2017 Parking standards requires the provision of 233 secure, quality and easy to use cycling parking (34 for the new build and 199 for the school block).

Within the school block, each of the private flats will have an individual bike storage cage within the basement level to securely store a minimum of 3 bicycles. A cycle track is to be fitted to the existing stairs to allow access to and from the bike store. Cycle parking within this block is fully compliant with the standards.

The affordable apartments will have a communal bike storage facility to the rear of the existing annex building with provision for 32 bikes. Whilst this provision is less than the requirement for 34 cycle parking, the proposal includes 20 additional visitor cycle parking to promote sustainable travel by visitors and this is acceptable.

The proposal is to include provision for 20 electric car charging posts. The location of the posts will allow car charging via a cable to each of the car parking spaces to be provided and this is acceptable.

Although planning cannot resolve alternative coach bays arrangement for the nearby primary school or control the allocation of on-street parking, a sum of £2,000 is requested for a Traffic Regulation Order to introduce 8 parking bays and a coach bay on Viewforth. There is no requirement to provide a designated bay for any trade deliveries. These works are not required in relation to this application and therefore it is unreasonable to seek the financial contribution.

Transport has not raised concerns on road safety grounds as a result of the proposal.

The layout of the proposed car parking to the front of the school building represents an infringement of policy Tra 4. However, due to planning history and constraints of the site, this would be insufficient grounds for refusal. An exception to policy is justified given the proposals compliance with car and cycle parking provisions for this location. The proposal complies with policy Tra 2 and Tra 3 of the LDP.

g) Trees

The proposal to remove 5 trees along the boundary facing on to Westhall Gardens complies with policy Env 12 of the LDP. The trees do not make a significant contribution to the character and appearance of the conservation area. The proposed landscaping within the site will suitably compensate for the loss of these trees.

h) Material Considerations

Impact on school infrastructure

Policy Del 1 Developer Contributions and Infrastructure Delivery in the LDP states that where necessary and relevant to mitigate any negative additional impact on infrastructure, proposals will be required to make a contribution towards education.

The site falls within Sub-Area BJ-2 of the 'Boroughmuir James Gillespie's Education Contribution Zone' as defined in the Supplementary Guidance: Developer Contributions and Infrastructure Delivery (August 2018). The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme. The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if application is minded to be approved. The proposed development is therefore required to make a contribution of £131,131 towards the delivery of these actions based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.

Provisions for affordable housing are met

Policy Hou 6 in the LDP states the residential developments, including conversions, consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed. There is a requirement for 26 affordable units.

The affordable homes will be located in the new build block and in the annex of the listed building. Out of the 104 units proposed, there will be a mix of 17 affordable rented delivered by Link HA, with the 9 remaining units to be delivered as a commuted sum. The commuted sum will be used on an alternative site to meet unmet local housing needs in accordance with LDP Policy Hou 6 and Affordable Housing Guidance 2017.

At this stage, the final commuted sum is not known. The applicants have confirmed they will honour the commuted sum figure that derives from the valuation of this site. The land value will be divided by the number of units on this site and then multiplied by the shortfall in affordable units to get the final figure.

Locating the affordable housing within the new build block and annexe is acceptable as Housing and Development accept the cost of converting the listed building is likely to mean that affordable rented tenures would not be feasible within that block. In addition, homes within the converted block would not be able to comply with housing association design requirements for accessibility. Further supporting information has been provided to show this. The applicants have given a commitment to providing that on-site delivery despite a funding shortfall at present.

A legal agreement will be required to secure the affordable housing provision including a commuted sum.

Impacts on archaeology

The proposal will have low archaeological impacts. A condition requiring the implementation of a programme of archaeological works is required.

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 of the LDP.

Impacts on potential bat roosts

The submitted Bat Activity Survey Report identifies no bat roosts. The proposal complies with Policy Env 16 of the LDP.

Contaminated land issues have been addressed

A standard condition requiring a site survey, followed by any necessary works is required.

Air quality issues have been addressed

Transport accepts the findings of the transport statement which demonstrates that that the proposed residential use will generate fewer trips than the previous school use. The development will not adversely affect local air quality. It is noted that the applicant has demonstrated a commitment to provide electric vehicle charging points which will also reduce emissions.

Waste

Adequate provision for waste will be met through the provision of bin storage. In terms of amenity, the previous school use was subject to waste collections and the surrounding residential tenements are subject to waste collections. Therefore, the existing waste collection is an accepted and established part of the urban environment.

i) Equalities and Human Rights

This application has been assessed and has no impact in terms of equalities or human rights. The conversion and new build elements will have to comply with building regulations regarding accessibility although some may be relaxed due to the listing of the building.

j) Matters raised in representations addressed

Material - Objection

- Contrary to the policies in the Edinburgh Local Development Plan and Edinburgh Design Guidance - Addressed in Section 3.3 (a)-(h).

- Future occupiers will have poor amenity - Addressed in Section 3.3 (b).
- Overdevelopment and inappropriate use of the building- Addressed in Section 3.3 (a) and (b).
- Alterations to listed building including windows, installation of external stairs and subdivision of the annex - Addressed in Section 3.3 (d).
- New block - scale, form, design, materials and positioning and will not draw on the positive characteristics of the area - Addressed in Section 3.3 (c).
- New block- will adversely impact on the character and appearance of the conservation area-style, shape and colour of new windows are inappropriate and are in direct contrast, use of powder coated metal panels and Juliet balconies are not characteristic and roof design inappropriate - Addressed in Section 3.3 (c).
- New block- will adversely impact on setting and views to listed building - Addressed in Section 3.3 (d).
- Affordable new block - for and against - Addressed in Section 3.3 (h).
- Affordable new block - not integrated enough and should be located within the school block - Addressed in Section 3.3 (b) and (h).
- Affordable housing- only aimed at mid-market rental and questioning need - Addressed in Section 3.3 (h).
- Will impact on neighbouring amenity - privacy, overshadowing and sunlight, noise from traffic (door slammers/engines), limitations of the submitted daylighting assessment - Addressed in Section 3.3 (e).
- Overdevelopment- imbalance between the amount of open space, parking and density - Addressed in Section 3.3 (b) and (c).
- Level of car parking within the site is unsustainable and priority is given at the expense of open space - Addressed in Section 3.3 (b).
- Impact on traffic and road safety/parking/residential parking permits/ increase traffic flows/ incomplete traffic surveys - Addressed in Section 3.3 (f).
- Should be a restraining barrier at the entrance of Admiral Terrace due to being a blind spot - Addressed in Section 3.3 (f).
- Level of parking too much or too little - Addressed in Section 3.3 (b) and (f).
- Proposal contradicts council car reduction goal and should a car free development with zero parking on the site - Addressed in Section 3.3 (b) and (f).
- Width of the footways on Viewforth is incorrect.
- No provision for deliveries within the site - Addressed in Section 3.3 (f).
- Removal of trees - Addressed in Section 3.3 (g).
- Impact on infrastructure - school and waste - Addressed in Section 3.3 (h).
- Location of bin stores and bin lorry access - Addressed in Section 3.3 (h).
- Impact on air quality - increase air pollution - Addressed in Section 3.3 (h).
- Cala should provide new children's play park to encourage outdoor play and healthy living within a safe environment - Addressed in Section 3.3 (b).
- Impact on infrastructure-water - Addressed in Section 3.3 (h).
- The school playground has been a source of amenity and safe play area for after hours - not relevant to the assessment - Addressed in Section 3.3 (a)

Non-Material - Objection

- Existing space for coaches serves nearby primary school and acts as an overflow parking for out of hours and weekends- Planning does not control or regulate the allocations of on-street parking. Therefore, the provision of 12 on street parking within the existing coach bays is not assessed as part of this application. In addition, alternative coach arrangements to nearby Bruntsfield Primary School cannot be resolved as part of this application.
- Road safety implications as result of double sided parking that will arise as result of city club car/ pay and display - Planning does not control or regulate the allocations of on-street parking and this cannot be resolved as part of the application.
- Current state of roads and pavements on Viewforth are in poor condition, the proposal will exacerbate this with increase traffic/ digging for service connections/drainages- not a planning matter.
- Noise and disturbance associated with ground breaking works - risk of subsidence, construction noise - not a planning matter.
- No precedent for new build development in the area - issue of precedent carries no bearing in the assessment of planning applications. Each applications are assessed on their own merits.
- Proposed private parking will not benefit residents/community within the area - no requirement for the developer to share parking allocations.
- Allocations of residential parking permits - not controlled through planning.
- School grounds should be zoned parking as opposed to private parking- no requirement for the developers to provide this.
- Opportunity for subterranean parking within the school grounds- the application is assessed as submitted.
- Impact on property values- planning does not control/regulate property markets.
- Loss of view of Arthur Seat - no private rights to a particular view.
- Impact on sunlight to roads - not protected.
- Internal layout of the annex, impractical as will need to stoop to see out window at waist height - The ergonomics of viewing out a window is not a relevant planning matter.

Material - Support

- The delivery of affordable housing will finish off what is an unsightly gable end - Addressed in Section 3.3 (b).
- Scale, massing and materials of the new build is an improvement from the previous - Addressed in Section 3.3 (b) and (c).

Representations - General comments

- Cala Homes have addressed some previous design concerns relating to the affordable block - Addressed in Section 3.3 (c)
- Height of the affordable block appears inconsistent - Addressed in Section 3.3 (c).
- 12 new parking spaces on Viewforth are welcomed - Addressed in Section 3.3 (f).

Conclusion

Whilst the proposal broadly complies with the policies in the Edinburgh Local Development Plan there are policy infringements in relation to the lack of open space, car parking layout, overshadowing and the design of the new build block. However, the constraints and planning history of the site are relevant material considerations which, on balance, outweighs these infringements. The proposal will not have deleterious impact on the character and setting of the listed building and it will not adversely impact on the character and appearance of the conservation area. There will be some impact in terms of reduced sunlight to some rear gardens but this is within acceptable limits. Otherwise, it will not adversely affect neighbouring amenity and future occupiers will have satisfactory levels of amenity. Adequate car and cycle parking will be provided. It is recommended that the application be granted.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the commencement of construction works on site:
 - (a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - (b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.
2. Sample/s of the proposed materials for the new build block shall be submitted to and approved in writing by the Planning Authority before work commences on this block.
3. No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
4. The approved landscaping scheme (Drawing No. 32, 33, 36 and 37) shall be fully implemented within six months of the completion of the development.

Reasons:-

1. In order to ensure that the site is suitable for the proposed use.
2. In order to enable the Head of Planning to consider this/these matter/s in detail.
3. In order to safeguard the interests of archaeological heritage.
4. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded to make a financial contribution to the following:
 - a) The provision of 17 affordable housing units on site and a financial contribution for 9 off site affordable housing units.
 - b) A sum of £131,131 (index linked from Q4 2017) for Communities 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.

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. 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.
5.
 - .I. The applicant should provide a continuous footway on the proposed access on Viewforth to ensure pedestrian priority.
 - .II. The applicant should provide ramped access to the Listed Building at the Viewforth pedestrian access. Access to the building from Viewforth is shorter than the proposed level access route to the building and therefore should also allow disabled access.

III. The applicant is required to provide dropped kerb on Admiral Terrace access junction to align with the south east pedestrian access adjacent Westhall Gardens/Admiral Terrace junction.

IV. 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;

V. 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;

VI. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point;

VII. Any gate or doors must open inwards onto the property; and

VIII. 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 as part of any sale of land or property.

6. Surveys are considered valid for 18 months following their completion. Therefore, should the works to redevelop the site not have commenced by November 2019 then repeat surveys would need to be undertaken in line with best practice guidance. The bat activity season is April to September with the optimal survey period May to August.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 15 June 2018 and then re-advertised on 13 July 2018 and 32 letters of representations were received: 29 objecting, 1 support and 2 general comments.

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 and the Marchmont and Meadows Conservation Area.

Date registered

31 May 2018

Drawing numbers/Scheme

01-30, 31A, 32-41.,

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

LDP Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of listed buildings will be permitted.

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 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

Other Relevant policy guidance

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal emphasises the well proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

Appendix 1

Application for Planning Permission 18/02497/FUL At Boroughmuir High School, 26 Viewforth, Edinburgh Change of use and conversion of former Boroughmuir High School to form residential accommodation. Demolition of existing outbuildings and erection of new residential block.

Consultations

Transport Planning

The application should be continued.

Reasons:

1. The applicant submitted transport statement in support of the above application which is generally in line with requirements for transport statement. Census data was applied to TRICS people trips to generate trips for the proposed development. The analysis concludes that most of the trips generated by the proposed development are by sustainable transport with 11 two-way vehicular trips for each of AM and PM peak trips and with estimated 105 all day (07:00-21:00) trips for the proposed development. The comparison of trips for the proposed residential use and the "Hands Up" survey by Sustrans and CEC for the existing School use demonstrated that the proposed residential use will generate fewer trips than the existing School use (350 all day (07:00-21:00) trips for existing school use).

2. In assessing the level of parking and mitigation of impacts of the proposed development on the surrounding area; the Council's 2017 Parking Standards and Amendments to Residents' Permit Eligibility in Controlled Parking Zone - June 2013 have been used. The Council's 2017 Parking Standards permits a maximum of 104 parking spaces for the proposed development. The proposed 98 space parking provision complies with the Parking Standards. In order to mitigate the parking impacts on spaces for residential parking permits and on surrounding streets of the proposed development, the CEC guidance - Amendments to Residents' Permit Eligibility in Controlled Parking Zone - June 2013 has been applied to the parking allocation to both the New Build and the Listed Building (i.e. converted). The result of parking survey undertaken by the applicant demonstrates that on-street parking provision is currently under pressure in the Viewforth area of the proposed development.

3. The proposed 87 residential units in the Listed School Building correspond to category B of the above table and provides entitlement to one residential parking permit per dwelling. However, the guidance states that properties where there is a scope to provide sufficient off-street car parking to provide 1 space per dwelling without compromising other planning policies. No entitlement in these cases. Therefore allocating parking spaces to all the proposed 87 flats in the listed building will ensure that no residents will be entitled to residential parking permits. Any parking provision short of 100% to the listed building will mean that all residents of the listed building will be entitled to residential parking permits whilst maintaining the generous off- street parking provision to their exclusive use.

4. The guidance on New Build category A states that residents are not entitled to residential parking permits unless on-site parking provision is impractical. The exception to non-entitlement to residential parking permit by residents of the proposed New Build does not require 100% parking provision. The remaining 11 parking spaces can therefore be allocated to the proposed 17 flats in the New Build development and none of the residents will be entitled to residential parking permits. Should this parking allocation be approved the applicant should be advised that as the development is located in Zones 1 to 8, they will not be eligible for residential parking permits 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 A - New Build and Category B - Newly sub-divided or converted);

5. In support of the Council's LTS Cars1 policy, the applicant would be required to contribute the sum of £12,500 (£1,500 per order plus £5,500 per car) towards the provision of two car club vehicles in the area. This will enable residents access car especially those of the new build without residential parking permit;

6. The Council's 2017 Parking Standards requires the applicant to provide 233 secure, quality and easy to use cycle parking provision for the proposed development (34 for new build and 199 for the listed building). The 2010 cycling by design (revised 2011) requires the applicant to provide cycle parking facility that is convenient, accessible, and easy to use. The applicant is required to submit details of the cycle parking design and accessibility of the proposed basement cycle parking (e.g. cycle wheel ramp will be required on stairs leading to the basement cycle parking). It should be noted that the applicant proposes 20 additional visitor parking spaces to promote sustainable travel by visitors. The applicant proposes cycle wheel ramp on the stairs to the proposed cycle parking facility at the basement.

7. The applicant proposed 20 parking spaces to be ducted to accommodate electric vehicle charging in the future and complies with the Council's 2017 parking standards.

8. The applicant is required to provide continuous footway on the proposed access on Viewforth to ensure pedestrian priority.

9. The applicant should provide ramped access to the Listed Building at the Viewforth pedestrian access. Access to the building from Viewforth is shorter than the proposed level access route to the building and therefore should also allow disabled access.

10. The applicant is required to provide dropped kerb on Admiral Terrace access junction to align with the south east pedestrian access adjacent Westhall Gardens/Admiral Terrace junction.

11. 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;

12. 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;

13. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point;

14. Any gate or doors must open inwards onto the property;

15. Any parking spaces adjacent to the carriageway (viewforth) 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 as part of any sale of land or property;

16. The applicant will be required to contribute the sum of £2,000 to promote a suitable order to introduce 8 parking bays and a coach bay on Viewforth.

Note:

1) The applicant proposes 8 disabled parking spaces.

2) The applicant proposes on-street parking along the frontage of the site on Viewforth. This is generally acceptable. However, it is understood that coaches dropping-off and picking-up school children from Bruntsfield Primary School currently park on this frontage during schools hours. It is therefore recommended that a 15m long section of the frontage north of Montpellier is excluded from the proposed on-street parking area should the Council be minded to approve the application.

Children 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 and Contribution Requirements

Assessment based on:

77 Flats (27 one bedroom flats excluded).

This site falls within Sub-Area BJ-2 of the 'Boroughmuir James Gillespie's Education Contribution Zone'.

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

The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed.

The proposed development is therefore required to make a contribution towards the delivery of these actions based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.

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

Total infrastructure contribution required:

£131,131

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.

Affordable Housing

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
18/02497/FUL - BOROUGHMUIR HIGH SCHOOL
QUEST FOR CONSULTATION

1. Introduction

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

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

- The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.
- This is consistent with Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan.

2. Affordable Housing Provision

This application is for a development consisting of 104 homes and as such the AHP will apply. The applicant has stated that the affordable housing will account for 26 (25%) of the new homes, with the onsite delivery being provided by Link HA. This is welcomed by this department.

The development is a mix of new build and a conversion of a listed building (former school site). The affordable homes will be located in the new build block and an annex of the listed building. The affordable proposed is a mix of 17 affordable rented delivered by Link HA, with the remaining 9 units to be delivered as a commuted sum.

It is acceptable for the affordable homes to be provided in the new build block as the cost of converting the listed building is likely to mean that affordable rented tenures would not be feasible within that block.

Furthermore the homes within the converted building are unlikely to be able to comply with housing association design requirements for accessibility. The affordable homes within the new build block are required to be fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.

Golden Share in this location is not feasible to be provided within the main building as the market values of the remaining 9 units do not meet the affordability thresholds for this tenure.

The affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides .An equitable and fair share of parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided.

3. Summary

The applicant has made a commitment to provide 25% on site affordable housing and this is welcomed by the department. These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed sustainable community.

- The applicant is requested to enter into an early dialogue with the Council who will identify Registered Social Landlord(s) (RSLs) to deliver the affordable housing
- The tenure of the affordable housing must be agreed with the Council
- The affordable housing must include a variety of house types and sizes to reflect the provision of homes across the wider site
- All the affordable homes must meet the Edinburgh Design Guidance and also meet the relevant Housing Association Design Guidance size and space standards
- In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often described as "tenure blind"
- The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.

Waste Services

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.

Flood Prevention

I can confirm that the documents relating to flooding and drainage are acceptable for planning approval and that Flood Prevention have no further comment or conditions to add to any planning determination.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning these linked Ful & LBC applications for the change of use and conversion of former Boroughmuir High School to form residential accommodation, demolition of existing outbuildings and the erection of a new residential block.

The B-Listed Boroughmuir High School was built just prior to the start of World War I to a design by John Alexander Carfrae .Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and also CEC's Edinburgh Local Development Plan (2016) Policies ENV4, 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.

This proposal will require significant alterations to this historic school and demolition to ancillary buildings. It has been concluded that although these works will have localised adverse impacts on the fabric and also to the interior character of this historic school on the whole the development will have a low archaeological impact.

It is however essential that a programme of archaeological building recording (phased and annotated plans and elevations, written and photographic survey and analysis) is undertaken prior to and during demolition, in order to provide a permanent record of it prior to conversion.

Should consent be granted, it is recommended that the following condition be attached to ensure that this programme of archaeological works is undertaken:

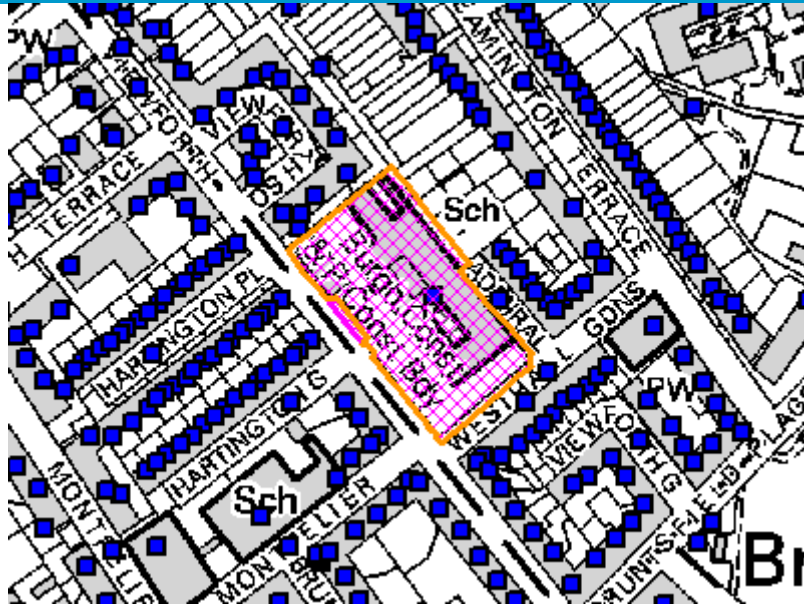
'No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the 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.

Environmental Protection

No comments received.

Location Plan



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END

Development Management Sub Committee

Wednesday 12 September 2018

Application for Approval of Matters Specified in Conditions 18/01004/AMC

At Land At Greendykes South Site, Greendykes Road, Edinburgh

Approval of matters specified in conditions (ref: 16/03848/PPP) as per condition three and condition six (as amended).

Item number	7.2
Report number	
Wards	B17 - Portobello/Craigmillar

Summary

The site is allocated for housing in the Local Development Plan and the principle of housing is established. The proposals generally accord with the Craigmillar Urban Design Framework and the Edinburgh Design Guidance. It is acceptable in terms of design, scale, layout, open space and amenity of future and neighbouring residents. The proposal is acceptable in all other respects, subject to conditions.

Links

Policies and guidance for this application	LDPP, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN09, LEN21, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU10, LTRA02, LTRA03, LTRA04, LRS06, NSG, NSGD02, NSGCDF,
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Report

Application for Approval of Matters Specified in Conditions 18/01004/AMC

At Land At Greendykes South Site, Greendykes Road, Edinburgh

Approval of matters specified in conditions (ref: 16/03848/PPP) as per condition three and condition six (as amended).

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 currently vacant land covering 3.75 hectares. It is bounded on three sides by Greendykes Road and is adjacent to the development site at Greendykes North which has been partially redeveloped. To the south of the site is the re-aligned Niddrie Burn and beyond that, new housing. To the west is agricultural land and beyond that is the Royal Infirmary of Edinburgh. To the east are two multi-storey residential blocks and to the north are a care home and an ancient burial ground.

Generally site levels fall to the south and the east. Beyond the north east corner of the site, the land starts to fall to the north.

Greendykes Road crosses Niddrie Burn to the south connecting to the public transport link which leads to the Royal Infirmary of Edinburgh. A housing development and the Bio-medical research park are also to the south of the burn.

The immediate surrounding area is residential in character although other uses are found close by such as a school and the aforementioned care home.

Greendykes Road is a transport safeguard for the tram route.

2.2 Site History

8 August 2013 - Revised Craigmillar Urban Design Framework (CUDF) approved by Planning Committee.

This sets out a number of principles. In relation to housing, the key design components are:

- The adoption of small street blocks as the basis of urban form;

- A requirement for all street frontages to have ground floor doors and windows, and direct access to individual properties from the street;
- Appropriate and well-designed boundaries;
- Enough open space - public, private and semi-private - to meet the needs of residents; and
- An appropriate mixture of houses and flats of varying sizes.

It also includes that new housing should be distinctive and designed to look modern, well-proportioned and attractive. Entrances to units should relate well to other buildings and spaces and the need for robust boundaries. Guidance is also provided on heights, allowing up to four storeys. A restricted palette of materials should be used.

23 December 2016 - planning permission in principle granted for residential development, potential retail/commercial uses, open spaces and associated infrastructure (application number 16/03848/PPP).

Adjacent Site to the west:

26 July 2016 - planning permission granted for the development of public open space incorporating the regional SUDS facility serving future residential developments at Greendykes North and Greendykes South and other associated works (application number 16/00973/FUL and associated variation 16/00973/VARY).

Main report

3.1 Description Of The Proposal

This application seeks approval of matters specified in condition 3 of planning permission 16/03848/PPP. The condition states that:

Condition 3: No work shall commence on each phase of the site until details of the undernoted matters have been submitted to and approved in writing by the Planning Authority; the submissions shall be in the form of a detailed layout of that phase (including landscaping and car parking) and shall include detailed plans, sections and elevations of the buildings and all other structures.

Approval of Matters:

- a) design and layout, which will include:*
 - (i) design and external appearance of all buildings, open space, urban realm and other structures;*
 - (ii) height, massing and siting including analysis of views;*
 - (iii) boundary treatments (overall site and individual plots);*
 - (iv) car and cycle parking;*
 - (v) road layouts, alignment and access arrangements, including any amendments to adopted roads and footways;*
 - (vi) footpaths and cycle routes;*
 - (vii) number, mix and size of residential units.*
- b) full details of sustainability measures in accordance with Edinburgh Design Guidance;*
- c) surface water management plan and SUDS, including a maintenance schedule for the SUDS infrastructure;*

- d) waste management and recycling facilities;*
- e) existing and finished site and floor levels in relation to Ordnance Datum;*
- f) external lighting, including footpath, street lighting and any floodlighting, arrangements for the development;*
- g) landscaping, which shall include:*
 - (i) detailed landscaping plan;*
 - (ii) a schedule of all plants/trees to comprise species, size, proposed number and density;*
 - (iii) inclusion of hard landscaping details;*
 - (iv) walls, fences, gates and any boundary treatments;*
 - (v) landscape management plan including schedule for implementation and maintenance of planting scheme;*
 - (vi) tree protection measures; and*
 - (vii) details of phasing of these works.*
- h) Details of a scheme for protecting the occupiers of the residential units from retail and commercial noise in phase/plot N.*
- i) Details of a scheme for protecting the occupiers the residential units from retail and commercial odours in phase/plot N.*

Condition 6 of 16/03848/PPP also requires that each application for approval of matters specified in condition 3 shall be accompanied by a phasing plan for the development of the site. This has been provided.

The proposal is for 169 residential units and one shop unit with a floor area of 171 sqm. There is a mixture of detached, semi-detached, terraced and flatted units proposed. The proposed development contains predominately two storey houses, though there are number of units that contain dormer windows in the second floor level. There are four flatted blocks proposed, these are all four storey in height.

The residential units are split into:

- 2 x one bedroom flats.
- 56 x two bedroom flats.
- 29 x two bedroom houses.
- 55 x three bedroom houses.
- 27 x four bedroom houses.

The proposal realigns Greendykes Road at its south western end from the existing roundabout where Greendykes Road meets Pringle Drive. A new road will be taken from the existing roundabout into the site.

Frontage is provided onto Greendykes Road along the eastern and southern sides. The four storey blocks all front onto Greendykes Road and serve to bookend the road. The proposed shop unit is located on the ground floor of the northern flatted block (Block 4). Along the eastern edge of the development that fronts onto Greendykes Road there is a difference in levels between the proposed development and the road. This results in a series of external access stairs to the proposed terraced housing. Small areas of open space are proposed in northern and southern areas with a number of street trees provided through the layout. Landscape proposals also show a line of trees along the reserved tram reservation.

Internally the proposed development is set out in a series of blocks that create a network of shared surface streets. The park to the west of the site is overlooked by terraced housing.

A total of 173 car parking spaces are proposed. These are located in a mix of parking courts, in curtilage, layby and end-on parking. Three covered motorbike spaces are proposed. Blocks 1 and 2 (12 flats each) have internal cycle stores for 12 cycles each. Block 3 (12 units) and 4 (10 units) both have adjoining cycle stores for 12 cycles each. Three bike racks are also proposed adjacent to the commercial unit. The flatted blocks have bin stores located adjacent to the buildings.

Supporting Information

The following information was submitted in support of the application:

- Design Statement;
- Noise and Odour Impact Assessment;
- Landscape Maintenance and Management Proposals Document;
- Surface Water Management Plan; and
- Sustainability Statement.

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The development complies with the planning permission in principle;
- b) The details of the development are acceptable;
- c) The proposals have any equalities or human rights impacts; and
- d) The representations have been addressed.

a) Compliance with the Planning Permission in Principle

The site is allocated for residential development (HSG 17) in the Edinburgh Local Development Plan (LDP). The principle of a residential development is established by the planning permission in principle (PPP) to which this application for approval of matters specified in conditions relates.

The indicative masterplan submitted as part of the PPP shows a total of 172 residential units. The proposed 169 units generally accords with the assumed number of residential units on the site. The density is 45 dwellings per hectare, which is an acceptable density for this sub-urban location.

The PPP established that the provision of affordable housing on Greendykes North would be of a sufficient level meaning that no affordable housing is required on this site.

Condition 4 of the PPP states that the retail/commercial premises shall be restricted to a maximum of 250 square metres gross floor area and to Use Class 1 (Retail), Class 2 (Financial, Professional and other services) and Class 4 (Business). The proposed floor area of the retail unit is 171 sqm and within the parameters of the condition. It is located within an acceptable part of the site within the development.

In terms of uses, the proposal complies with the planning permission in principle.

b) Acceptability of the Details

LDP Policies Des 1 - Des 8 set a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area with the need for a high quality of design which is appropriate in terms of height, scale and form, layout, and materials.

Although the PPP masterplan was only indicative, it did demonstrate how the site could be developed, including a general road layout, development blocks and unit numbers.

The Craigmillar Urban Design Framework also covers the site. This contains guidance on issues such as key design principles for housing development and movement.

Condition 3a) Design and Layout

Design and Materials:

LDP Policy Des 1 Design Quality and Context states that proposals should be based on an overall design concept and draw on the positive character of the surrounding area. The Edinburgh Design Guidance (2017) states that new suburban developments should make an efficient use of land and contain a mix of housing types.

The CUDF indicates that new housing should be locally distinctive, have regard to successful traditional designs and promote a sense of identify and place.

The wider area contains a mix of housing types and styles. These vary from differing styles of flatted blocks, included modern flat roof blocks, more traditional pitched roofs and also high rise, through to standard house builders products especially to the south and east of the site. Further west of the site there are a number of cottage style houses.

The proposal consists of standard house types throughout the development, these are simple in design with pitched roofs. These are not locally distinctive designs developed especially for the site and therefore this element of the proposal does not comply with the CUDF on this point. The majority of the house types have been proposed elsewhere in Edinburgh and are similar in style to those being currently developed out to the south/west of the site.

However, a variety of different house types can be used to provide character to the proposal. The house types have been arranged to provide a hierarchy of streets with variations in styles to provide variety within the site. This includes buildings being brought up to the kerb line to create mews style streets and dual aspect houses to provide corner features and aid in avoiding blank gables. The two and a half storey houses located next to the four storey flats to provide a transition in heights and provide a more urban form.

The Craigmillar Urban Design Framework (CUDF) indicates that a restricted palette of materials should be chosen. There is a mixture of developments and materials within the area. More recent developments have used brick and render as the predominate materials.

The proposed development also contains a mixture of brick and render as the main materials. Facing brick is utilised around the perimeter of the site and within sections of the site internally. Elsewhere white render is proposed. The white render has been used to help develop character areas or along certain streets to provide unity, such as on the two streets that front onto the adjacent proposed park area. The proposed materials are appropriate to the context.

The design of the units, albeit not locally distinctive to the site, do fit with the varied wider housing development in the area and through the use of positioning of the buildings creates a street hierarchy and framework. The proposed materials are suitable for the context of the site and a condition is recommended in relation to the specification of the materials.

Layout:

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

The Edinburgh Design Guidance (2017) states that new suburban developments should be laid out to give a variety of different streets and spaces. These should integrate with the hierarchy of the streets in the surrounding area. The CUDF sets out that developments should contain perimeter blocks, clear frontages and natural surveillance.

The layout largely follows that of the indicative masterplan for the site and are set out in a series of blocks as promoted in the CUDF. The housing and flats provide a well-defined edge to Greendykes Road and establish a robust urban form.

In order to provide this well-defined edge and the change in levels required to mitigate any potential for flooding, it has resulted in the rear garden space fronting onto the central road through the site. Here a feature wall with railings is proposed to enhance the street scene. Further south on this street, frontages are provided by the orientation of the houses.

A series of streets are proposed internally within the site, this enables permeability and linkages through to the adjacent proposed park area. The streets are set out in a way to generally provide frontages and encourage passive overlooking. The inclusion of a small commercial unit also aids in providing some further diversity within the site.

In terms of privacy, the orientation of the residential units and the general provision of nine metre deep gardens results in no immediate issues in relation to overlooking within the site. The location of the proposed roads also means that there will be no adverse impacts on the adjacent sites.

Access is taken primarily from Greendykes Road with the southern part of the road realigned to facilitate the development layout. The proposed layout will integrate well with the surrounding development areas. Shared surfaces are proposed within the site, with step outs and tree planting used to provide pinch points to act as traffic calming. Paths are found within the site and provide access from the Greendykes Road through the site and into the proposed park area.

The CUDF indicates that most local cycle routes within the built-up area should be on 'local streets'. There is no direct cycle link proposed within the site (without steps), though the provision of shared surfaces and street features the site will be navigable. To the west of the site there is the existing cycle way link to the adjacent housing area and onwards to Little France.

The Roads Authority has no objection to the proposal, but note that the final road layout will be agreed through the Roads Construction Consent (RCC) process.

The site is within parking zone 3 as set out in the Edinburgh Design Guidance (2017). The standards allow for up to 294 car parking spaces for the proposed 169 units. The proposed 173 spaces is acceptable in the context of the guidance. Within this number, thirteen disabled parking spaces have been provided, which is in line with the standards requirements for 8% of the total communal spaces. It should be noted that electric vehicle charging points is not an approval matter and the informative on the PPP only indicated that charging points should be considered in the development. A number of electric vehicle spaces (eight) have also been provided within the communal parking areas. Secure cycle parking is provided for the flatted blocks.

Eight of the detached houses contain car parking spaces at the front of the plot. Such an arrangement is contrary to 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.

Six of these houses are within a secondary mews street and do not form part of the principal frontages of the site. There are a limited number of detached houses within the site and they provide a further mix to the mainly proposed terraced and flatted properties. Furthermore, the majority of the car parking is either on street or within small parking courts. As this is only eight units out of a total of 169 units, such an infringement is acceptable in this instance.

Open space:

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

The houses all have access to private gardens. In the main, these are mostly nine metres in depth. There are instances where the rear gardens do not meet the Council's guidance on garden depth. These are in locations where the importance of providing a stronger frontage to the street is of an advantage to the development and the provision of smaller gardens is acceptable.

The proposed flatted developments meet the policy requirements in terms of size, with at least 10 sqm per flat being provided. The majority of the ground floor units also contain direct access to gardens at the front of the properties.

More than 20% of the site is made up of open space, which also includes some pockets of green space within the development. Immediately to the west of the site is the proposed park area that is proposed to serve this site and other sites within this part of Greendykes.

Height and Scale:

The CUDF provides indicative heights for new development within the area. For this site, it shows buildings up to four storeys around the perimeter along Greendykes Road with heights then dropping to two and three storeys.

The proposal contains a mixture of two and two and a half storey houses and four storey flats. The higher buildings are located along Greendykes Road, with the four storey flats aiding in framing the entrance points into the development. The two storey units are located in the more internal areas. This aligns with the CUDF and also the masterplan for the site provided at the planning permission in principle stage.

A mixture of similar heights has indicatively been shown on the adjacent site to the northwest of the site, with four and three storeys being proposed around the perimeter before dropping to two storeys internally within the site. The location of the flatted blocks provide focal points within the development and provide variation in height and mass.

The proposed heights are suitable in the context of the site and the CUDF.

Mix and size of residential units:

The proposal contains a range of house types and sizes across the site. The design guidance expects that 20% of units should be homes for growing families with at least three bedrooms. The proposal contains 82 units (49%) with three or more bedrooms, this is above the design guidance expectations and the 33% target in the CUDF for family housing. The remaining 87 units consist of two bed houses and flats, plus two one bedroom flats. The mix of house types and sizes is considered acceptable in the context of LDP Policy Hou 2 Housing Mix. The internal floor areas of the proposed units comply with the recommended minimum sizes in the Edinburgh Design Guidance.

In summary, although the proposals utilise standard house types, the design and materials proposed are appropriate to the context of the site. The proposed street hierarchy and layout formed by the positioning of the buildings alongside a range in heights and building forms aids in providing a mix of housing types and a well-structured development.

Condition 3b) Sustainability

A sustainability form has been submitted in support of the application. Part A of the standards is met through the provision of boilers and photovoltaic panels.

The proposal has also been assessed against Part B of the standards. The points achieved against the essential criteria are set out in the table below:

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

The proposal meets the essential criteria and desirable elements includes a commitment to not using tropical hardwood and the use of electric vehicle car hook ups.

Condition 3c) Surface Water Management Plan/SUDS and 3e) Floor Levels

The applicant has provided the relevant flood risk assessment and surface water management information for the site as part of the self-certification (with third party verification) process. The proposals meet the Council's requirements.

Condition 2 of 16/03848/PPP sets out that the minimum site level shall be 48.5 metres AOD. SEPA does not object to the proposal, noting the minimum floor levels proposed are 48.95 metres AOD.

The information submitted in relation to these matters is satisfactory.

Condition 3d) Waste Management

Discussions have taken place between the applicant and Waste Services. The development has been set out in accordance with its policies and vehicle tracking has been provided.

Condition 3f) Lighting

Detailed information has been provided by the applicant in relation to the location of the street lighting within the proposed development. This information is acceptable for the planning stage. The Roads Authority has indicated that this matter will also be considered through the relevant RCC process.

Condition 3g) Landscaping

Comprehensive landscaping plans have been provided as part of the application. This provides the detailed information in relation to planting and hard landscaping.

A total of 86 trees are to be provided within the development. These are further supplemented by shrubs, hedges and bulb planting. The trees are proposed through the development and are mainly street trees.

The proposals also incorporates a line of trees along the tram reservation. This will visually enhance the area adjacent to Greendykes Road.

The CUDF sets out that there should be well designed robust boundaries with distinctions between public and private open space. A mixture of boundary treatments have been proposed. Where possible, timber fences are kept away from the public facing edges of the development. Brick walls are proposed on the more public edges. It is proposed to use the same brick to match in with the housing. A feature wall with black metal railings is proposed along the central north/south route at the rear of the gardens. The proposed boundary treatments are acceptable and used appropriately within the development, with the materials tying in with those proposed elsewhere in the site.

The front gardens associated with the terrace housing and ground floor flatted units generally have hedges proposed to provide a separation between the public and private areas whilst greening the streetscene.

A phasing plan for the development and a management and maintenance plan have been provided. The information provided and the proposed landscaping scheme is acceptable for the site. It is recommended that a condition is used in relation to implementation and also the replacement of any failed planting.

Condition 3h) Noise and 3i) Odour

A Noise and Odour Impact Assessment has been submitted in relation to the commercial unit. Environmental Protection has considered the assessment and recommends the use of conditions. However, as the condition on the PPP restricts the use of the unit to Class 1, 2 or 4 (with Class 1 Shops being proposed under this AMC) it is not deemed necessary to impose a condition in relation to an extract flue and ventilation system.

The information submitted adequately deals with these matters, subject to an appropriately worded condition.

Condition 6 Phasing Plan

A phasing plan has been provided to show how the site will be developed out as required by condition 6 of 16/03848/PPP. This shows the first phase of development including the realigned Greendykes Road and roundabout with phasing then continuing to the north of the site and then back through to the south. The proposed phasing is acceptable and meets the requirements of the condition. As the development site has come forward as one detailed application, rather than split into a number of smaller sites, it is not deemed necessary to condition the phasing of the development.

c) Equalities and Human Rights

The application has been assessed in terms of equalities and human rights. In general it raises no overriding concerns in relation to equalities and human rights. Due to the raising of the ground to meet flooding requirements, access to a number of the properties from Greendykes Road is by way of steps. However, level access is provided to the rear of the properties. Steps are also provided within the site and, where achievable ramps, have been used.

d) Public Comments

Material representations - support

- regeneration in this area is a positive improvement - the comment is noted.

Community Council

The community council did not comment on the proposals.

Conclusion

The site is allocated for housing in the Local Development Plan and the principle of housing is established. The proposals generally accord with the Craigmillar Urban Design Framework and the Edinburgh Design Guidance. It is acceptable in terms of design, scale, layout, open space and amenity of future and neighbouring residents. The proposal is acceptable in all other respects, subject to conditions.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. The approved landscaping scheme shall be fully implemented within six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.
3. For Plot N any required plant shall be located on the north-east elevation of the commercial unit (towards the north-east corner, away from the entrance).

Reasons:-

1. In order to ensure the adequacy of external building materials.
2. In order to ensure that the approved landscaping works are properly established on site.
3. 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 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. Road layouts, alignments and access arrangements - 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. A Quality Audit, as set out in Designing Streets, has been carried out and must be submitted prior to the grant of Road Construction Consent. For the avoidance of doubt, final road layout etc. will be agreed through the road construction consent;
5. Any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;
6. 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;
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. The applicant should therefore advise the Head of Planning and Transport 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 by the Head of Planning and Transport.
8. It should be noted that:
 - i. Condition 5 of the 16/03848/PPP consent is relevant to any application for road construction consent;
 - ii. Stopping up orders under Section 207 of the Town and Country Planning (Scotland) Act 1997 will be required.
9. The development must be carried out in accordance with the conditions attached to planning permission in principle reference 16/03848/PPP.

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 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 notified on 15 March 2018 and one letter of representation was 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 application site is identified as a housing site (HSG 17) in the Edinburgh Local Development Plan. A Tram Route Safeguard runs along Greendykes Road.
Date registered	8 March 2018
Drawing numbers/Scheme	54,55B,56-69, 01,02C,03C,04B,05-13,14A,15A,17-26,30C,32B,33B,34B,35B,36C,, 37B,38B,39A,40,41A,42A,43B,44C,45B,46B,47C,49,50,51,52B,53B,,

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

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

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

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

Non-statutory guidelines 'The Craigmillar Urban Design Framework' sets out a vision and principles for development of the Craigmillar area.

Appendix 1

Application for Approval of Matters Specified in Conditions 18/01004/AMC

At Land At Greendykes South Site, Greendykes Road, Edinburgh

Approval of matters specified in conditions (ref: 16/03848/PPP) as per condition three and condition six (as amended).

Consultations

Archaeology Officer - comments dated 19 March 2018

Further to your consultation request I would like to make the following comments and recommendations concerning this application for approval of matters as specified in conditions (ref; 16/03848/PPP).

As stated in my 2016 response to application 16/03848/PPP, historically the site occurred across the south-western limits for Niddrie Marischal Estate, an area identified as being of archaeological interest. However assessment of the results from recent archaeological work in the immediate area indicated that the potential for disturbing significant remains on this site was low.

It was therefore concluded that there were no known archaeological implications in regards to this site. This viewpoint has not changed.

Communities and Families - comments dated 15 March 2018

The impact of this development on education infrastructure and whether any developer contributions are required was assessed as part of the application for planning permission in principle (16/03848/PPP).

Environmental Protection - comments dated 24 April 2018

The applicant has submitted a noise and odour impact assessment to address issues raised by Environmental Protection at the PPP stage.

The applicants noise impact assess has investigated a number of scenarios to ensure that plant serving the proposed commercial use will located somewhere that does not adversely impact the proposed residential amenity.

The refrigeration and chiller units shall be relocated on the north-east elevation of the retail unit (towards the north-east corner, away from the entrance). In this Scenario the predicted worst-case noise level reduces to 39 dB LAeq 15 minutes at night at the worst-case receptor. All three Scenarios include for noise from a hot food exhaust located at roof level. The contribution from the hot food exhaust was deemed insignificant. The noise impact assessment has demonstrated that the noise levels would be below NR25 inside any dwelling based on 'Scenario 3' as described above.

Ducting for commercial cooking flues will be discharged 1m above ridge level which is satisfactory to ensure odours are dispersed and do not adversely impact amenity.

Therefore, Environmental Protection offer no objections subject the plant being installed as per the noise impact assessment 'scenario 3' and the kitchen extract serving the commercial units being discharged 1m above the ridge level. The following conditions would be recommended;

Conditions

Prior to the use being taken up, the extract flue and ventilation system, capable of 30 air changes per hour, and terminating 1m above the ridge level of the building being served by the extract, shall be implemented.

Plant shall be located on the north-east elevation of the retail unit (towards the north-east corner, away from the entrance).

Housing and Regulatory Services - comments dated 25 April 2018

1. Introduction

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

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

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

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

2. Affordable Housing Provision

This application is for a development consisting of 169 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (42) homes of approved affordable tenures. The applicant has asked that affordable provision for both Greendykes North (499 homes, reference 05/01358/OUT) and Greendykes South (169 homes, reference 16/03848/PPP) be considered; the Council's housing service is amenable to this approach for these closely connected areas. The affordable requirement for both North and South sites based on there being a total number of 668 homes is 167.

There are 130 affordable homes provided in Greendykes North at sites B and C, (a mix of social and mid-market rent). A further 75 affordable homes are being taken forward by the Council's 21st Century Homes team at Greendykes G. This will provide a total affordable provision of 205 homes in Greendykes North, (31% of the total homes), which is 38 additional affordable homes above the 167 affordable homes required.

The affordable provision for Greendykes South being provided at Greendykes G in the North is supported by the housing service. This enables the affordable provision to be accelerated and delivered by the Council. A well integrated and representative mix of flatted and colony style homes are being provided. Across Greendykes North and South, 205 affordable homes would be provided, which is 31% affordable for the Greendykes North and South areas.

The affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.

3. Summary

The affordable housing provision for this application will be provided on plots B, C and G of Greendykes North. This equate to a total of 205 affordable homes (31%) across the Greendykes North and South Masterplan areas.

- o The affordable housing includes a variety of house types and sizes to reflect the provision of homes across the wider site*
- o In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be identical in appearance to the market housing units, an approach often described as "tenure blind"*

We would be happy to assist with any queries on the affordable housing requirement for this application.

Roads Authority Issues - comments dated 16 April 2018

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

1. *Car parking:*

- a. *Current Council parking standards for this area (Zone 3) permit up to 294 car parking spaces for the 169 units. The proposed 174 car parking spaces are considered acceptable;*
- b. *The applicant is required to provide 8% of total communal spaces (both on- and off-street) as disabled parking spaces;*
- c. *The applicant is required provide an electric vehicle charge point at 1 of every 6 proposed spaces. For dwellings with a driveway / garage, passive provision should be made so that a charge point can be added in the future, i.e. a 7kW socket;*
2. *Cycle parking - The applicant is required to provide 2 cycle parking spaces for each flatted unit. The proposed 48 spaces for 48 units does not meet the Council's standards and is not considered acceptable. It appears that the proposed cycle stores are capable of accommodating 2 tier cycle parking;*
3. *Motorcycle parking - The applicant is required to provide 1 motorcycle parking space per 25 units without a garage or other secure area, i.e. 1 space per block of flats. This must be in a covered and secure area;*
4. *Road layouts, alignments and access arrangements - 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. A Quality Audit, as set out in Designing Streets, has been carried out and must be submitted prior to the grant of Road Construction Consent. For the avoidance of doubt, final road layout etc. will be agreed through the road construction consent;*
5. *External lighting - final design to be agreed through the road construction consent;*
6. *The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;*
7. *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;*
8. *All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Planning and Transport 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 by the Head of Planning and Transport.*

Note:

The applicant should note that:

- i. *Condition 5 of the 16/03848/PPP consent is relevant to any application for road construction consent;*
- i. *Stopping up orders under Section 207 of the Town and Country Planning (Scotland) Act 1997 will be required.*

SEPA - comments dated 3 April 2018

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

Advice for the planning authority

We have no objection to this planning application, but please note the advice provided below, particularly our advice on sustainable urban drainage systems at Section 2.

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 SEPA has been consulted on a number of applications for Greendykes Road. Our previous responses indicated that finished floor levels should be above 48.5mAOD or further information on the flood risk from the Niddrie Burn was required. The information provided on the levels layout shows minimum floor levels to be 48.95mAOD.

1.3 We also previously noted that there should be no development on top of the existing or proposed Niddrie Burn culvert, which runs through the site. The Drainage Layout shows all culverts and drains to run under the road network.

1.4 Given the above, we have no objection to this application.

Caveats & Additional Information for Applicant

1.5 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/environment/water/flooding/flood-maps/>

1.6 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.

2. Sustainable Urban Drainage Systems (SUDS)

2.1 We advise that all proposals for SUDS are supported by the output from the Simple Index Approach tool. This allows for a clear and consistent demonstration that the proposals are appropriate and adequate. The output should be provided as documentation supporting the planning application for planning authorities to approve.

Regulatory advice for the applicant

3. Regulatory requirements

3.1 Management of surplus soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

3.2 You may need to apply for a construction site licence under CAR for water management across the whole construction site. These will apply to sites of 4ha or more in area, sites 5 km or more in length or sites which contain more than 1ha of ground on a slope of 25 degrees or more or which cross over 500m of ground on a slope of 25 degrees or more. It is recommended that you have pre-application discussions with a member of the regulatory team in your local SEPA office.

3.3 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:

Silvan House, SEPA 3rd Floor, 231 Corstorphine Road, Edinburgh EH12 7AT.
Tel: 0131 449 7296

If you have any queries relating to this letter, please contact me by telephone on 0131 273 7334 or e-mail at planning.se@sepa.org.uk.

Waste Services - comments dated 26 March 2018

I have been asked to consider this application on behalf of the Waste Management Service.

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

Waste Management Responsibilities

The Waste and Cleansing Services will be responsible for managing the waste from households.

It would be the responsibility of any third party commercial organisations using the site to source their own trade waste uplifts. Architects should however note the requirement for trade waste producers to comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling. This means there would need to be storage space off street for segregated waste streams arising from commercial activities.

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

Compliance with Waste Strategy (Domestic Waste Only)

The provision of a full recycling service is mandatory in Scotland. Developers must make provision for the full range of bins: landfill waste, mixed recycling for paper and packaging, glass and food.

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

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

Key points are:

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

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

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.

The waste collection teams will require safe and efficient access to these from the earliest occupation. Developers need to ensure that services are accessible so that collection crews can provide the service in a safe and efficient manner, taking account of turning circles, length and width of vehicles, distance bins must be pulled, surfaces, slopes and so on

Waste Strategy and Letter of Agreement

New development layout and access

The roads that will be used by vehicles to collect waste and recycling from the properties should be to adoptable standard and able to withstand the Gross Vehicle Weight (GVW) of the collection vehicle of up to 26 tonnes without causing damages to the road surface. To ensure waste and recycling vehicles can safely access and service the properties within the development a swept path analysis would need to be provided.

High-density properties

The development will include high density properties serviced by communal waste and recycling containers.

To assess if the number of bins provided are sufficient for each block of flats further information would need to be provided:

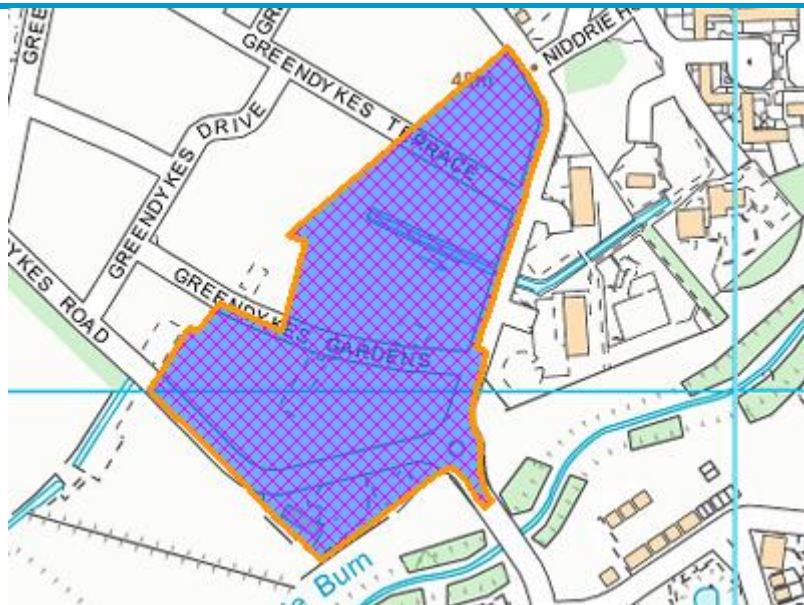
- number of flats serviced by each bin store.*

- Doorways must be a minimum of 1600mm wide to ensure the largest container can be moved in and out the store. Doorways must be wide enough for the easy passage of wheeled containers; we require a minimum 300mm either side of the largest container.
- Confirmation of the distance between the bin store and vehicle access point. The maximum straight pull of 10 metres walking distance from bin storage area to the vehicle is respected. A straight pull of 10 metres is the maximum walking distance from bin storage area to the vehicle, (a bin full of glass is heavy), and bins will only be wheeled over, and lifted from, hard standing surfaces.
- drop kerbs will be provided where needed to ensure the Operational Team can empty the bins in a safe manner. Dropped kerbs to be provided when transporting containers from vehicle to bin storage area, these should be protected with the use of white line
- Where locks are fitted to bin store doors, the standard "Budget Lock" must be fitted.

Further details will need to be provided to agree on the waste strategy for the new development (distance from the bin stores to the vehicle access point, swept path analysis and number of properties serviced by individual and communal services, drop kerbs etc.) to ensure the Architects Instructions requirements are met.

In view of these factors the developer must contact me, Erica Manfroi on 0131 529 3210 or email Erica.Manfroi@edinburgh.gov.uk as soon as possible to ensure adequate provision of segregated household waste bins and provision of suitable access for the waste and recycling collectors.

Location Plan



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END

Development Management Sub Committee

Wednesday 12 September 2018

**Application for Planning Permission in Principle
17/04571/PPP**

**At Land 135 Metres Northeast Of 28, Wellflats Road,
Kirkliston**

**Planning permission in principle for residential development,
landscaping, access and associated works.**

Item number	7.3
Report number	
Wards	B01 - Almond

Summary

The application for planning permission in principle proposes approximately one hundred houses and is consistent with the LDP's aspirations to deliver housing on suitable sites within the urban area.

A number of details will be resolved at the Approval of Matters Specified in Conditions (AMC) application stage including the proposed detailed site layout and associated landscaping and infrastructure proposals.

The application has demonstrated that, subject to further detailed assessments, the proposal is capable of delivering development that is compliant with the aspirations of the Development Plan.

Links

[Policies and guidance for this application](#)

SDP, SDP07, LDPP, LDEL01, LDES01, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LEN03, LEN06, LEN08, LEN09, LEN12, LEN15, LEN16, LEN20, LEN21, LEN22, LHOU01, LHOU06, LHOU10, LTRA02, LTRA03, LTRA04, LTRA08, LTRA09, LRS06,

Report

Application for Planning Permission in Principle 17/04571/PPP

At Land 135 Metres Northeast Of 28, Wellflats Road, Kirkliston

Planning permission in principle for residential development, landscaping, access and associated works.

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 eastern boundary of Kirkliston. It comprises approximately 5 hectares of pastureland and has a fairly level topography, sloping gently to the south. The site is bound on all sides by mature tree planting.

Residential properties are located to the west and south west of the site. There has been recent development to the north and west of the village, with a substantial number of new houses built over the last ten years.

To the north and east of the site lie open fields and countryside. To the south is Conifox nursery, a commercial enterprise, which includes a farm shop, café and play park. The River Almond meanders further south.

Outwith the site to the south east there is a category B listed cottage which forms the gatehouse for the Foxhall estate which lies further south. Six cultural heritage sites are known to lie within 100m of the proposed development area.

The centre of Kirkliston lies to the west of the site and is designated as a conservation area. It is based around a medieval church and the surrounding historic core of the village. The conservation area does not extend as far as the application site.

The site previously formed part of the green belt, however it has been removed from the green belt in the adopted Edinburgh Local Development Plan (LDP).

The site is well situated in relation to the existing transport network and is accessible by a range of non-vehicular transport modes. The village centre is within a five minute walk from the site, the closest bus stop is approximately 400m from the site. An established road, formally used as an airport access road lies to the north of the site. The airport lies further to the east.

2.2 Site History

25 November 2016 - A Proposal of Application Notice was received for 'Residential development, landscaping, access and associated works at Land 135 Metres Northeast of 28 Wellflats Road, Kirkliston (application reference 16/05950/PAN).

Adjoining Site:

22 June 2018 - A planning application was approved for a new multi-purpose activity centre and sales office at Conifox Nurseries at Nursery Office, Foxhall, Kirkliston, EH29 9ER. A dog agility area is proposed as part of that application which would lie to the south of the application site (application reference 17/04223/FUL).

Main report

3.1 Description Of The Proposal

The application is for Planning Permission in Principle (PPP) for residential development.

A Parameters Plan has been submitted in support of the application which seeks approval of the following matters:

- The principle of residential development on the site within a defined development plot;
- The principle point of vehicular access for the development;
- Pedestrian linkages;
- The retention of existing features such as woodland belts to the east, west and south of the site;
- Enhancement of existing tree belt to the north; and
- The location for an area of open space along the southern boundary of the site.

The application does not define an upper quantum of residential development. However, the applicant has indicated through site analysis and assessments that the site could accommodate around 100 residential units.

The final layout and development quantum, including the housing mix, will be established by the applicant at the detailed planning/Approval of Matters Specified in Conditions (AMC) stage.

The application is supported by the following documents:

- Planning Statement;
- Design Statement;
- Pre-application consultation report;
- Sustainability Form;
- Transport Assessment;
- Noise Impact Assessment;
- Air Quality Assessment;
- Heritage Based Assessment;
- Preliminary Environmental Risk Assessment;

- Flood Risk and Outline Drainage Assessment;
- Preliminary Ecology Assessment;
- Bat Activity Survey Report;
- Strategic Services Report;
- Tree Survey;
- Visual Survey;
- Location Plan; and
- Parameters Plan.

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 in this location;
- b) the proposal will have acceptable transport impacts;
- c) the proposal will have flooding impacts;
- d) the proposal will impact the setting of a listed building or setting of the conservation area;
- e) the proposal will impact upon trees;
- f) the proposal will affect biodiversity;
- g) the proposal will provide an acceptable landscape infrastructure;
- h) the proposal will preserve and enhance archaeology;
- i) the proposal will have an impact on air quality;
- j) the proposal will impact upon neighbouring sites;
- k) the proposal will provide adequate amenity for future residents;

- l) the proposal meets the sustainable standards in the Edinburgh Design Guidance;
- m) the proposal will impact upon existing infrastructure;
- n) the proposal will have any equalities or human rights impacts; and
- o) material representations or community comments raise issues to be addressed.

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

The site is located within the urban area as shown in the Edinburgh Local Development Plan (LDP).

Criterion d), in part 1 of LDP policy Hou 1, gives priority to the delivery of housing at sites in the Urban Area, subject to compatibility with other policies in the LDP. Housing at this site is consistent with LDP policy Hou 1.

The applicant has in the past sought to promote the site for development when it was within the former green belt boundary. As part of the examination of the Second Proposed Edinburgh Local Development Plan in respect of this site, the LDP Reporter's Recommendations included an amendment to the green belt boundaries to remove the green belt allocation and include the site within the overall Kirkliston settlement boundary.

In his report, the LDP Reporter concluded that housing development on the site would integrate sufficiently and be in keeping with the character of the village of Kirkliston; there would be no adverse impact on the landscape setting; and green belt objectives would be maintained. The Reporter further concluded that the site presents an opportunity for housing development: any future development on the site would be subject to further detailed assessment and the consultation process which would take place through the development management process.

The LDP Reporter suggested that a reasonably low density would be required in order to complement the layout, architecture and design of the traditional core of the village to the west. The LDP Reporter suggested that possibly the order of 10 to 15 houses per hectare would be appropriate which would give an indicative capacity of some 50-75 houses subject to further assessment. The applicant proposes up to 100 houses at this stage with final figures to be established at the AMC stage.

The principle of residential development at this location is acceptable subject to compliance with other LDP policies.

b) The proposal will have acceptable transport impacts

The Local Development Plan Transport Appraisal Addendum of November 2016 identifies the Transport interventions required to accommodate residential development of the site (assessed on a capacity of up to 100 units).

The application is supported by a Transport Assessment (TA) which bases its assumptions on a maximum of 100 houses, anticipated to be phased over three years.

Whilst the proposal is for planning permission in principle, the Parameters Plan submitted by the applicant identifies a proposed site access at the north of the site for approval. The Roads Authority accepts the principle of this access, with a satisfactory visibility splay considered achievable. It is proposed to extend the 30mph zone which will require a visibility splay of 2.4m by 40m, as set out in the Edinburgh Street Design Guidance. The Roads Authority is satisfied that whilst the development will increase the level of traffic emerging out onto the road at the north of the site, it will not impact upon highway safety. The proposed access is a sufficient distance from the access to the east which serves the adjacent Conifox Nursery to avoid conflict.

The applicant has proposed a Travel Plan Framework within its TA for the proposed residential development to assist in making local residents more aware of local public transport facilities. A Travel Plan is recommended as part of any future AMC application(s).

With regard to improving accessibility to the site by modes other than the car, the application includes two access points to Core Path CEC10 (Newbridge to Queensferry and Kirkliston walkway) which runs along the western boundary of the site. There is also potential to include a new pedestrian footway along the northern boundary of the site which would directly connect the site to Kirkliston Main Street and a nearby bus stop. Achieving these links would enhance integration of the proposal with the existing settlement. A further path is proposed at the south of the site to provide a connection to Wellflats Road. This could help ensure a safer route to school for future occupants of the development.

The closest operational bus stops to the proposed development are located on Main Street and Station Road. The bus stops on Main Street are immediately west of the Main Street/Queensferry Road/Station Road signalised crossroads junction and approximately 400 metres from the proposed access position. The bus stops on Station Road are located approximately 120 metres south of the crossroads junction and within 400 metres of the proposed development. The whole site area is within 400m of existing bus stops in line with government objectives identified in Planning Advice Note (PAN) 75.

The applicant has advised that cycle parking within a future AMC application will be provided to meet current standards in the Edinburgh Design Guidance and therefore the proposal would satisfy LDP policy Tra 3. This approach would assist in meeting the objective of the Local Transport Strategy to increase the proportion of journeys made by bicycle. The quantity and type of cycle parking will be clarified as part of future applications; a condition to achieve this is therefore recommended.

The application has demonstrated that adequate on site car parking provision could be provided to meet the proposed density of housing at the site. The details including quantity and design of how parking is delivered would be determined at the AMC stage.

Objections to the application relate to the current grid lock of traffic through the village of Kirkliston and waiting times at the junction (B800 Queensferry Road/B9080 Main Street/Station Road). The Transport Assessment, submitted by Waterman in support of the application, concludes that the development will contribute to an increase in the degree of saturation of the operational capacity of the main signalised junction. The surveys show that the development will exceed the junction's practical capacity threshold. However, Waterman's report concludes that it remains within the operational capacity of the junction. The report recommends improvements to the junction's operation by introducing Microprocessor Optimised Vehicle Actuation (MOVA) at the junction. This requirement will meet the road requirements identified in the Local Development Plan Transport Appraisal Addendum of November 2016.

The Roads Authority has considered the impact of travel demand generated by the new development upon the surrounding roads. It has raised no objection to the proposal in principle, subject to recommended conditions and informatives relating to detailed access and road layout, pedestrian and cycle paths, junction upgrading and contributions, as proposed in the supporting Transport Assessment undertaken by Waterman dated September 2017. The applicant is proposing to upgrade the signalised junction at no cost to the council. In addition to these requirements, Transport has recommended extending the 30mph speed limit to the east of the neighbouring Conifox access road. A Traffic Regulation Order will be required to facilitate this upgrade.

It is therefore concluded that, subject to the recommended conditions, legal agreement and further detailed design information, the proposal will not have detrimental impact upon highway safety or the local transport network. If more than 100 homes are proposed at AMC stage, an addendum to the transport assessment and potentially additional mitigation measures may be required.

c) The proposal will affect flooding

The applicant submitted a Flood Risk and Drainage Assessment in support of the application. This information was updated in November 2017 in response to an initial objection by SEPA.

SEPA has subsequently removed its objection and is satisfied with revised information submitted by the applicant. SEPA seeks a condition to ensure that no built development or land-raising will take place within the functional floodplain. The applicant's Flood Risk Assessment (FRA) and Outline Drainage Strategy recommends that the finished first floor levels are set at a minimum of 32.6 AOD and a minimum of 150mm above adjacent external ground levels. The area of proposed developable land within the parameters plan sits above a 33 AOD contour. SEPA have recommended that no built development including SUDs or land raising shall take place within the 1 in 200 year flood extent as detailed within the FRA up to and including 32.6pm/AOB. SEPA recommends that finished floor levels (FFL) are to be set at a minimum level of 33.2m AOD and at a minimum of 150 mm above adjacent, external ground levels. A condition to ensure this is therefore recommended.

Flood Prevention has confirmed satisfaction with the Surface Water Management Checklist provided by the applicant.

It is concluded that subject to adhering to the conditions recommended by SEPA that the proposal should not give rise to flooding. The proposal in principle complies with LDP policies Env 21 Flood Protection and Env 22 Pollution and Air, Water and Soil Quality.

d) The proposal will impact the setting of a listed building or setting of the conservation area

The application site is located to the east of the Kirkliston Conservation Area. The site is physically separated by Core Path CEC 10 (Newbridge to Queensferry and Kirkliston) and a woodland tree belt.

Policy Env 6 of the LDP supports development which will preserve or enhance the special characteristics and appearance of conservation area and protect its setting.

The Kirkliston Conservation Area is based around a medieval church and surrounding historic core of the village, extending south to include the riverside setting of the old village.

The Kirkliston Conservation Character Appraisal advises that

"New development should take into consideration the spatial pattern, scale, proportions and design of the traditional properties. Any development, either within or outside the conservation area, should be restricted in height and scale in order to protect the key views of the conservation area, especially to the parish church. New development should protect the setting of individual buildings and historic village as a whole".

The buildings within the conservation area are predominately small in scale, mainly symmetrical vernacular cottages and houses with simple pitched roofs, providing a uniformed character. There is a consistency within the conservation area in the use of traditional materials (stone, harl, scots slate and pantiles) which are unifying elements within the townscape.

Views to the historic core of the village and conservation area, located to the west, are visible from the development site. Views are largely internal to the site and any changes to this view will be experienced by future occupants of the development from the site. It is also likely that there will be some change in views through to the village from the access road to Conifox, albeit much of the site is screened by woodland belt.

Many objections have been received with regards to the rapid growth of Kirkliston, changing its character from a village to a town. A substantial level of new development has been built to the north of the village in the last ten years. The proposal to expand to the east of the village will further expand the settlement. However, given the green buffer to the west of the development site the character of the historic village centre will not be visually affected by the proposed development.

The presence of an existing woodland belt around much of the site will assist in reducing the potentially visibility of the development from the conservation area. The woodland belt around the site's perimeter also screens the proposed development from locations farther afield to the north and south. It is noted however, that in order to accommodate the new access to the site from the north, parts of the perimeter tree belt along the north boundary will be lost. The detailed AMC application should include replacement planting to assist in minimising the impact upon the conservation area. The detailed assessment of building heights at AMC detailed stage will also be required to be undertaken to ensure minimal impact.

A category B listed building sits beside, but outwith, the south eastern corner of the development site. The setting of the listed building will be retained as a lodge house and will not be detrimentally affected by the development.

Listed buildings and their settings within the conservation area will not be adversely affected by the proximity of the development.

It is concluded that, subject to scrutiny of the detailed AMC application, the proposal will not harm the character and appearance of the conservation area or the character and setting of listed buildings in the area. The proposal complies with LDP policy Env 6 Conservation Areas - Development, and policy ENV3 -listed building setting.

e) The proposal will impact upon trees

The applicant has submitted a tree survey in support of the application. The tree cover within the site is characterised by a fairly uniform, linear and homogenous woodland belt of varying width which encloses the site. Four individual trees were recorded within the survey as standing outwith the woodland area; these are located in the site's southwest corner.

Policy Env 12 Trees of the LDP states that the Council does not support development which would have a damaging effect upon a tree or woodland which is worthy of retention, unless necessary for good arboricultural reasons.

The application is in PPP form and therefore full details of the proposed layout and design for the site will be required at AMC stage. The applicant will need to have due regard to protection of the site's tree belt as part of the detailed proposals. Tree removal should be minimised as far as possible, particularly along the northern boundary to accommodate the access road. Clearly defined root protection areas will be required for all the woodland belts surrounding the site.

The proposed point of access to and from the site is submitted for approval as part of this PPP proposal. The access point will cut through the woodland belt along the northern boundary. A substantial removal of trees at this location would be required to form the access and associated visibility splays. Full details will come forward as part of the applicant's AMC application(s).

Introducing an access to the site at this location would substantially change the appearance of the tree belt at this part of the site, if not carried out sympathetically. It is therefore advised that with the extension of a 30mph speed limit and traffic calming that the visibility splay requirement is reduced to a minimum. Transport has agreed that a splay of 2.4m by 40m is the minimum to allow safe access and egress at this point, in accordance with Edinburgh Street Design Guidance. The proposed splay could result in the loss of the existing hedge unless the new footpath along the northern side of the application site is accommodated within the existing carriageway, which would allow for clear visibility with minimum disturbance to the hedgerow.

A proposed pedestrian and cycle access at the northwest corner could result in the loss of some trees. Further details will be required at the AMC stage to show how this can be achieved with minimal impact.

In conclusion, it is noted that some trees will be lost to enable development and to allow for safe access to and from the site. Full details of trees to be removed and mitigation planting must be submitted by the applicant at the AMC stage.

f) The proposal will affect biodiversity

There are no statutory designated sites within a 2km radius of the site. The area surrounding the adjacent Core Path CEC 10 (Newbridge to Queensferry and Kirkliston walkway) is designated as a Local Nature Conservation Site and is located immediately to the west and northwest of the site boundary. The River Almond Local Nature Conservation Site boundary lies within 45m to the south of the boundary of the site.

Policies Env 15 Sites of Local Importance and Env 16 Species Protection seek to protect biodiversity by avoiding adverse impacts on habitat and species.

The applicant has undertaken an Extended Phase 1 Habitat Survey in support of the application. The survey included a ground-based bat roost assessment of all trees and structures within or immediately adjacent to the site, and an assessment of Non-Native Invasive Species NNIS (plant species). Whilst the site offers suitable foraging opportunities for badgers, no badgers were found on the site.

The applicant provided a Bat Activity Survey Report as part of the application. The Survey Report concludes that the site offers moderate suitability for foraging and commuting habitat to bat species. There is strong connectivity to suitable habitat beyond the site including the riparian corridor of the River Almond. Further survey work is required to fully determine the site's value to bats.

The site offers opportunities to support nesting and foraging birds. Given the distance between the site and the closest watercourse (River Almond), the value of the site to otter and water vole is considered negligible.

In conclusion, it is unlikely that there would be any direct or indirect effects on any other non-statutory designated sites as a result of the development owing to the separation and distance of the non-statutory sites from the site by surrounding urban development and infrastructure.

The applicant's ecology assessment concludes that given that any future development works will be confined to the site itself, it is considered unlikely that there would be direct impacts upon the surrounding Local Nature Conservation Sites. However, it is recommended that a Construction Environmental Management Plan (CEMP) is implemented to minimise the potential indirect adverse effects on sensitive receptors both within and outwith the site during the construction phase of the development.

Should a period of more than 18 months occur between the last survey being carried out and work commencing on site, an updated survey should be carried out. An informative is recommended.

g) The proposal will provide an acceptable landscape infrastructure

Local Development Plan Policy Hou 3 Private Green Space in Housing Development supports housing development which makes adequate provision for green space to meet the needs of future residents.

The PPP application includes a Parameters Plan which identifies an indicative area for SUDS; public open space; planted interface to the existing street; and indicative woodland buffer planting. No details such as cross sections or planting plans are provided in support of the application at this stage.

The layout uses areas of open space to connect the site to the surrounding landscape resource and existing path network, to the north and south of the site. Woodland areas are principally provided to the east and west with smaller wooded areas to the south and north.

The proposed southern area of public open space within the site will serve both the proposed houses and those existing to the west, meeting the City of Edinburgh Council's Open Space 2021 objective of homes being within 400m walking distance of a good quality accessible greenspace of at least 500 sqm. The site is also within 800m walking distance of a large accessible greenspace and the new play area at Almondhill Park.

Environmental Protection had initially objected to noise levels that would be experienced within the areas of open space from nearby airfield activity at Edinburgh Airport. The applicant subsequently provided a revised Noise Impact Assessment which demonstrates that noise levels which had originally been attributed to aircraft were incorrect: Environmental Protection is now satisfied that any noise impacts from aircraft noise affecting open space at this site will not be in exceedance of the World Health Organisation (WHO) Guidelines for Community Noise.

The Design Statement submitted in support of the application makes reference to the SUDS facility that will be integrated within the southern area of open space. Adjacent development should overlook the SUDS facility to provide for natural surveillance and provide access for maintenance. The SUDS facility should be designed as a natural feature within the overall layout without fencing and slopes to a standard supported by the Council for maintenance requirements. No information or cross section is provided at this stage in the planning process, therefore a detailed condition is recommended.

Subject to details to be provided in a future AMC application(s), the proposal has demonstrated that it can comply with LDP policy Hou 3 Private Green Space in Housing Development.

h) The proposal will preserve and enhance archaeology

A Heritage Assessment was submitted in support of the application which considers archaeological sensitivity and the potential impact of the development upon the archaeological resource. The assessment found that there are six known cultural heritage sites within 100m of the proposed development area. The Heritage Assessment concludes that as site has not been occupied there is potential for the survival of sub-surface archaeological remains.

The City Archaeologist has identified that the development has the potential to disturb significant unrecorded prehistoric and medieval/post medieval remains/deposits. Therefore it is recommended that a programme of archaeological works is undertaken prior to the submission of any future AMC application(s). The programme of works should include a phased archaeological programme of works, the initial phase of an archaeological evaluation up to a maximum of 10% of the site linked to a comprehensive programme of metal detecting. A condition to achieve this is recommended to ensure compliance with LDP policy Env 9 Development of Sites of Archaeological Significance.

i) The proposal will have a detrimental impact on air quality

Local Development Plan policy ENV 22 Pollution and Air, Water and Soil Quality aims to ensure that development will not give rise to pollution of air, water and soil quality.

The applicant submitted an Air Quality Assessment in support of the application which provides a review of the existing air quality at and surrounding the site, and which assesses the potential effect of the development on local air quality during construction and upon completion.

The applicant identifies that the site is not located within any of the declared Air Quality Management Areas (AQMA). However, the Glasgow Road AQMA is located in close proximity. It has also been noted that the local road network can become congested during peak hours with access to a range of public transport limited.

The applicant's Air Quality Impact Assessment has highlighted that there may be impacts during the construction phase. However, these can be mitigated with a good CEMP and best practice construction procedures.

Mitigation for the operational phase can be limited. However, Environmental Protection recommends that, as a minimum, the applicant installs electric vehicle charging points in accordance with the Edinburgh Design Guidance standards and installs low NOX boiler to the residential properties. Environmental Protection recommends that the applicant engage with the Council to produce a Green Travel Plan which implements methods to mitigate traffic related air quality impacts.

Appropriate informatives relating to air quality and electric vehicle charging infrastructure should be applied at the AMC stage, following the technical guidelines in the Edinburgh Design Guidance.

j) The proposal will impact upon neighbouring sites

The applicant has submitted a Noise Impact Assessment with the application. The document considers the impact of noise and vibration from construction upon neighbouring residents.

It concludes that, at worst, vibration from construction activities would be just perceptible for those identified sensitive receptors closest to the works and would give rise to minor adverse impacts.

The applicant's assessment recommends a series of best practice mitigation methods that should be implemented by future contractors to control impacts associated with construction noise and these should be implemented under best practice procedures.

Objections have been raised with respect of the continued growth of Kirkliston which is ultimately changing its status from a village to a town. The proposal will bring more people and associated traffic movement into the area as a result of the agricultural field changing to residential development. With regards to road traffic noise, the assessment concludes that there would be a maximum increase of 2.5dB as a result of the proposed development, which is a level imperceptible to the majority of the population and would not require any form of mitigation.

The development site is well screened and an acceptable distance from neighbouring residential properties, including those on Wellflats Road, and may be designed to ensure that no overshadowing or overlooking of neighbouring properties will occur. The visual impact of the development can be sensitively controlled by existing and proposed landscape screening.

It is concluded that the Noise Impact Assessment demonstrates that the construction and operational impacts of the development would be neutral to minor adverse and that the site is suitable for the proposed use, subject to careful consideration of design and layout at the detailed application stage.

k) The proposal will provide adequate amenity for future residents

Noise

The application site lies in close proximity to Edinburgh Airport. In accordance with guidance set out in PAN 1/2011 Planning and Noise, the applicant submitted a Noise Impact Assessment which considers the suitability of the site for residential use.

An addendum Technical Note was submitted to rectify inaccuracies within the original assessment which was based on a single 24 hour monitoring period and had identified noise levels at the site as being above values of BS8233:2014 and WHO guidance for external residential amenity. An extended noise survey over six days was subsequently carried out and this has demonstrated that elevated noise levels previously recorded were weather related, rather than due to operations at Edinburgh Airport.

Environmental Protection is now satisfied that the noise impacts from aircraft noise affecting the site were previously overstated and that aircraft noise affecting this site will not be in exceedance of the WHO Guidelines for Community Noise.

The results of the noise assessment demonstrate that there would be slight potential for existing noise sources to impact upon the amenity of future residents. The applicant suggests that to ensure a good level of residential amenity is provided, mitigation measures in the form of acoustically rated thermal double glazing coupled with trickle ventilation have been proposed. Environmental Protection suggests that acoustic insulation would need to be applied to the roof, walls and windows as well. Further noise impact assessment(s) would be required to ensure specific noise mitigation measures are adequate, a condition is recommended.

Proposals at the neighbouring Conifox Nursery have now received planning permission and the applicant will be required to consider any noise impacts from activities at the site in any future AMC application(s).

The applicant has demonstrated that, subject to further studies at the AMC stage, the proposed development can comply with the aims of LDP policy Des 5 Development Design - Amenity.

Contamination

The applicant has submitted details relating to ground conditions and geo-environmental matters within its Preliminary Environmental Risk Assessment, which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed.

l) The proposal meets the sustainable standards in the Edinburgh Design Guidance

The applicant emphasises that the application is for planning permission in principle and therefore it is impossible to state the measures that will be used for carbon reduction at this stage. The applicant has declared that the new development will meet with the required building warrant requirements for new homes and sustainable developments.

The proposal has been classed as a major development and has been assessed against Part B of Sustainability Form S1. The points achieved against the essential criteria are set out in the table below:

Essential Criteria	Available	Achieved
Section 1: Energy Needs	20	10
further 10 to be achieved at detailed application stage		
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 as currently proposed at the PPP stage currently does not meet all of the criteria in Sustainability Form S1. The applicant has advised that they will submit further information regarding carbon reduction with building warrant submission.

At the AMC stage, it may be possible for the applicant to demonstrate further compliance with LDP policy Des 6. For example, the site orientation would allow for the promotion of passive design, and the applicant advises that the proposals are likely to include water saving devices and could include rain water harvesting. The proposal will be required to satisfy all criteria at the detailed application stage by providing an updated sustainability and S1 form.

m) The proposal will impact upon existing infrastructure

Water

The applicant consulted with Scottish Water on 24 March 2017 and was advised that, at that time, there was sufficient capacity in the Balmore Water Treatment Works and the Newbridge Waste Water Treatment works to service the proposed development.

Further studies will be required at the AMC stage to establish if the existing sewer network can adequately service the demands of the development or if any mitigation/enhancement work is necessary. A Drainage Impact Assessment will be required to be submitted to Scottish Water to confirm capacity within the existing infrastructure.

Education

The Education Infrastructure contribution is set out in the Council's Finalised Supplementary Guidance: Developer Contributions and Infrastructure Delivery (August 2018). Whilst in outline, an assessment has been made based on 20 flats and 80 houses. The site is within sub area Q-2 of the Queensferry Education Contribution Zone.

- Per unit infrastructure contribution requirement:
- Per Flat - £2,190
- Per House - £11,720

Communities and Families advises that 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.

An appropriate legal agreement will be required to secure contributions to Education Infrastructure.

Affordable Housing

Affordable Housing requests that the proposal should comply with the Council's Affordable Housing Policy. The applicant confirms the development will provide 25% affordable housing units in line with Local Development Plan Policy Hou 6. Affordable Housing requests that the developer begins early dialogue with the Council to identify Registered Social Landlord(s) (RSLs) to take forward the affordable homes, and deliver a well-integrated and representative mix of affordable housing on site.

The applicant will be required to enter in to a suitable legal agreement with the Council to deliver affordable housing.

Transport

The applicant has agreed to upgrade the junction and create a new footway at no cost to the Council. These works are secured through a suspensive condition.

The connectivity to and enhancement of Active Travel routes will be secured through a suitable legal agreement. A financial contribution required towards a Traffic Regulation Order, to extend the 30mph speed limit, will be secured through a suitable legal agreement.

Health

The site is not within a contribution zone for health provision.

n) The proposal will have any equalities or human rights impacts

The proposal has been considered in terms of equalities and human rights and no adverse effects are identified. The applicant will be required to comply with the provisions of the Equality Act 2010 and building regulation standards. Full details of accessibility will be considered at the detailed planning application stage.

o) Material representations or community comments raise issues to be addressed

Comment

- Concern regarding the capacity of the existing school and the impact of continuous development in the school upon education - addressed in Section 3.3 m).

Support

- Village needs to expand to prosper;
- More income for the village; and
- Improved infrastructure.

Objection

Reasons for objection may be summarised as follows;

Transport

- Traffic through the village is at gridlock - addressed in section 3.3b);
- Lengthy delays through four ways junction/crossroads - addressed in section 3.3b);
- Cumulative problems with traffic from Winchburgh development/ Burnshot Bridge being closed - addressed in section 3.3b);
- Need for speed reduction measures - addressed in section 3.3b);
- Need for new pedestrian crossing - addressed in section 3.3b);
- Visibility splays are not sufficient - addressed in section 3.3b);
- Movement of construction/commercial vehicles/HGVs through the village - addressed in section 3.3b);
- Poor sight lines to access the site - addressed in section 3.3b); and
- Request for safer routes to school - addressed in Section 3.3b).

Amenity

- Noise from construction and resultant development - addressed in section 3.3j);
- Conflict for occupants with the proposed second runway - addressed in section 3.3j);
- Impact on quality of life - addressed in section 3.3j);
- Changing village into a town - addressed in section 3.3j); and
- Impact on the residents of Wellflats Road - addressed in section 3.3j).

Visual

- Impact on the conservation area - addressed in section 3.3d);
- Impact on the Main Street - addressed in section 3.3d);
- The village has doubled in size over the years becoming one big housing estate - addressed in section 3.3d); and
- Unfinished development work (to serve ongoing developments).

Landscape

- The development will result in a loss of greenspace around the village - addressed in section 3.3g);
- The development will impact upon wildlife and biodiversity - addressed in section 3.3g); and
- Loss of bats - addressed in section 3.3g).

Infrastructure

- Lack of medical facilities - addressed in section 3.3m);
- Lack of school/nursery/after school club spaces - addressed in section 3.3m);
- Lack of affordable housing - addressed in section 3.3m);
- Impact on sewage system - addressed in section 3.3m); and
- Flooding around the site from the Almond River - addressed in section 3.3c).

- Lack of leisure facilities/shops/business and employment (there are some existing facilities in the village at present).

Non-material objections

- The application should be referred to Full Committee as not an allocated housing site;
- Racist allegations that too many foreigners in the village;
- Landowners and council using site as a cashcow; and
- Loss of private view from housing in Catelbock Close and surrounding housing.

Conclusion

In conclusion, the application for planning permission in principle proposes approximately one hundred houses and is consistent with the LDP's aspirations to deliver housing on suitable sites within the urban area. The principles of the parameter plan is acceptable identifying access point, pedestrian links and landscape zones. The proposed transport mitigation measures meet with the LDP Transport Appraisal Addendum November 2016.

A number of details will be resolved at the Approval of Matters Specified in Conditions (AMC) application stage including the proposed detailed site layout and associated landscaping and infrastructure proposals.

The application has demonstrated that, subject to further detailed assessments, the proposal is capable of delivering development that is compliant with the aspirations of the development plan.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Before any work is commenced on site details of the undernoted matters shall be submitted to and approved in writing by the Planning Authority. The submission shall be in the form of a detailed layout of the site in accordance with the approved parameters plan (ref.02).

Approval of matters:

- Height, massing, siting and ground floor levels of all buildings;
- A detailed specification of all proposed materials, including hard landscaping;
- Design and external appearance of all buildings, roof form, open space, public realm and other structures;
- All operational aspects of open space and public realm - note: All development shall be placed outside the predicted 200 year plus 20 % climate change flood extent;
- Existing and finished site and floor levels in relation to Ordnance Datum; No built development or land-raising will take place within the functional floodplain. Finished first floor levels should be set at a minimum of 33.2 AOD and a minimum of 150mm above adjacent external ground levels.

- Roads, footways, cycleways, servicing and layout of car parking and cycle parking provision meeting Edinburgh Street Design Guidance - Note: the pedestrian access points shown in the parameters plan shall be designed to accommodate cyclists;
- Location of a dedicated off-road cycle route through the site connecting with the surrounding path network;
- Amendments of any treatment to adopted roads and footways;
- Signing of pedestrian and cycle access routes to/from and through the development;
- Surface water management, drainage arrangements, SUDS proposals and SUDS maintenance plan. SUDS shall be integrated within the southern area of open space identified on the approved parameters plan;
- 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 including bat, otter, bird and badger.

Landscaping:

- (i) Detailed soft and hard landscaping plan and levels;
 - (ii) A schedule of all plants to comprise species, plant size and proposed number and density;
 - (iii) Inclusion of hard and soft landscaping details including tree removal;
 - (iv) Landscape management plan including schedule for implementation and maintenance of planting scheme;
 - (v) Any boundary treatments, including noise barriers.
2. No building or structure of the development hereby permitted shall exceed 75m AMSL.
 3. Prior to the submission of the first AMC the applicant shall implement a programme of archaeological work (metal detecting survey, 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.

4. 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.
5. Trees that are 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. Detailed noise assessments must accompany each AMC to assess internal noise and vibration impacts from transport noise, on the proposed residential developments. This must identify appropriate mitigation measures. Any recurring mitigation shall be agreed in writing with the Planning Authority and completed prior to occupation of each dwelling.
 7. A footway along the frontage of the development site, to the Conifox access junction, shall be constructed within the width of the existing carriageway and implemented prior to the occupation of the first dwelling house at the development site at no cost to the council.
 8. Upgrading of the Main Street / Queensferry Road / Station Road traffic signal junction to be provided including MOVA control, at no cost to the Council. Details to be agreed in writing with the Roads Authority. The upgrading shall be implemented prior to the occupation of the thirtieth dwelling house at the development site.
 9. Access to the proposed development to be provided by means of a priority controlled junction (with a visibility splay of 2.4m by 40m) prior to the occupation of the first dwelling house at the development site. Details to be agreed in writing with the Planning Authority.
 10. 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 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>);
 - 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 3 'Wildlife Hazards';
 - 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.

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.

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 3 'Wildlife Hazards'. 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.

Reasons:-

1. In order to enable the Planning Authority to consider this/these matter/s in detail.

2. Development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) surrounding Edinburgh Airport and endanger aircraft movements and the safe operation of the aerodrome.

See Advice Note 1 'Safeguarding an Overview' for further information (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety>).

3. In order to safeguard the interests of archaeological heritage.
4. In order to ensure the most efficient and effective rehabilitation of the site.
5. In order to safeguard protected trees.
6. In the interests of the amenity of the future occupants of the development.
7. In the interests of Highway safety.
8. In the interests of Highway safety.
9. In the interests of Highway safety.
10. 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.

Informatives

It should be noted that:

1.
 - a) Application for the approval of matters specified in conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.
 - b) The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.
2. a) Permission shall not be issued until the applicant has entered into a suitable legal agreement to ensure:
 - 25% affordable housing is provided across all phases of the development in accordance with Council policy.
 - a financial contribution towards education infrastructure in accordance with the Council's Supplementary Guidance on Developer Contributions and Infrastructure Delivery.

- active travel infrastructure in order to provide improved pedestrian, cycle links and access to public transport services from the site and the town centre specifically:

- a. A paved and lit shared cycle / pedestrian path connection to be provided to Wellflats Road at the south of the site;
- b. Paved and lit, shared cycle / pedestrian path connection(s) to be provided at the northwest corner of the site (as highlighted in the applicant's development parameters plan).
- c. Paving and lighting to be extended to provide improvement to the existing ramp from this connection up to the Main Street - Carlowrie Castle Road where it emerges.

- a financial contribution to cover the cost of the promotion of the Traffic Regulation Order required to implement the extension of the 30 mph speed limit.

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. All parking spaces shall be served by 7Kw electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.
4. During construction, it will be necessary to apply a package of mitigation measures to minimise dust emissions these details shall be submitted at the detailed stage.
5. 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 Roads Authority.
6. High quality pedestrian and cycle routes to be provided through the site. Details to be agreed with the Roads Authority.
7. Connections to external active travel infrastructure to be provided in order to provide improved pedestrian, cycle links and access to public transport services from the site and the town centre specifically:
 - a. A paved and lit shared cycle / pedestrian path connection to be provided to Wellflats Road at the south of the site;
 - b. Paved and lit, shared cycle / pedestrian path connection(s) to be provided at the northwest corner of the site (as highlighted in the applicant's development parameters plan). Paving and lighting to be extended to provide improvement to the existing ramp from this connection up to the Main Street - Carlowrie Castle Road where it emerges;

Items a) and b) to be provided at no cost to the Council. Details to be agreed in writing with the Roads Authority.

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. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent.
10. 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 'Wildlife hazards' (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 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).
 - o others that you or the Authority may specify and having regard to Advice Note 3: Wildlife Hazards].

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.

11. 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.
12. 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.
13. 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.

14. 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.
15. 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.
16. The existing path to the south of the site which provides a link to Kirkliston should remain open and accessible throughout development works.
17. BAA make the following observations:

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' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).

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' (available at (<http://www.aoa.org.uk/policy-campaigns/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.

Disposal of Putrescible Waste:

The development is close to the aerodrome. We draw attention to the need to consider carefully a scheme for the disposal of putrescible waste. This is further explained in Advice Note 3, 'Wildlife Hazards' (available at <http://www.aoa.org.uk/operations-safety/>).

18. Detailed noise assessments may be required at the detailed planning stage, to assess noise impacts from the children's adventure play area (Conifox) from operational noise, on the proposed residential developments. This must identify appropriate mitigation measures.

19. The applicant is advised that the installation of MOVA at the Main Street/Queensferry Road/Station Road junction should include but not be limited to:
- o Installation of ducting, cabling and slot cutting for MOVA loops on each approach.
 - o Upgrade of existing 'junction' ducting to accommodate additional cabling required for MOVA.
 - o New ELV traffic signal controller with integral MOVA (including MOVA license).
 - o New ELV traffic signal heads.
 - o Factory Acceptance and Site Acceptance testing.
 - o MOVA commissioning and on site validation.

The details shall be agreed in writing with the Roads Authority.

20. A Traffic Regulation Order will be required to extend the 30mph speed limit to the east of the development site, beyond the access road to Conifox Nursery, to be agreed with the Roads Authority.
21. Should a period of more than 18 months occur between the last ecology survey being carried out and work commencing on site, an updated survey should be carried out and submitted to the Planning Authority.

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

A Proposal of Application Notice was submitted and registered on 25 November 2016. Invites to the public consultation event were sent to:

- Kirkliston Community Council;
- Local Ward Councillors Cllr Lindsay Patterson, Cllr Alastair Shields, Cllr Norman Work;
- Almond Neighbourhood Partnership;
- Ms Michelle Thompson MP; and
- Mr Alex-Cole Hamilton MSP.

Community consultation events were held on 30 January 2017 and 12 June 2017. Full details can be found in the Pre-application Consultation Report, which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards Online Services.

A pre-application report of the proposals was presented to the Development Management Sub-committee on 18 January 2017. The Committee noted the key issues and requested that consideration be given to the provision of supported public transport.

The proposals were submitted to the Edinburgh Urban Design Panel on 29 March 2017. Full details of the response can be found in the Consultation section of this assessment report.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 20 October 2017 and attracted one letter of comment from Kirkliston Primary School Association, two letters of support and 309 letters of objection, including letters from Councillors Louise Young and Kevin Lang (Lib Dem). A petition including 407 names objecting to the application was also received. The representations are summarised in section 3.3(o) of the assessment 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 application site is shown to be in the Urban Area and settlement boundary of Kirkliston in the Edinburgh Local Development Plan (LDP).

Date registered

3 October 2017

Drawing numbers/Scheme

01-02,

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 Strategic Development Plan

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

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

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

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

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

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

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

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

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

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

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

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

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

Appendix 1

Application for Planning Permission in Principle 17/04571/PPP

At Land 135 Metres Northeast Of 28, Wellflats Road,
Kirkliston

Planning permission in principle for residential
development, landscaping, access and associated works.

Consultations

EUDP Report

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 A residential use on the site;*
- o The protection of the adjacent historic landscape and landscaped avenue;*
- o The provision of open space; and*
- o Connections to the existing network of local paths;*

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

- o Density, mix and layout (including orientation, urban form/skyline profile and siting) of residential development;*
- o Consider using a supporting planning mechanism that would provide additional amenity and context for the site;*
- o Access and junction design;*
- o Sustainability measures including energy systems and SUDS;*
- o Visual connections with the existing Kirkliston settlement;*
- o Resolving design and management of the embankments and slopes around the periphery of the site;*
- o Improved transport, pedestrian/ cycle connections; and*
- o Supporting information including sections, views and details surveys.*

2 Introduction

2.1 *The proposed 5 hectare site at Foxhall is located on the eastern boundary of Kirkliston. The proposal for review is for residential development. The site, currently used for grazing and bounded by tree belts, is located alongside the Foxhall Estate, the river Almond and residential development. The land is allocated as urban area in the Edinburgh Local Development Plan (LDP).*

2.2 *This is the first time that the proposals have been reviewed.*

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

2.4 *This report should be read in conjunction with the pre meeting papers which provide a project and planning overview, historic plans, local context plans with photos, site analysis, indicative framework and a concept proposal.*

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

3 *Use of the site*

3.1 *The Panel supported the proposal for residential use on the site and considered that the development provided a favourable opportunity to rebalance and knit new development with the existing town centre, given its relatively close proximity to it.*

3.2 *Concern was expressed by the Panel however, that a PPP approach, without reference to key assessments including transport and flooding etc, and a clear set of urban/ design parameters and conditions could result in an unsuccessful development. It will therefore be important to ensure that design parameters are established through the PPP application.*

3.3 *The Panel recommended that a clear outline of where the settlement would be located would be a key consideration for the PPP stage. The Panel also recommended investigating planning mechanisms used by other authorities that could provide additional protection for the site. Considering adjacent land for woodland for example, could both help to facilitate development, provide robust mitigation as well as a potential future resource for Kirkliston.*

4 *Layout, Type and Density*

4.1 *The Panel considered the site offered the opportunity to develop a creative and innovative layout and plan and would expect the proposal to utilise the south facing slope. The orientation of development and garden arrangements will, therefore, be especially important.*

4.2 *The density set for the site should be considered carefully to avoid over development or suburban executive housing solutions. A mix of housing types, including community self build; affordable and elderly accommodation etc would help to foster community. Introducing design interest through a range of building heights would be important. This layout and pattern will be especially important in defining the new urban form/skyline against Kirkliston.*

5 Transport

5.1 The Panel highlighted the local road network constraints and traffic issues that could have an impact on the development site. It was considered unfortunate that the site was constrained to a single access from the airport emergency route, which would also mean access to bus services would be challenging. The Panel recommended further investigation into options and specifically into a revised junction arrangement, suggesting solutions including a link to the adjacent T junction and a priority roundabout (compact arrangement which can minimise visibility splays, calm traffic on the approach to the Main Street cross roads and help cycle movements).

6 Amenity, Open Space and Connections

6.1 The Panel thought the site would provide a good level of amenity and welcomed the open space provision. However, they raised concerns about the impact on the site design and development of the existing embankments and level changes as these would not be useable space. Linked to this would therefore be the management of this periphery landscape infrastructure and spaces in the long term.

6.2 Transport including pedestrian/ cycle connections were essential and the Panel considered additional links should be explored to better connect the site with the existing urban area, particularly along the western boundary with existing residential development. The design quality of these links should also be a consideration.

6.3 Visual connections both from and to the existing village centre were critical. The Panel considered more could be achieved by reviewing the tree cover along the northern and western boundaries, potentially opening up more open space to improve visibility.

7 Quality of Development and Sustainability

7.1 The Panel welcomed the protection of the Historic Landscape and the visual quality of the tree lined avenue and approach to Foxhall House. They recommended removing direct links other than at either end of this route, acknowledging the importance of the connection to the adjacent tea room and adjacent facilities.

7.2 The Panel agreed that the site would be large enough to consider sustainability measures, including energy systems, ecology and SUDS and recommended that the requirements and parameters are set out at PPP stage.

8 Supporting Information

8.1 The Panel welcomed the information presented in support of the proposals. They considered further graphic details including sections and elevations illustrating the architecture/ urban form would be essential in order to illustrate the development especially from key views and against the existing Kirkliston settlement form. Up to date assessments including flooding, transport and tree surveys should be used to assess the potential of the site.

Children + Families comment

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

The Council's assessment has identified where additional infrastructure will be required to accommodate the cumulative number of additional pupils from development. Education infrastructure 'actions' are set out in the Council's Action Programme.

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 current Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery'.

Assessment and Contribution Requirements

Assessment based on:

20 Flats

80 Houses

This site falls within Sub-Area Q-2 of the 'Queensferry Education Contribution Zone'.

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

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

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

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

Per unit infrastructure contribution requirement:

Per Flat - £2,043

Per House - £11,049

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.

Archaeology comment

The site is located on the eastern historic limits of the medieval and post-medieval town of Kirkliston adjacent to the historic entrance road to Foxhall House and estate. The earliest mention of Kirkliston occurs in the 12th century with the granting of the lands associated with the Kirk of Liston to the Bishops of St Andrews. The morphology of the medieval and post-medieval settlement is reflected in the layout of the 19th century town as depicted on the 1st Edition (1853) OS map.

The site is regarded as occurring within an area of archaeological potential. Accordingly, this application must be considered therefore under terms the Historic Environment Scotland Heritage Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and CEC ELDP 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.

An assessment of the results of previous archaeological work in the area and the location of the site, has led to the conclusion that the development of the site has the potential to disturb significant un-recorded prehistoric and medieval/post-medieval remains/deposits. However, I agree with the overall conclusions stipulated in Waterman's heritage statement produced by GUARD (report WIE11023-100) accompanying this application, that the overall impact of this scheme is likely to be moderate.

Although I have no fundamental issues with for approval of the principal of residential development on the site, given the potential unknown significant impacts it is essential that the site is evaluated prior to the agreement of any detailed masterplans for the site. This is in order that any archaeological constraints are determined, allow for the production more detailed mitigation strategies to be drawn up to ensure the preservation and full excavation, recording and analysis of any further surviving archaeological remains and determine scope of any conditions required to be attached to any subsequent AMC/FUL applications.

In order for this to proceed, it is essential that if consent is granted that a programme of archaeological works is undertaken prior to further detailed designs and submission of any future AMC/FUL applications. This will see a phased archaeological programme of works, the initial phase being an archaeological evaluation up to a maximum of 10% of the site linked to a comprehensive programme of metal detecting.

Given the potential importance of these results, provision for programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) must be included within any archaeological mitigation strategies. The scope of which will be agreed with CECAS.

It is therefore recommended that the following condition be attached to this application to ensure that the above 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 (metal detecting survey, 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.

Kirkliston Community Council comment

I wish to object on behalf of the Kirkliston Community Council to the proposed development at Foxhall for 100 dwellings as per the following reasons. It is highly inappropriate for more housing to come to Kirkliston as the existing infrastructure is not able at the moment to cope with the existing developments at present Education at the moment with the new extension is struggling to cope without any other additional children coming in. We certainly do not want to see any more temporary huts coming to the School. The existing road network is operating well above design capacity with numerous instances of severe grid lock. Allied to this there is significant congestion caused by street parking which does impact on public transport timetables. The local medical practice is under severe pressure with the existing number of patients on their registers without any note people coming into Kirkliston. Nursery provision is extremely stretched without anymore children coming in the mix. It is safe to say that secondary provision is being looked at the present moment as Queensferry High will not be able to take any pupils from Kirkliston in 2023.

ScotWays comment

The National Catalogue of Rights of Way shows asserted right of way LC129 is affected by the area within the red line Planning Application Boundary shown on the Drawing titled Land at Foxhall, Kirkliston - Parameters Plan. 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. It appears the applicant has consulted the Core Paths Plan, prepared by the Council's own access team as part of their duties under this Act.

The Applicant's Design Statement, Section 4.7 Access (p31) refers to right of way LC129, stating "There is an existing path to the south of the site which provides a link back to Kirkliston". It is reassuring to note the applicant also states that the path will remain open, as this right of way is known to be a locally valued route. Section 7.3 Access Strategy proposes a connection from the site to the existing path (right of way LC129).

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.

Affordable Housing comment

1. Introduction

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

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

- o The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*
- o This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.*
- o An equitable and fair share of parking for affordable housing, consistent with the relevant parking guidance, is provided.*

2. Affordable Housing Provision

This application is for a development consisting of approximately 100 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (25) homes of approved affordable tenures. We request that the developer enters an early dialogue with the Council to identify Registered Social Landlord(s) (RSLs) to take forward the affordable homes and deliver a well integrated and representative mix of affordable housing on site.

The applicant has stated that the affordable housing will account for 25% of the new homes and will be fully integrated into new development and be indistinguishable from other homes. This is welcomed by the department. The affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.

In terms of accessibility, the affordable homes are situated within close proximity of regular public transport links and are located next to local amenities at Kirkliston.

3. Summary

The applicant has made a commitment to provide 25% on site affordable housing and this is welcomed by the department. These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed sustainable community.

- o *The applicant is requested to enter into an early dialogue the Council to identify Registered Social Landlord(s) (RSLs) to deliver the affordable housing.*
- o *The affordable housing includes a variety of house types and sizes to reflect the provision of homes across the wider site.*
- o *In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often described as "tenure blind."*
- o *The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*
- o *An equitable and fair share of parking for affordable housing, consistent with the relevant parking guidance, is provided.*

SEPA comment

We object to this planning application on the grounds of a lack of information relating to flood risk. We will review this objection if the issues detailed in Section 1 below are adequately addressed. Please also note the advice provided below.

In summary, we require further information which demonstrates that no built development or land-raising will take place within the River Almond 1:200 year flood level including an allowance for climate change. This further information might need to include a plan showing that the proposed housing will be out with the area of flood risk. It should also demonstrate that the SUDS pond or associated works will not affect the storage capacity of the watercourse or result in pollution during a flood event.

1. Flood risk

1.1 We previously responded to this application on the 6 February 2017 when we were consulted at the pre-application stage and noted that we would object at the planning stage unless a Flood Risk Assessment (FRA) or other appropriate information is provided. Our approach is consistent with our Local Development Plan comments which requested a FRA that took into account adjacent bridge/culvert structures. We welcome that a Flood Risk Assessment and Outline Drainage Strategy (June 2017) has been submitted with the planning application which we have reviewed.

1.2 Ground levels across the site range from approximately 40-31.38mAOD. The banks level of the River Almond are approximately 30-32mAOD and the bed level is approximately 28.5-29mAOD based on available LiDAR data. As such, review of the topographic information provided indicates that there is likely a significant area within the site boundary that is suitable for development. However, based on the basic information submitted within this Flood Risk and Drainage Assessment we cannot advise further on the 1:200 year flood level, including an allowance for climate change, or finished floor levels.

1.3 We therefore object and we will review this objection following the submission of further information. This should demonstrate that no built development or land-raising will take place within the River Almond 1:200 year flood level including an allowance for climate change. This will provide ourselves, the planning authority and the developer with a greater level of certainty of the area of the site that will be suitable for development and ensure that the number of units proposed on the site can be accommodated.

1.4 Other appropriate information might include detailed proposed development site and finished floor levels related to nearby watercourses. Topographic level information could include cross sections across the river (including the channel bed levels and bank levels of the opposite bank), upstream, downstream and adjacent to the site. However, if this information is insufficient to provide a robust assessment of the risk of flooding to the development site then a detailed flood risk assessment may need to be carried out by a suitable qualified professional.

1.5 We support Section 1 of the FRA which notes that finished floor levels should be 600mm above estimated 1:200 year flood levels including an allowance for climate change and that FFLs should be set a minimum of 150mm above proposed ground levels to limit any impacts of surface water flooding. However, without additional flood risk information we cannot confirm these levels.

1.6 Review of the Flood Risk and Drainage Assessment indicates that there is a Scottish Water asset pipe that flows through the applicant site. We therefore strongly recommend that no built development is located over this asset and that there should be a corridor maintained along the asset which would enable access for maintenance.

1.7 We note that a plan in the Design Statement provided with the planning application shows a SUDS pond is proposed to be located in an area of the site that may be at flood risk. The applicant should note that a SUDS pond or associated works should not affect the storage capacity of the watercourse or result in pollution during a flood event. Our Land use planning background paper on flood risk should be referred to for further guidance on this matter. The applicant should consider if this is the most suitable location for the SUDS pond.

1.8 In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

2. Energy Statement

2.1 We require that substantial developments ensure their heat demand is met from district heating, subject to the outcome of a feasibility statement. This can be achieved through onsite heat generation, co-location with an existing or proposed heat source (including Energy from Waste facility or other facility which produces heat/power including excess or waste heat), or an existing or proposed heat network off site.

2.2 The development must enable connection to a heat network or heat producer, unless it can be demonstrated to your authority that this would not be feasible. An Energy Statement informed by a Feasibility Study should be provided for assessment by your authority demonstrating how the proposal will meet the requirements for providing district heating onsite. This should be prepared in line with the Scottish Government's online planning advice Planning and Heat and assess the technical feasibility and financial viability of heat network/district heating for this site, identifying any available existing or proposed sources of heat (within or outwith the site) and other factors such as where land will be safeguarded for future district heating infrastructure.

2.3 Please note that we will not audit Energy Statements or Feasibility Studies as the responsibility for this lies with your authority. However we expect them to be undertaken to demonstrate full consideration of how the proposed development can contribute towards Scotland's climate change targets in line with our Public Body Duties under the Climate Change (Scotland) Act 2009 to act "in the way best calculated to help deliver the emissions reduction targets and the statutory Adaptation Programme" and "in a way we consider is most sustainable."

2.4 Applicants should provide evidence of how the national heat map and/or relevant local authority heat maps (where available) have been used to maximise potential connections / co-location between heat providers and high heat demand users when considering site selection for developments involving heat/power. Consideration of heat mapping should maximise opportunities for the co-location of 'high heat demand' developments with heat supply sources, like energy from waste facilities, to maximise the provision of energy efficient and low carbon heat networks and district heating installations.

2.5 Please refer to Section 7 for further guidance on this.

3. Air quality

3.1 The development is not within an area of existing poor air quality, however, it is vital when considering development likely to generate additional traffic that the planning authority is satisfied the development will not lead to future declaration of an Air Quality Management Area (AQMA) due to breaches of air quality objectives.

3.2 The application is accompanied by an Air Quality Impact Assessment (September 2017) and the results are reported. The assessment methodology described in Appendix A is acceptable and we are pleased to note the use of ADMS Roads for the assessment and the use of Local Authority monitoring data to characterise background concentrations instead of DEFRA background maps which is best practice. We would like to highlight that the model did not perform as well as we would expect and note large discrepancies between unadjusted modelled versus monitored concentrations. Once the modelled data was adjusted using an adjustment factor of 1.6538, the model performed within the guidelines stated in LAQM TG (16).

3.3 The assessment indicated that the development will have a negligible impact on air quality. This outcome is not unexpected when assessing individual development, however, when the development is considered alongside other developments in the area, the cumulative impact could be more significant - particularly along main commuter routes.

3.4 The Council should be satisfied that the development is well linked to local amenities and public transport options are available for commuters. Scottish Planning Policy sets out an approach to integrating transport and land use planning by supporting a pattern of development and redevelopment that "reduces the need to travel and as a consequence reduce emissions from transport sources". It also states that "Planning permission should not be granted for significant travel-generating uses at locations which would increase reliance on the car and where the transport assessment does not identify satisfactory ways of meeting sustainable transport requirements."

3.5 *The Design Statement states that local amenities and bus stops are mostly 400m of The Development which is in line with the recommendations in The Planning Advice Note: Planning for Transport (PAN75).*

3.6 *Additionally, the air quality assessment states that the development would include modern plant. The plant specification is not provided therefore any impact on local air quality cannot be assessed at this stage. There do not appear to be any further details provided with respect to this. We therefore recommend that the planning authority gain further clarification on this and re-consult us if they require any further comment from us.*

4. *Surface water drainage*

4.1 *We expect surface water from all developments to be treated by SUDS in line with Scottish Planning Policy (Paragraph 268) and, in developments of this scale, the requirements of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR). SUDS help to protect water quality and reduce potential for flood risk.*

4.2 *The proposed SUDS should accord with the SUDS Manual (C753) and the importance of preventing runoff from the site for the majority of small rainfall events (interception) is promoted. The applicant should use the Simple Index Approach (SIA) Tool to ensure the types of SUDS proposed are adequate.*

4.3 *Guidance on the design and procedures for an effective drainage system can be found in Scotland's Water Assessment and Drainage Assessment Guide. Advice can also be found in the SEPA Guidance Note Planning advice on sustainable drainage systems (SUDS). Please refer to the SUDS section of our website for details of regulatory requirements for surface water and SUDS.*

4.4 *Construction phase SUDS should be used on site to help minimise the risk of pollution to the water environment. Further detail with regards construction phase SUDS is contained in Chapter 31 of SUDS Manual (C753).*

4.5 *Comments should be requested from Scottish Water where the SUDS proposals would be adopted by them and, where appropriate, the views of your authority's roads department and flood prevention unit should be sought on the SUDS strategy in terms of water quantity and flooding issues.*

5. *Waste water drainage*

5.1 *The planning application details that the proposed development will be utilising the public sewer for foul drainage. The applicant should consult 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. If the proposals should change we would wish to be consulted at the earliest opportunity.*

Detailed advice for the applicant

6. Flood risk

6.1 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.

6.2 We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments. Please note that this document should be read in conjunction Policy 41 (Part 2).

6.3 Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process.

6.4 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.

6.5 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 entitled: "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.

7. Energy Statement

7.1 Set out in the paragraphs below, for the applicant, are links to relevant sources of information and guidance with regards feasibility assessments and energy statements.

7.2 Our Development Management Guidance and associated Background Paper can be found on our website. The Background Paper sets out why SEPA comments on this matter and adds background to our position for both development plan and development management stages of planning. On page 28/ paragraph DM.13 there are links to example approaches in English Local Authorities on District Heating, feasibility assessments and energy statements.

7.3 The Scotland Heat Map is available and includes information on heat demand and potential heat supply, as well as existing and in-development heat networks.

7.4 Through Stratego, Scottish Futures Trust have been providing information on funding models for developing district heating networks. Information on the relevant presentation can be found here. Scottish Enterprise may also have useful information or contacts on this matter which can be viewed here and here.

7.5 The Chartered Institute of Building Services Engineers (CIBSE) published a Code of Practice document which outlines essentially a project management approach towards developing a district heating network. It details every stage from design and layout of the network, product and material choice to ongoing maintenance and management of an operational network.

SEPA further comment

We are writing in relation to the Flood Risk Assessment & Outline Drainage Strategy (November 2017, Waterman Infrastructure & Environment Ltd) which has been supplied in support of planning application 17/04571/PPP. This information has been provided to address SEPA's objection of 08 November 2017 (our reference PCS/155488) to this planning application on the grounds of lack of information on flood risk

Advice for the planning authority

We are now able to withdraw our objection to the proposed development on flood risk grounds. Notwithstanding the removal of our objection, we expect the City of Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority.

1. Flood Risk

1.1 We previously responded to this application on 08 November 2017. We objected due to lack of information and request further information that no built development or land-raising will take place in the functional floodplain.

1.2 Since our response of 08 November 2017 an updated flood risk assessment (FRA) has been submitted. Within the FRA it states that the 1 in 200 year plus 20% climate change flood level is 32.60mAOD. We request that no built development, including SUDs, or land raising shall take place within the 1 in 200 year flood extent as detailed within the FRA, up to and including 32.60mAOD. As recommended within the FRA finished floor levels (FFL) are to be set at a minimum level of 33.2mAOD and a minimum of 150mm above adjacent, external ground levels, which we support.

1.3 The City of Edinburgh Council should be satisfied that any drainage or SUDs proposed will be appropriate and in accordance with any internal guidance. Drainage calculations have been undertaken using the FEH13 depth duration frequency statistics, which we support.

Caveats & Additional Information for Applicant

1.4 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/environment/water/flooding/flood-maps/>.

1.5 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.

1.6 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 <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>

CEC Flooding

The Surface Water Management Checklist submitted on 19 December 2017 satisfies CEC Flooding.

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 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).*
- 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 3 'Wildlife Hazards.'*
- 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 'Wildlife hazards' (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 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).*
- o others that you or the Authority may specify and having regard to Advice Note 3: Wildlife Hazards].*

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 3 'Wildlife Hazards'. 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 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

Height Limitation on Buildings and Structures

No building or structure of the development hereby permitted shall exceed 75m AMSL.

Reason: Development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) surrounding Edinburgh Airport and endanger aircraft movements and the safe operation of the aerodrome.

See Advice Note 1 'Safeguarding an Overview' for further information (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).

We would also make the following observations:

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' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

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' (available at (<http://www.aoa.org.uk/policy-campaigns/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.

Disposal of Putrescible Waste

The development is close to the aerodrome. We draw attention to the need to consider carefully a scheme for the disposal of putrescible waste. This is further explained in Advice Note 3, 'Wildlife Hazards' (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.

Environmental Protection comment

The site area is bounded by the B9080 road to the north. The driveway to Conifox Nursery forms the eastern boundary with further mature woodland planting and a local foot path defining the southern boundary. Woodland planting adjacent to the Core Path is located to the north-western boundary with existing residential properties adjacent to the site forming the boundary to the south west.

This application is for Planning Permission in Principle the applicant has advised upper quantum of residential development being proposed will be approximately 100 residential units. The final layout and development quantum will be developer led at the detailed planning stage.

The site previously formed part of the green belt, however it has been removed from the green belt in the adopted Edinburgh Local Development Plan.

The applicant has submitted many supporting documents including a noise and local air quality impact assessment as well as contaminated land report.

Noise

Environmental Protection requested that a noise impact assessment was submitted at this stage to determine the suitability of the site for residential development. The applicants noise impact assessment results have demonstrated that noise levels in terms of both LAeq and LA90 remain relatively constant across the site which suggests that although the development site is located outside of the main zone of influence of Edinburgh Airport, noise associated with both the airport and surrounding and more distant transport noise sources such as the M9 are dominant and that there is no measurable reduction in noise levels across the site.

The noise impact assessment highlights little or no reduction in noise levels between the site boundary and the middle of the site. As such a constant noise levels across the Site of 60dB LAeq, 16 hour during the daytime and 54dB LAeq, 8 hour during the night-time hours.

In order to mitigate the noise to ensure internal noise levels could be achieved acoustic insulation would need to be applied to the roof, walls and windows. A further noise impact assessment would be required to determine the specific materials and sound reduction levels.

With regards to external amenity space, given that noise levels remain relatively constant across the site, it is unlikely that localised screening/acoustic screening would serve to reduce noise levels within these areas. It is not possible to implement external noise mitigation measures to reduce the impacts of aircraft noise. The applicant has stated that, given that future residents would have no prior knowledge of the external noise climate it is considered that external noise levels of 60dB LAeq,16 hour are unlikely to give rise to adverse comment. Environmental Protection do not agree with this assessment.

The World Health Organisation (WHO), state in the Guidelines for Community Noise that a LAeq,16hr noise level of 50dB(A) in an external area may lead to moderate annoyance for the majority of people, whilst an LAeq,16hr noise level of 55dB(A) in an external area may lead to serious annoyance for the majority of people. As has been highlighted this site experiences noise levels in excess of the potential for 'serious annoyance' levels. This is a cause of concern for Environmental Protection. The operations of the airport will be changing with a likely increase in flights and noise. There is nothing Environmental Health will be able to do regarding aircraft noise to protect the residents if the development is built out.

The noise assessment indicates that noise levels will increase when considering the B9080 Main Street, an increase in noise levels of 2.5dB is predicted. Such an increase would have the potential to be just perceptible and would give rise to at worst minor adverse impacts at existing sensitive receptors located along this link.

The neighbouring Conifox Nursery has evolved and now offers adventure play for children with potential for other noisy activities to be introduced, if consented a noise impact assessment would need to further assess the noise from this site with proposed mitigation measures detailed.

The applicant has advised that monitored noise levels have subsequently been assessed against the relevant guidance provided in PAN 1/2011 and its associated technical advice note and the results demonstrate that there would be a slight potential for existing noise sources to impact upon the amenity of future residents. The applicant suggests that to ensure a good level of residential amenity is provided mitigation measures in the form of acoustically rated thermal double glazing coupled with trickle ventilation have been proposed. Further noise impact assessment(s) would be required to ensure specific noise mitigation measures be adequate. However, there is no possible way to mitigate the outside amenity areas from the impacts of aircraft noise. The levels recorded are well in excess of the required noise criteria therefore Environmental Protection shall recommend that the site is not suitable for a residential development.

Local Air Quality

The applicant has highlighted that the site is not located within any of declared Air Quality Management Areas (AQMAs), although the Glasgow Road AQMA is located in close proximity. It has also been noted that the local road network can become congested during peak hours with access to a range of public transport limited.

The applicants air quality impact assessment has highlighted that there may be impacts during the construction phase however this can be mitigated with a good construction environmental management plan. Mitigation for the operational phase can be limited however the applicant must ensure that as a minimum they install electric vehicle charging points in accordance with the Edinburgh Design Standards and install low NOX boiler to the residential properties.

Environmental Protection encourage the developer to work with this department to produce a Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts;

- 1. Keep Car Parking levels to minimum.*
- 2. Car Club facilities (electric and/or low emission vehicles).*
- 3. Provision of rapid electric vehicle charging facilities.*
- 4. Provision of rapid electric vehicle charging facilities (Taxis).*
- 5. Public transport incentives for residents.*
- 6. Improved cycle/pedestrian facilities and links.*

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.

The applicant has not proposed installing any electric vehicle charging points It should be highlighted that the requirements stipulated in the Edinburgh Design Guidance must be achieved. Edinburgh has made huge progress in encouraging the adoption of electric/hybrid plug-in vehicles, through deployment of extensive charging infrastructure. As plug-in vehicles make up an increasing percentage of the vehicles on our roads, their lack of emissions will contribute to improving air quality, and their quieter operation will mean that a major source of noise will decrease.

The Sustainable Energy Action Plan is the main policy supporting the Council's Electric Vehicle Framework. Increasing the number of plug-in vehicles and charging infrastructure in Edinburgh will provide substantial reductions in road transport emissions.

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. Electric vehicle parking spaces should be counted as part of the overall car parking provision and not in addition to it.

As a minimum Environmental Protection would recommend that 7Kw charging provision will be required for all residential properties. Information on chargers is detailed in the following Technical guidance in the Edinburgh Design Standards. Information on the infrastructure being provided should be included in the supporting transport submission provided with a detailed application.

Contaminated Land

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

Therefore, Environmental Protection recommends that application is refused due to the poor level of external area amenity afforded to the potential residential developments mainly from aircraft noise. If consent is grant it is recommended the following conditions are attached to any consent;

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.

2. All parking spaces shall be served by 7Kw electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.

3. During construction, it will be necessary to apply a package of mitigation measures to minimise dust emissions these details shall be submitted at the detailed stage.

4. Detailed noise assessments will be required at the detailed planning stage, to assess internal noise and vibration impacts from the transport noise (aircraft and road) from operational noise, on the proposed residential developments. This must identify appropriate mitigation measures.

5. Detailed noise assessments will be required at the detailed planning stage, to assess noise impacts from the children's adventure play area (Conifox) from operational noise, on the proposed residential developments. This must identify appropriate mitigation measures.

Environmental Protection updated comment

The site area is bounded by the B9080 road to the north. The driveway to Conifox Nursery forms the eastern boundary with further mature woodland planting and a local foot path defining the southern boundary. Woodland planting adjacent to the Core Path is located to the north-western boundary with existing residential properties adjacent to the site forming the boundary to the south west.

This application is for Planning Permission in Principle the applicant has advised upper quantum of residential development being proposed will be approximately 100 residential units. The final layout and development quantum will be developer led at the detailed planning stage.

The site previously formed part of the green belt, however it has been removed from the green belt in the adopted Edinburgh Local Development Plan.

The applicant has submitted many supporting documents including a noise and local air quality impact assessment as well as contaminated land report.

Noise

Environmental Protection requested that a noise impact assessment was submitted at this stage to determine the suitability of the site for residential development. The applicants noise impact assessment results have demonstrated that noise levels in terms of both LAeq and LA90 remain relatively constant across the site which suggests that although the development site is located outside of the main zone of influence of Edinburgh Airport, noise associated with both the airport and surrounding and more distant transport noise sources such as the M9 are dominant.

In order to mitigate the noise to ensure internal noise levels could be achieved acoustic insulation would need to be applied to the roof, walls and windows. A further noise impact assessment would be required to determine the specific materials and sound reduction levels.

The noise assessment indicates that noise levels will increase when considering the B9080 Main Street, an increase in noise levels of 2.5dB is predicted. Such an increase would have the potential to be just perceptible and would give rise to at worst minor adverse impacts at existing sensitive receptors located along this link.

The neighbouring Conifox Nursery has evolved and now offers adventure play for children with potential for other noisy activities to be introduced, if consented a noise impact assessment would need to further assess the noise from this site with proposed mitigation measures detailed.

The applicant has advised that monitored noise levels have subsequently been assessed against the relevant guidance provided in PAN 1/2011 and its associated technical advice note and the results demonstrate that there would be a slight potential for existing noise sources to impact upon the amenity of future residents. The applicant suggests that to ensure a good level of residential amenity is provided mitigation measures in the form of acoustically rated thermal double glazing coupled with trickle ventilation have been proposed. Further noise impact assessment(s) would be required to ensure specific noise mitigation measures be adequate.

The applicant has submitted an updated noise impact assessment which has adequately demonstrated that the original noise impact assessment was inaccurate and that the noise levels had been over-predicted and wrongly associated with aircraft noise. Environmental Protection are now satisfied that the noise impacts from aircraft noise affecting this site will not be in exceedance of the WHO Guidelines for Community Noise.

Local Air Quality

The applicant has highlighted that the site is not located within any of declared Air Quality Management Areas (AQMAs), although the Glasgow Road AQMA is located in close proximity. It has also been noted that the local road network can become congested during peak hours with access to a range of public transport limited.

The applicants air quality impact assessment has highlighted that there may be impacts during the construction phase however this can be mitigated with a good construction environmental management plan. Mitigation for the operational phase can be limited however the applicant must ensure that as a minimum they install electric vehicle charging points in accordance with the Edinburgh Design Standards and install low NOX boiler to the residential properties.

Environmental Protection encourage the developer to work with this department to produce a Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts;

- 1. Keep Car Parking levels to minimum.*
- 2. Car Club facilities (electric and/or low emission vehicles).*
- 3. Provision of rapid electric vehicle charging facilities.*
- 4. Provision of rapid electric vehicle charging facilities (Taxis).*
- 5. Public transport incentives for residents.*
- 6. Improved cycle/pedestrian facilities and links.*

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.

The applicant has not proposed installing any electric vehicle charging points. It should be highlighted that the requirements stipulated in the Edinburgh Design Guidance must be achieved. Edinburgh has made huge progress in encouraging the adoption of electric/hybrid plug-in vehicles, through deployment of extensive charging infrastructure. As plug-in vehicles make up an increasing percentage of the vehicles on our roads, their lack of emissions will contribute to improving air quality, and their quieter operation will mean that a major source of noise will decrease.

The Sustainable Energy Action Plan is the main policy supporting the Council's Electric Vehicle Framework. Increasing the number of plug-in vehicles and charging infrastructure in Edinburgh will provide substantial reductions in road transport emissions.

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. Electric vehicle parking spaces should be counted as part of the overall car parking provision and not in addition to it.

As a minimum Environmental Protection would recommend that 7Kw charging provision will be required for all residential properties. Information on chargers is detailed in the following Technical guidance in the Edinburgh Design Standards. Information on the infrastructure being provided should be included in the supporting transport submission provided with a detailed application.

Contaminated Land

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

Therefore, Environmental Protection offers no objection subject to the following conditions;

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

a) A site survey (including 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.

2. All parking spaces shall be served by 7Kw electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.

3. During construction, it will be necessary to apply a package of mitigation measures to minimise dust emissions these details shall be submitted at the detailed stage.

4. Detailed noise assessments will be required at the detailed planning stage, to assess internal noise and vibration impacts from transport noise, on the proposed residential developments. This must identify appropriate mitigation measures.

5. Detailed noise assessments will be required at the detailed planning stage, to assess noise impacts from the children's adventure play area (Conifox) from operational noise, on the proposed residential developments. This must identify appropriate mitigation measures.

Roads Authority Issues

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

1. 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.

2. High quality pedestrian and cycle routes to be provided through the site. Details to be agreed with the Council's Officers.

3. Connections to external active travel infrastructure to be provided in order to provide improved pedestrian, cycle links and access to public transport services from the site and the town centre in accordance with LDP policies DES 1, DES 7, DES 8, DES 9, TRA 1 and TRA 9. Specifically:

a. A paved and lit shared cycle / pedestrian path connection to be provided to Wellflats Road at the south of the site;

b. Paved and lit, shared cycle / pedestrian path connection(s) to be provided at the northwest corner of the site (as highlighted in the applicant's development parameters plan). Paving and lighting to be extended to provide improvement to the existing ramp from this connection up to the Main Street - Carlowrie Castle Road where it emerges;

Items a) and b) to be provided at no cost to the Council. Details to be agreed in writing with the Council's Officers.

4. A new high quality footway (minimum 2 metres in width) to be provided along the frontage of the development site on the Main Street - Carlowrie Castle Road, at no cost to the Council. Details to be agreed in writing with the Council's Officers.

5. Car and cycle parking provision to be in accordance with the Council's current parking standards. Further, full justification for the proposed provision should be provided by the applicant and agreed in writing with the Council's Officers.

6. Upgrading of the Main Street / Queensferry Road / Station Road traffic signal junction to be provided including MOVA control, at no cost to the Council. Details to be agreed in writing with the Council's Officers.

7. *Access to the proposed development to be provided by means of a priority controlled junction. Details to be agreed in writing with the Council's Officers.*
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. *A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent.*
10. *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.*
11. *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.*
12. *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.*
13. *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.*
14. *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.*
15. *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.*

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

Note:

1. In accordance with Edinburgh Local Development Plan Policies DES 1 "Design Quality and Context," DES 7 "Layout Design," DES 8 "Public Realm and Landscape Design," DES 9 "Urban Edge Development," TRA 1 "Location of Major Travel Generating Development," and TRA 9 "Cycle and Footpath Network," the development proposals need to integrate with existing external pedestrian, cycle and public transport networks. The development proposals, "Parameters Plan," indicate proposed connections with the informal path traversing the southern boundary of the site and also Core Path CEC10 which passes the site to the west. It is recognised that at present CEC10 to the north of Auldgate is narrow, unlit and is of an unbound surface construction. It is however identified in the Active Travel Action Plan for improvement to bring it up to an acceptable standard by widening, providing lighting and a paved surface.

2. Current Council parking standards contained in the, "Edinburgh Design Guidance (October 2017)," for Zone 3 permits up to a maximum of 2 parking spaces per dwelling depending on dwelling type (number of habitable rooms). 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.

3. Cycle parking should be provided in accordance with the current Council standards. This requires a minimum of cycle storage for between one and three cycles per dwelling depending on type.

4. An independent assessment of the operation of the Main Street / Station Road traffic signals junction has been carried out by the Council's own Citywide Network (traffic signals) Team. It is considered that the development will have an impact, as demonstrated by the applicant. There is no scope to carry out physical alterations to the junction in order to improve its operation, and therefore it is considered that the following will be required to be provided by the applicant, to the satisfaction of, and at no cost to the Council:

- a. Installation of ducting, cabling and slot cutting for MOVA loops on each approach.
- b. Upgrade of existing junction ducting to accommodate additional cabling required for MOVA.
- c. New ELV traffic signal controller with integral MOVA (including MOVA license).
- d. New ELV traffic signal heads.
- e. Factory Acceptance and Site Acceptance testing.
- f. MOVA commissioning and on site validation.

Location Plan



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