

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 further 10 to be achieved at detailed application stage	20	10
Section 2: Water conservation	10	10
Section 3: Surface water run off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	30
Total points	80	70

The proposal 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 whoever 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 applicant's 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).*
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- 4. Provision of rapid electric vehicle charging facilities (Taxis).*
- 5. Public transport incentives for residents.*
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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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