

# Development Management Sub Committee

**Wednesday 26 September 2018**

**Application for Planning Permission 16/03107/FUL  
At Jack Kane Community Centre, Jack Kane Sports Centre,  
Hunters Hall Public Park  
Construction of a new outdoor velodrome bmx track pump  
track and 3G pitches. Refurbishment of the Jack Kane  
Centre building. Demolition of derelict janitors houses.  
Construction of new car parking and associated access  
routes and paths as well as improvements to existing car  
parking and paths (as amended).**

<b>Item number</b>	Item 4.2
<b>Report number</b>	
<b>Wards</b>	A17 - Portobello/Craigmillar (Pre May 2017)

## Summary

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The proposed development is acceptable in principle and in accordance with the Local Development Plan (LDP). The proposals are an intensification of the existing sports and recreational facilities within Hunters Hall Park. The site constraints and mining legacy have largely influenced the layout and siting. However, the proposed design does make use of the topography of the area, boundary screening woodland and the location in proximity to Jack Kane Centre. The proposed materials also are compatible with this parkland setting. The issues of noise and floodlighting have been addressed to ensure sufficient amenity for neighbours. The car parking layout has been designed to provide for day to day car parking use with capacity for overflow car parking as required for larger events.

## Links

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**Policies and guidance for this application**

LDPP, LEN18, LEN19, LEN15, LEN12, LEN08, LEN09, LEN21, LEN22, LDES01, LDES04, LDES05, LDES06, LDES07, LDES08, LDES10, LTRA01, LTRA04, LTRA09, LRS06, NSG, NSGPDF, NSGD02, NSOSS,

# Report

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## Recommendations

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

## Background

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### 2.1 Site description

The application site is Hunter's Hall Public Park which is located on the south side of Niddrie Mains Road at the crossroads with The Wisp, Duddingston Park South and Newcraighall Road. Niddrie Mains Road is a main thoroughfare and is on a high frequency bus route. It gives access to the city centre and to the A1.

The Jack Kane Centre sits within the park and offers sporting and other community facilities. The Jack Kane Centre building is a plain concrete low level flat roofed building containing a sports centre and a separate community wing. A car park and derelict janitors houses are located next to the Jack Kane Centre. There is an existing sub-station just to the south of the building which has permission to be extended and a community garden.

To the north of the building, the sports facilities include a children's play park and an overgrown bike track.

The playing pitches are situated to the south of the building in Hunter's Hall Park. There are seven playing pitches marked out on the grass and one artificial pitch with floodlighting, which is also marked out into four smaller pitches.

The vehicular access is from Niddrie Mains Road with additional pedestrian accesses from Niddrie Marischal Road and Drive, and The Wisp and informal accesses from the land to the south.

The Niddrie Burn runs along the west boundary and has been restored to a more natural valley and route along the western boundary with a bridge connecting the park to the housing area to the west. Planting and informal paths have been installed along the restored burn. Part of the Burn and its embankments are designated a Local Nature Conservation Site.

The Jack Kane Centre and park area to the south are generally flat. The area to the north of the Jack Kane centres slopes down towards Niddrie Mains Road along the northern boundary. Mature trees and woodland areas are found along most of the site's boundary. Trees are also found scattered throughout the site.

## 2.2 Site History

12 February 2015 - Permission granted for change of use of open space and construction of community garden including raised growing beds, polytunnel, paths, grassed areas and planting bounded by a 1.3m high fence at Jack Kane Community Centre 280 Niddrie Mains Road Edinburgh EH16 4ND (application number 15/00050/FUL).

## Main report

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### 3.1 Description Of The Proposal

Full planning permission is sought for the detailed design of an outdoor velodrome, BMX track, pump track and 3G pitches and grass pitches. The BMX, 3G football pitch and velodrome proposals across the park have a total area of 1.8 hectares. The Jack Kane Centre will be refurbished and the janitors' houses demolished. A new car park, associated access routes and paths will be constructed. Improvements will be made to the existing car park and paths. Both the play park and existing community garden will remain as existing. Detailed proposals include:

- a new Olympic sized 250m outdoor velodrome totalling 0.5197 ha;
- a regional level BMX track and starters hut, assembly area including floodlighting totalling 0.5188 ha;
- the re-covering of the existing artificial pitch including floodlighting;
- a new 60m x 40m artificial pitch including floodlighting;
- the reconfiguration of the existing grass pitches;
- an extension to the existing car park and overflow area;
- Jack Kane centre enhancement including additional windows in elevations, cleaning and decorating the exterior of the buildings and replacement of existing services in the sports centre and community wing; and
- a new maintenance/cycle storage building adjacent to the coach parking area.

A velodrome is proposed to the south of the Jack Kane Centre building next to the football and rugby pitches. The external banking to the velodrome and the track infield is a grass surface in order to have it blend into the surrounding area as much as possible. It will be surrounded by 3m high fencing and floodlit.

The BMX track will be positioned in the north east of the site near the cross roads with Niddrie Mains Road and The Wisp. A pump track is proposed adjacent to the southern end of the BMX track. The BMX track will be constructed of earth with grassed banks and track surfaced in ground limestone to provide a gravel finish and surrounded by grey 3m high fencing to help it blend into the landscape. It will also be floodlight. The track will use the existing contours of the park to make it blend in as much as possible from the start ramp height of 3 metres.

The 3G pitches will be 0.313 Ha. The introduction of the new large 3G pitch in this area is a change of surface to the existing grass pitches as it is artificial grass, but the activities that take place there are unchanged. Three new 3G seven-a-side pitches will be created on the existing artificial pitch base to the east of the Jack Kane Centre. Six pitches will be installed to the south of the Jack Kane Centre building located in the eastern part of the application site; four grass football pitches, one grass rugby pitch and one 3G pitch. Two of these will be to Scottish Football Association grass pitch specification, two will be to Fifa grass pitch specification, one new 3G pitch will be 60m x 40m and one pitch will be to Scottish Rugby Union specification. An area has also been identified for a future proposed grass football pitch.

Vehicular access will be the existing access from Niddrie Mains Road to the enlarged car park adjacent to the Jack Kane Centre with access to the velodrome for use by maintenance and ambulances. It is proposed that 86 car parking spaces are provided, including accessible car parking spaces, electric vehicle charging and motorcycle parking spaces. Electric vehicle charging ducting is to be provided. Cycle storage for 24 cycle spaces is also provided near the entrance to the building. Two coach parking spaces will also be provided.

Pedestrian access will be taken from Niddrie Mains Road to the north, Niddrie Marischal Road/Drive to the west, from The Wisp to the east and from the south, through the proposed housing development. Pedestrian routes within the site will link the car park to the velodrome and BMX track. The existing pedestrian path alongside the Niddrie Burn will remain, linking the north and south of the park.

Landscaping is proposed. The main areas of existing and proposed woodland within the site is along the frontage to Niddrie Mains Road, the boundary to the Wisp and the southern boundary with some areas of tree planting along the western edge along the Niddrie Burn.

Tree protection, removal and retention plans have been submitted. The tree removal plan states 13 trees in total would be felled due to the proposed works that range from 1.5 metres to 23 metres in height.

The main area of tree removal is Area A, totalling 0.03 hectares along the northern boundary of the site. It is part of a larger area of woodland along to Niddrie Mains Road. Removal of woodland from Area A is essential to facilitate the BMX track however, only a small area overlaps with the BMX track itself. Area A comprises 10 trees for felling ranging from 12-22 metres in height:

- four sycamores;
- three maples;
- one ash;

- one lime; and
- one oak.

Three trees are also proposed to be felled to facilitate vehicle access to the centre and maintenance access to the velodrome. These trees range from 1.5 metres to 23 metres in height, and include one Norwegian Maple and two Sycamores.

The applicant proposes a replacement planting scheme. Currently, 24 trees comprising girth of 18-20 cm, height minimum 450 cm, will be planted around the car parking area and between the Jack Kane Centre and the BMX track to the north.

Floodlighting for the velodrome, BMX track and external pitches shall be positioned and angled such that the luminance is targeted onto the playing surfaces with minimal overspill into adjacent areas.

The currently derelict janitor's houses will be demolished. Alterations to the Jack Kane Centre include installing windows and new security shutters to all windows of the building and renewing external fire escape doors.

### Supporting Information

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

- Design and Access Statement;
- Pre Application Consultation Report;
- Transport Information;
- Sustainability Statement (S1) Form;
- Geo-environmental Development Appraisal;
- Site Investigation Report;
- Drainage Impact Assessment;
- Noise Impact Assessment;
- Tree Survey including arboricultural survey, tree constraints and tree removal plan; and
- Surface water management plan.

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

### Scheme 1

The car parking layout for 86 spaces did not include the requisite number of wheelchair accessible spaces or electric vehicle charging spaces. The plans have also been amended to clarify the proposed trees to be felled in conjunction with the proposals.

## **3.2 Determining Issues**

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

Do the proposals comply with the development plan?

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

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

### **3.3 Assessment**

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

- a) the proposal is acceptable in principle;
- b) the layout, scale and design are acceptable;
- c) the landscaping and landscape setting are acceptable;
- d) the impact on neighbouring amenity is acceptable;
- e) the impact on infrastructure is acceptable;
- f) there are other material considerations;
- g) the public comments have been addressed; and
- h) there are any equalities or human rights issues.

#### **a) Principle**

The application site is identified as an area of protected open space in the adopted Edinburgh Local Plan (LDP) and includes an area of Local Nature Conservation Site. Therefore, policies Env 18 (Open Space Protection) and Env 19 (Protection of Outdoor Sports Facilities) apply for the open space. Policy Env 15 (Sites of Local Importance) applies to the Local Nature Conservation Site. The application proposal also includes part of allocated adopted local plan housing site HSG18, school proposal SCH3 and green space proposal GS5 and needs to be assessed against these policies too.

Policy Env 18 sets out the criteria for when the loss of open space will be acceptable including:

- there will be no significant impact on the quality or character of the local environment;
- the open space is a small part of a larger area or of limited amenity or leisure value and there is a significant over-provision of open space service the immediate area and;
- the loss would not be detrimental to the wider network including its continuity or biodiversity value;

- there will be a local benefit in allowing the development in terms either an alternative equivalent provision being made or improvement to an existing public park or other open space; or
- the development is for a community purpose and the benefits to the local community outweigh the loss.

The character of the application site is currently a public park and sporting facility. There are football and rugby pitches, a building (sports centre and community wing), play park and community garden. The pitches are laid out to the south of the building with the other uses nearer the building and some to the front. The proposals are for pitches and other sports facilities and these will retain the character of the park and application site. The Niddrie Burn, and local nature conservation area will remain. The site will still keep its mainly grass environment and trees. Therefore, there will be no significant impact on the quality or character of the local environment.

Open space will be lost due to the installation of the velodrome, and the BMX pump track and the extension of the car park. Hunter's Hall Park is 26.98 ha and the application site, part of Hunter's Hall Park, is 18.3 ha. The loss of open space will be 7% of the whole of Hunter's Hall Park and 10% of the application site. The park is a large area and the proposals will use up a small proportion of the park, thus retaining a significant amount of open space. The loss would not be significant and wider continuity of the network and biodiversity value would not be detrimentally affected.

The public and community will still be able to use the park and enjoy the open space. The park will be improved through upgrading and providing more pitches, community / sports / leisure facilities, as well as landscaping and path improvements to the new facilities. The benefits to the community outweigh the loss of open space. Therefore, the proposal conforms to policy Env 18 - Open Space Protection.

Policy Env 19 states that the loss of some or all playing field or sports pitch will be permitted only where one of the following circumstances applies:

- a) the proposed development is ancillary to the principal use of the site as outdoor sports facilities;
- b) the proposed development involves a minor part of outdoor sports facilities and would not adversely affect the use or potential of the remainder for sport and training;
- c) an alternative outdoor sports facility is to be provided of at least equivalent sporting value in a no less convenient location, or existing provision is to be significantly improved to compensate for the loss; and
- d) the Council is satisfied that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and the site can be developed without detriment to the overall quality of provision.



No pitches will be lost. The proposed sports facilities and associated proposals, such as the landscaping, are ancillary to the use of the site as a sports facility. The proposals will not affect the use of the application site nor the use of the remainder of the site for sports and training use. The proposals will replace existing grass pitches with a mix of 3G and grass pitches for football and rugby. The site will be developed as an improvement to the existing facilities and will meet any future increase in demand in the area. SportsScotland does not object to the proposals stating that overall the playing capacity of the site will be maintained or improved, in accordance with Scottish Planning Policy. Therefore, the proposal is not contrary to Policy Env 19.

The Jack Kane Centre and associated leisure/sports facilities are already on the site. The current proposal is for an upgrade of facilities with a few new facilities such as the velodrome and BMX track. The proposal satisfies the criteria in policies Env 18 and Env 19 and is acceptable in this location.

Whilst the Local Nature Conservation Site is included within the application site, it is not affected by the proposals and therefore the proposals comply with policy Env 15 (Sites of Local Importance).

The application site boundary overlaps with part of allocated adopted local plan housing site HSG18, school proposal SCH3 and green space proposal GS5 within the application site. However no development is proposed in these locations. The LDP allocated housing site HSG 18 already has planning permission under construction for residential development. The greenspace proposals G5 for the Niddrie Burn Parkland are already under implementation. Communities and Families has no objection to the proposal provided it does not prejudice the opportunity to deliver a new primary school (if required) in the location identified by the Council's adopted LDP. The adopted Local Plan shows a general location for School Proposal SCH3 to the south-west of the proposed grass pitches therefore not affected by these proposals.

## **b) Layout, design and scale**

In assessing the scale, layout and design of the proposals, LDP policies Des 1 (Design Quality and Context) to Des 8 (Public Realm and Landscape Design) provide a robust framework along with the Edinburgh Design Guidance. Policy Des 1 (Design Quality and Context) states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design, or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.

Hunters Hall Park is a key amenity green space in this part of the city and with its elevated position, has expansive views west towards the city centre and Arthurs Seat. The park landscape incorporates open green space which is centred on the Jack Kane Centre. The Hunters Hall Park development is widely recognised as a recreation and leisure area to the east of Edinburgh, as the current provision of sports pitches are located here and the proposal retains this use. It is key to note that usage is not altered and the proposals are aimed at making better use of this parkland. The main area of existing and proposed woodland within the site is located along the site boundaries.

The woodland planting acts as a buffer to prominent roads to the north and east. The area to the south of the existing Jack Kane Centre is currently dedicated to recreational/sports use while the area to the north is more used for informal sporting activity and recreational parkland.

The site's services constraints and mining history have largely dictated the location of the proposed velodrome and BMX track. The location of the velodrome is the only location available due to historic mineral seams being mined across the site. Similarly, the BMX track is placed between key utilities (mains water and sewer) so maintenance access by statutory undertakers can still be achieved. The required earth works for the velodrome and BMX track require their position away from both services and previously mined areas whilst keeping the facilities as close to the building as possible to help management of the tracks. The 3G pitches are positioned to allow for access to services beneath but can be placed over previous mine working due to their lighter weight and the use of a geo grid beneath them.

The applicant has submitted supporting information to demonstrate how the design of the BMX track and velodrome will sit within its context. The BMX track to the north of the Jack Kane Centre uses the topography of the sloping site to integrate into its surroundings and retaining most of the surrounding woodland to provide a buffer and screening of the track from the adjacent roads. This siting mitigates its impact, means the 3metre high starting ramp is acceptable in its siting and would be screened by the woodland along the boundaries.

Therefore whilst it does introduce a formal recreational use into the previously parkland area, it relates well to the existing artificial pitches and together with the existing play park still leaves a substantial area of open parkland to the north of the Jack Kane Centre which is visible at the entrance from Niddrie Mains Road.

The proposed velodrome is sited behind the Jack Kane Centre in the middle of the site and therefore would not be readily visible outwith the park due to the woodland along the boundaries. Its impact is mainly in terms of the floodlighting columns and fences - painted grey to reduce their impact against the sky. Similarly the main impact of the artificial grass pitches is the accompanying floodlighting and fenced enclosure. The floodlit pitches have been sited on the eastern side of the park between the building, velodrome and the eastern boundary woodland. Both locations mitigate the integration of the facilities into the parkland and sporting areas and are therefore acceptable.

Police Scotland suggest that principles of the Secured by Design status are incorporated into the design proposals. The velodrome and BMX track will be enclosed by robust security fence 3 metres high - with gated access suitable for bikes only. The proposed 3G pitches will also be fenced to aid delineation between the public and private spaces. Therefore the design proposals of the facilities are acceptable.

### **c) Landscaping and landscape setting, key views and trees**

#### Impact on key views

The Edinburgh Design Guidance (January 2018) identifies a series of key views across the city. This helps assess the impact of proposals on the skyline, and is supported by LDP Policy Des 11 (Tall Buildings - Skyline and Key Views). In this instance, the site is within the viewcone of view S19 (Castle, Hub Spire and Old Town from the A68). In assessing the proposals against this view, the velodrome is within the viewcone, however the main impact would be from the floodlighting columns and the proposed fencing. Therefore floodlights do not eliminate the views. The applicant has submitted the view from the sports pitches which illustrate that Arthurs Seat can still be viewed across the Parkland following completion of the velodrome. Key views towards Arthurs Seat are still retained for most of the park particularly the area in front of the Jack Kane Centre. Therefore the proposals are acceptable in this instance.

#### Landscape Design

Policy Des 8 (Public Realm and Landscape Design) states that external spaces and features should be designed as an integral part of the scheme as a whole. A landscape masterplan has been submitted to provide a cohesive landscape framework for the whole park incorporating the new facilities sensitively into the park landscape. This includes a coordinated palette of materials for the proposal facilities, enclosures, and paths which are appropriate in a parkland setting. The current landscaping of trees and grass is retained and consideration has been given to the tree planting to provide a setting for the additional facilities as discussed below.

The existing trees are of moderate quality when considered individually, and when considered as a whole they form a landscape feature of high value and with an extensive visual impact surrounding the parkland from outside views. Within the park, large specimen parkland trees and remnants of the tree lined access routes are evidence of the historic designed landscape which was part of the grounds of Niddrie Marischal House and remain as important indicators of the areas parkland history. Therefore the proposals are in accordance with Policy Des 8.

#### Trees

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

The submitted tree survey and plans have been assessed. The proposed trees to be removed are directly related to the proposed works.

The main area of tree removal is Area A on the northern boundary woodland as part of essential works required to incorporate the BMX track. Other options have been discussed but rejected as the track position cannot be altered due to the other site constraints outlined above. The removal of Area A is only a small strip (10 trees as outlined above) of the full width of woodland in this area and could be compensated by replacement planting to safeguard the remainder of the woodland once the track is completed, as well as replacement planting elsewhere on site. The loss of any trees on site is regrettable however the location of the BMX track is fixed as it is the only place it can go. Three trees also require to be felled to accommodate the proposed car park access and layout. The loss of these trees is also regrettable however would facilitate improved access to the Jack Kane Centre for a wider range of users.

A condition is required to secure proposed tree planting. Currently 24 proposed trees comprising girth of 18-20 cm, height minimum 450 cm, are to be in two main locations, around the proposed car parking area and between the Jack Kane Centre and the proposed BMX track. It is considered necessary and reasonable to ensure that new planting on a like for like basis is included by condition. It is also considered reasonable to require planting in the vicinity of Area A to preserve this woodland buffer as well as in locations to reinforce the remnants of the parkland setting commensurate with the Council's wider tree management of the site. A condition would also be required to safeguard existing trees throughout construction. Therefore on balance, no objection under policy Env 12 (Trees).

### Ecology

Policy Des 3 and the Edinburgh Design Guidance Chapter 3 aim to identify opportunities, through development, to enhance local biodiversity. This also accords with the Edinburgh Biodiversity Action Plan 2016-18. Therefore on areas of new proposed grass seeding (including the existing pump track), due consideration should be given to using the Edinburgh Meadow Mix and an informative is added to this end. An informative would also be added regarding breeding birds and vegetation clearance.

The Niddrie Burn and Local Nature Conservation Site are within the application site. In order to protect the ecological value within 30 metres of the river and water environment itself, protective measures are required during construction which could be ensured by condition. Therefore the ecological impact of the development is acceptable and complies with policy Des 3.

### **d) Neighbouring amenity**

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

## Noise

The existing use as a sports centre with outdoor pitch facilities is intensified by the addition of outdoor cycle facilities and additional pitches. The facilities will be available for the same hours of opening as the existing Jack Kane Centre and no PA system is proposed currently. The B4142 assessment has been carried out at the nearest noise sensitive dwellings when all the facilities are in use at the same time. The predicted ratings show low/slight impact outside properties on Niddrie Marischal Road, and low impact on Niddrie Mains Road with an adverse impact experienced outside Great Carleton Place and Wisp Green.

The BS 8233 assessment shows that the predicted internal noise levels inside dwellings on Great Carleton Place, Niddrie Marischal Road, and Niddrie Mains Road meet the internal noise criteria with Wisp Green exceeding it by a marginal 1 dB. However, the existing noise levels are high such that the predicted noise from the facilities would be insignificant in affecting the internal noise levels in dwellings at Wisp Green.

A Technical Advice Note assessment has also been carried out on the basis of all the facilities in use at the same time and shows that a slight level of significance will be experienced at Great Carleton Place and Niddrie Marischal Road, with Niddrie Mains Road and Wisp Green experiencing a neutral level of significance. The noise assessment states that no mitigation measures are proposed. Environmental Protection has raised no objection based on the Noise Impact Assessment submitted.

Therefore the proposed impacts in terms of noise are acceptable.

## Lighting

The proposed floodlighting includes eight 15m high floodlights to the velodrome, size 13.5m high floodlights to the BMX track, and eight 15 m high floodlights to the 3G pitches. The floodlights are positioned and angled such that the illuminance is targeted onto the tracks or playing surfaces within minimal overspill into adjacent housing areas. The floodlighting proposals have been assessed by Environmental Protection and are acceptable.

The proposals are therefore acceptable and are in accordance with LDP policy Des 5 (Amenity).

## Daylight, Sunlight, Privacy and Outlook

The facilities themselves are well screened and some distance from neighbours such that they would not result in a loss of sunlight or daylight, privacy or immediate outlook and therefore the amenity of neighbours is not adversely affected. The design is such that the facilities can be used by beginners and alterations to the Jack Kane Centre to improve access for all users. Community security is important in this area and the car parking and cycle parking will be provided close to the Jack Kane centre. The proposed path network will allow for natural surveillance over all the footpaths and open areas.

The proposals are therefore acceptable and are in accordance with LDP policy Des 5.

## **e) Infrastructure**

### Access and Parking

LDP Policy Tra 1 (Local of Major Travel Generating Development) states that planning permission for major development which would generate significant travel demand will be permitted on suitable sites, having regard to the accessibility of the site by modes other than the car, the contribution the proposal makes to the Local Transport Strategy objectives and the effect on targets in respect of overall travel patterns and car use, and the impact of any travel demand generated by the new development on the existing road and public transport networks.

In accordance with the Council's Local Transport Strategy Travplan 3 policy, and policy Tra 1 (Location of Major Travel Generating Development), it is considered necessary and reasonable to ask for a bespoke Travel Plan to be prepared by the applicant and secured by condition. The travel plan's overall aim would be to reduce the number of journeys made by car. It should include information on accessing the facilities by public transport, cycling and walking as well as timetables for local public transport. This information could be publicised in connection with proposed events. This is acceptable in accordance with Policy Tra 1.

### Access

The Edinburgh Street Design Guidance aims to achieve coherence and co-ordination across the city, with the ultimate goal of providing the people of Edinburgh with a high quality network of vibrant, safe, attractive, effective and enjoyable streets. It provides Edinburgh-specific guidance, fully embracing the protocol and principles set out in the Scottish Government's 'Designing Streets' Policy. The main pedestrian and cycle access from Niddrie Mains Road will remain as will the existing pedestrian and cycle accesses from the Wisp to the east. Pedestrian access is also available from Niddrie House Drive to the west and Hammond Place to the south. Further cycle access is being implemented from the south and west in conjunction with the housing developments.

The primary vehicle access to the site is from Niddrie Mains Road using the existing access road which will accommodate the vast majority of visitors. Parking and access improvements are proposed including kerb reconfigurations and entrance road realignment to facilitate buses dropping off school groups and sports teams at the centre, turning around the community garden. Vehicle access to specific areas of the park will be restricted in order to help prevent the use of off road motorcycles being used on the new sports facilities. Where possible motorcycle prevention gates will be installed.

The site is also accessible by public transport. There are four bus services which serve the route (2, 21, 30 and N30) and stop directly outside the facility allowing for easy access. The local train station at Newcraighall is a 20 minute walk from the facility and provides links to Waverley and other stations.

## Parking

LDP Policy Tra 2 (Private Car Parking) states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance. There are no current Council car parking standards for this type of leisure /sport development. The purpose of policy Tra 2 is to ensure car parking is tailored to local circumstances, including location, public transport accessibility and economic needs, but generally fulfil the wider strategy of encouraging sustainable, non-car modes. In this area, Hunters Hall Park is very well served in terms of public transport. There are also a range of local shops and amenities within walking distance.

The Transport Statement submitted in support of the application indicated that the car parking provision has been increased to suit the anticipated number of users to the building following completion of the works. There is a proposed ratio of 1 car space per 8 users. The extended car park and existing parking can account for 85 spaces. On a day to day basis the likelihood is that these spaces will not all be full but should a large event be taking place parking will be available on the grass to the south of the car park. The grass overflow area covers 30 spaces achieving the parking number of 115 for events and could be used for coach parking if required. Parking management requires control gates to the overflow grass area to allow its use only when needed and to restrict motorcycle users access to that part of the site.

Amendments have been made to the cycle, motorcycle, disabled parking spaces and the inclusion of electric vehicle charging points. Cycle parking is now undercover and secure adjacent to the building as suggested by Police Scotland. Six motorcycle spaces are provided as well as nine disabled parking spaces. A mini-bus drop off point is also available next to the building and a dedicated parking area for two coaches is provided. Therefore these proposals are considered acceptable.

## Connections

Policy Tra 9 (Cycle and Footpath Network) requires cycle and pedestrian connections. The proposals maintain the existing connections across the site and provide new multi-user links to the proposed facilities. Further proposals are being brought forward in line with the proposed housing developments to the south. This is acceptable.

The application site is well served by public transport and has a number of local connections for walking and cycling too. The bespoke travel plan will encourage users to use public transport. The access arrangements and enlarged car parking area are to facilitate the use of the development by school and community groups as well as improving access for all through the provision of disabled car parking spaces. The use of a main car park area with overflow car parking area to increase capacity for events if required, allows flexibility, minimises permanent car parking spaces, whilst meeting day to day needs. These proposals are acceptable in transport terms.

## **f) Other material considerations**

### Site Investigation/Land Contamination

The Coal Authority objected initially to this planning application on the basis of the submitted Geo-environmental Desk Study Report. The submitted Mineral Outcrops Plan and statement explains the rationale behind the location of the proposed velodrome. The position of the velodrome is west of the conjectured positions of four coal outcrops, which dip to the southeast and that the remaining outcrop to the west would be sufficient far enough away to place the coal at a depth that, if worked, would not influence ground stability. Therefore the Coal Authority, in the light of this information, withdrew its objection. A condition is now required that mitigation measures are implemented to safeguard stability with the proposed methodology as detailed in the report. The conclusions of the submitted information that no further works are required with regards to assessing the risk of mineral instability, however should the proposed methodology alter, then further consultation with the Coal Authority is required to be secured by condition.

Environmental Protection is prepared to accept the information altogether supplied as being sufficient to enable the Local Authority to determine with reasonable confidence that the land defined by the application is in a suitable condition for the intended use. Therefore, further information or the use of a future planning condition to request additional site investigation is not considered to be necessary.

### Flooding and Drainage

A Drainage Impact Assessment has been submitted to demonstrate that the proposed development will not be at an unacceptable level of Flood Risk, can be drained in a sustainable manner, and will not increase the risk of flooding elsewhere. The strategy will ensure that flow of surface water from the development into the public system is minimised and will be limited to 5 l/s/ha with all design parameters agreed with SEPA and City of Edinburgh Council. The proposed drainage design satisfies all elements of the current guidelines with regards to impacting on the existing sewers network and surrounding areas. Scottish Water has no objection to the proposals.

### Flooding

Most of the site is outwith the area at risk of a 1 in 200 year fluvial flood event however, there is a small section at the south-east of the site which is not affected by the proposals as it is also outwith the grass pitches area; and a low lying area on the eastern boundary to the south of the building which will not be affected by the development proposals.



The application site includes Niddrie Burn to the west. Flooding is noted adjacent to the Niddrie Burn however this watercourse is located in a valley and as such any flooding should be contained within the valley and not affect the proposed development. The Jack Kane Centre is approximately 6 metres above the Niddrie Burn bed level. The pitches closest to the Niddrie Burn would appear to be around 5 metres above the nearby bed level of the Niddrie Burn. There does not appear to be any changes to existing ground levels comparing the pre and post development site levels which will ensure that there is no loss of flood plain storage/conveyance and hence no increase in flood risk elsewhere.

Pluvial flooding may be an issue during earthwork construction as exposed sub soil has reduced ability to percolate rainwater. Following development completion, the surface water system will be designed to store all rainwater on site. CEC Flooding has no objection to these proposals and do not seek conditions nor informatives on this development. SEPA also raise no objection to this application.

Therefore the proposals are acceptable in terms of flooding and drainage.

### Archaeology

LDP Policy Env 9 relates to the development of sites of archaeological significance. The policy states that planning permission will be granted for development on sites of known archaeological significance, on the basis that certain criteria are met. The criteria relate to the extent of archaeological features on the site, and whether they can be preserved in situ. Hunter's Hall Park and the Jack Kane Centre occupy the southern and eastern grounds of the formal estate grounds surrounding Niddrie Marischal House which was demolished in the 1960's.

The proposals will require significant ground breaking works which are likely to disturb significant remains dating back to the medieval period. As such it is essential that an archaeological mitigation strategy is undertaken prior to development. This will require a phased archaeological programme of works. The initial phase being an archaeological evaluation. The results of the evaluation will determine the scale of further archaeological mitigation across the site. It is recommended the above programmes of archaeological work should be secured by an appropriate condition, and this is in accordance with LDP Policy Env 9.

### Waste

It is proposed that waste bins would be provided at the BMX track and velodrome track and maintained and managed as part of the Jack Kane Centre. Waste and Cleansing have raised no objection to these proposals.

The proposals are acceptable in terms of waste arrangements.

## **g) Public comments**

### **Material comments**

- refurbishment of Jack Kane Centre is well overdue; support redevelopment of sports centre (assessed in 3.3 (a) above);
- traffic - impact on Niddrie Mains Road; traffic survey (assessed in 3.3 (e) above);
- cycle access - inadequate representation of cycle access in the documentation - cycle access to venue; active travel provision; no link from access from north east (Niddrie Mains Road/The Wisp junction) to centre itself; new path and signs required; access from The Wisp is overgrown and unattractive and no signage; informal access further south is over a ditch and also unattractive - needs remedied and signs; lack of access from the south to Hunter's Hall Park (former track cut off by housing developments, now narrow and overgrown, blocked by housing developments and roadside barrier, was Right of Way; no access from new housing developments (assessed in 3.3 (e) above);
- more potential access to Hunter's Hall Park than evident in documentation; - Hunter's Hall Park has a value in its own right; along eastern edge is a belt of woodland and a well formed path runs north-south through woodland and a path parallel in the open; paths need upgrading, signage and publicity; restore east - west route from RIE; path along Niddrie Burn whin-path could be upgraded in reasonable condition; could upgrade planting along Burn; cut grass so Burn can be seen (assessed in 3.3 (e) above);
- Council policies supporting walking, cycling and active travel - important that any Council owned facility should be seen to be giving priority to the implementation of its own policies (assessed in 3.3 (e) above);
- Quiet route 61 - runs from Lasswade Road to the Innocent Path at Niddrie - to follow street through Greendykes - an alternative via Hunter's Hall Park and Jack Kane Centre would provide a more off- road and more scenic route; upgrading of the tracks and signs would have a wider benefit of a longer route (assessed in 3.3 (e) above); and
- provision of good cycle access - SPOKES would like the current application to ensure that all possible means are taken to provide good cycle access to and from the Jack Kane Centre and especially via Hunter's Hall Park to the new housing to the south, together with possible through route from the ERI to Niddrie Mains Road (assessed in 3.3 (e) above).

### **Non-material comments**

- project not of much interest to the people of Craigmillar or Niddrie;
- Right of Way - severance - this not part of the current planning application and, therefore cannot be considered;
- users - will mostly be locals; and

- costs - costs would be modest in relation to benefits.

## **Community Council**

Craigmillar Community Council was consulted and did not comment on the application.

### **h) Equalities and human rights**

An Equalities and Rights Impact Assessment has been carried out. There are no issues of equalities and rights due to the fact that the proposals involve alterations to the buildings to accommodate a wide range of users. The open space on site is also fully accessible. A copy of the full assessment can be viewed on the Planning and Building Standards Online Service.

### **i) Sustainability**

The applicant has completed an S1 form in support of the application as it is a development with a site area exceeding 2 ha. However the proposals relate to engineering works, and refurbishment works to the Jack Kane Centre. In terms of policy Des 6 the refurbishment of the Jack Kane centre would reduce its carbon dioxide emissions. The sustainable urban drainage measures have been incorporated into the surface water management plan. The provision of facilities for waste include the provision of bin storage at the BMX track and Velodrome which will be included within the current arrangements for waste facilities at the Jack Kane Centre. The proposals include cycle parking and provision of changing facilities would be available in the centre. Therefore, on balance, no objection under Policy Des 6 Sustainable buildings.

## **Conclusion**

The proposed development is acceptable in principle and in accordance with the Local Development Plan (LDP). The proposals are an intensification of the existing sports and recreational facilities within Hunters Hall Park. The site constraints and mining legacy have largely influenced the layout and siting. However, the proposed design does make use of the topography of the area, boundary screening woodland and the location in proximity to Jack Kane Centre. The proposed materials also are compatible with this parkland setting. The issues of noise and floodlighting have been addressed to ensure sufficient amenity for neighbours. The car parking layout has been designed to provide for day to day car parking use with capacity for overflow car parking as required.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. Details of the proposed trees to be planted, including, species, height and girth shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

2. The proposed replacement tree planting should be implemented within one planting season of the proposed works commencing on site or within six months of the opening of the either the BMX track, or velodrome, whichever is the sooner.
3. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction".
4. Prior to the commencement of development, protective measures are required to be submitted for approval by the Planning Authority, and installed on site, within 30 metres of the Niddrie Burn and to be retained in situ for the duration of the construction of the proposed works.
5. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Excavation, reporting and analysis, publication, interpretation, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
6. The proposed development methodology for the velodrome will include the mitigation measures as set out in the email dated 30th January 2017 from Woolgar Hunter:
  - (1) An earthworks exercise consisting of cutting areas of the site and upfilling other sections;
  - (2) As part of the earthworks the proposed veldrome will be formed with this feature being an earth feature, as opposed to a concrete/steel structure;
  - (3) The only element of the structure that will be 'hard' will be the proposed track; which will either be tarmac or gravel; and
  - (4) As a precautionary measure it is considered that a geogrid be placed across the formation of the veldrome.
7. No part of the development shall be occupied until a draft Travel Plan setting out measures to promote walking, cycling and the use of public transport has been submitted to, and approved in writing by, the planning authority. A final Travel Plan shall be submitted for the planning authority's written approval within 12 months of either the velodrome or bmx track being completed, whichever is the sooner. The plan shall be implemented in accordance with the approved details.

**Reasons:-**

1. To ensure the proposed replacement tree planting complies with the wider tree management on the site.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to safeguard protected trees.

4. To safeguard the water environment during the construction of the proposed works.
5. In order to safeguard the interests of archaeological heritage.
6. To safeguard stability and ensure that these works are integral to the development proposed and also to minimise settlement relating to the creation of the earth embankment.
7. To promote sustainable travel modes and reduce dependence on private cars.

### **Informatives**

It should be noted that:

1. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
2. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
3. Clearance of vegetation from the proposed construction area has the potential to disturb nesting birds; therefore clearance should be carried out outside the bird nesting season March - August (inclusive). Should it be necessary to clear ground during the bird nesting season the land should be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts.
4. Any connections which can be made with this application site and the aims and objectives of the Edinburgh Living landscape Project, such as using the Edinburgh Meadow Mix within the scheme, should be given due consideration.
5. For the avoidance of doubt, this permission only relates to the removal of trees as set out in Drawing Number 23.
6. Provided that the proposed works are constructed as outlined in condition 6, no further works are required with regards to assessing the risk of mineral instability. If however, the proposed methodology is altered, then these alterations are to be agreed with the Coal Authority and agreed in writing with the Planning Authority, prior to the commencement of the construction of the velodrome. These proposed measures so agreed, are also to be implemented as agreed.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

The Jack Kane Centre and Hunters Hall Park are owned by City of Edinburgh Council. There are no requirements under the LDP Action Programme for off-site financial contributions. The financial implications of the proposals for the Council are reported to Culture and Communities Committee.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

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

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

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

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

The application was advertised on 1 July 2016 as a departure from the development plan. Two letters of representation were received including one from SPOKES.

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

Community consultation and engagement took place. A public exhibition took place from 7 October 2014 to 14 November 2014 in Craigmillar library, Jack Kane Centre, Portobello Library, East Neighbourhood Office, Portobello High School, Holy Rood High School, Castlebrae High School, Sandy's Community Centre and Cameron House. A second public exhibition was held on 25 and 26 January 2016 between 16:30 and 20:00 in the East Neighbourhood Office.

## **Background reading/external references**

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

## **Statutory Development**

### **Plan Provision**

The application site is identified in the Local Development Plan as protected open space. A local nature conservation site is located in the north-west corner. There are three Transport Proposals and Safeguards near the site: Transport Proposal T1 - tram safeguard - is found along Niddrie Mains Road to the north of the site, T7 - Various off-road cycle/footpaths links - is proposed to link a cycle/footpath into the sites at its south eastern corner and T15 West of Fort Kinnaird road to The Wisp is to the east of the site.

### **Date registered**

22 June 2016

### **Drawing numbers/Scheme**

01-24,

Scheme 1

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Catriona Reece-Heal, Senior Planning Officer  
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## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

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

LDP Policy Env 19 (The Protection of Outdoor Sports Facilities) sets criteria for assessing the loss of outdoor sports facilities.



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

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

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

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

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

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

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

LDP Policy Des 10 (Waterside Development) sets criteria for assessing development on sites on the coastal edge or adjoining a watercourse, including the Union Canal.

LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

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

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

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

## **Relevant Non-Statutory Guidelines**

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

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

The Open Space Strategy and the audit and action plans which support it are used to interpret local plan policies on the loss of open space and the provision or improvement of open space through new development.

# Appendix 1

**Application for Planning Permission 16/03107/FUL  
At Jack Kane Community Centre, Jack Kane Sports Centre,  
Hunters Hall Public Park  
Construction of a new outdoor velodrome bmx track pump  
track and 3G pitches. Refurbishment of the Jack Kane  
Centre building. Demolition of derelict janitors houses.  
Construction of new car parking and associated access  
routes and paths as well as improvements to existing car  
parking and paths (as amended).**

## Consultations

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### Communities and Families

6 July 2016

*Comments below from Communities and Families regarding the planning application at Hunter's Hall park (16/03107/FUL):*

*The Council's Proposed Local Development Plan indicates that land at the south west corner of the application site could be used for a new primary school if one was required to serve the New Greendykes housing development*

*There is potential to extend existing schools in the area and therefore there are no current plans to progress the delivery of a new primary school at this location, however this could still be an option in the future.*

*A grass pitch is proposed at the eastern end of the land indicatively identified for the potential new school, however the applicant's Design and Access Statement confirms that 'the position of this school and surrounding grounds would remain unaffected' by the proposal.*

*Communities and Families has no objection to the proposal provided that it does not prejudice the opportunity to deliver a new primary school (if it is required) in the location identified by the Council's Proposed Local Development Plan.*

### Archaeology

07 July 2016

*Further to your consultation request I would like to make the following comments and recommendations concerning this application for the construction of a new outdoor velodrome, BMX track, pump track, 3G pitches, refurbishment of Jack Kane Centre building, demolition of derelict Janitors houses, construction of new car-parking and associated access routes, paths and improvements to existing car-parking and paths.*

*Hunter's Hall Park and Jack Kane centre occupy the southern and eastern grounds of the formal estate grounds surrounding Niddrie Marischal House. This historic early 17th century mansion formerly stood on the opposing western side of the Niddrie burn until demolished in the 1960's. Evidence suggests that this later house stood on the site of and may have included at its core the remains of an earlier medieval Tower House. Medieval quarry pits dating to the 13th/14th centuries found during the construction of the new Niddrie burn close to the Ice House provide direct evidence for occupation of the estate during this period. These excavations also produced evidence for the operation of the 17th-20th century estate including the remains of an earlier 'home farm' to the west of the one indicated in the 1st Edition OS map located to the south of the Jack Kane Centre.*

*This application must be considered under terms of the Scottish Government's Scottish Planning Policy (SPP), PAN2/201, Historic Environment Scotland Policy Statement (HESPS) 2016 and also CEC's Edinburgh City Local Plan and 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.*

#### *Buried Archaeology:*

*The construction of the proposed new Velodrome, BMX & Pump Tracks, new 3G pitches and associated new car-parking an access routes and paths will require significant ground breaking works which are likely to disturb significant remains dating back to the medieval period. As such it is essential that an archaeological mitigation strategy is undertaken prior to development.*

*In essence this strategy will require the undertaking of a phased programme of archaeological investigation, the first phase of which will be the undertaking of an archaeological evaluation (10%) of the main areas of new construction. The results from this initial phase of work will allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording of any surviving archaeological remains prior to construction commencing.*

#### *Public Engagement/Interpretation:*

*In addition, as stated the site has the potential for unearthing important archaeological remains relating to the development of the Niddrie Marischal Estate. Accordingly it is essential that the archaeological mitigation strategy contain provision for public/community engagement (e.g. site open days, viewing points, temporary interpretation boards), the scope of which will be agreed with CECAS.*

*It is recommended that these programmes of work be secured using a condition based upon the model condition stated in PAN 42 Planning and Archaeology (para 34), as follows;*

*'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Excavation, reporting and analysis, publication, interpretation, 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.*

## **Tram**

8 July 2016

*Thanks for the copy of this planning application, we have no comment to make.*

## **Police Scotland**

21 July 2016

*Further to our meeting on 18th March 2016 regarding the above planning application. I would like to take this opportunity to thank you on behalf of Police Scotland for inviting me to view the plans and comment on what is an exciting proposal, which represents a significant improvement to existing facilities at the Jack Kane Centre and Hunters Hall Park. When refitting the existing Jack Kane Sports Centre and creating the car park, consideration should be given to the following:*

- To achieve Secured By Design status, replacement ground floor and easily accessible windows and doors must meet the PAS 24 standard.*
- Secured By Design recommends that glazed curtain walling be secured using a secure glazing retention system. The method of retaining the glass must include one or more of the following:*
  - Security glazing tape.*
  - Dedicated security sealing or gasket.*
  - A secure mechanical fixing system.*
- The existing monitored alarm and CCTV systems should be audited to ensure they have adequate coverage and are fit for purpose.*

*Thefts of motorcycles are a concern in the City Of Edinburgh. Should motorcycle-parking bays be provided within the proposed car park, these should be created in an area that is overlooked by the main building. Secure anchor points certified to Sold Secure Silver Standard should be provided for motorcycles. Full information regarding Sold Secure products can be found at: [www.soldsecure.com](http://www.soldsecure.com)*

- Given the nature of the proposed development, it is highly likely that there will be an increase in cyclists using the facilities. With this in mind, we strongly recommend that secure bicycle storage is provided on site. External and preferably roofed bicycle stores with individual stands for securing bikes are best located close to supervised areas of the main building. Bicycle storage should be covered by lighting and available CCTV.*

*Cycle stands should facilitate the locking of both wheels and the crossbar of any pedal cycle. Minimum requirements for such equipment are:*

- Galvanised steel bar construction (minimum thickness 3mm) filled with concrete.*

- *Minimum foundation depth of 300mm with welded anchor bar*  
Additional cycle locking facilities should be provided in the vicinity of the cycle tracks. Further information about secure bicycle storage can be found at the following resource section of the 'Bikeoff' website: [www.bikeoff/design\\_resource](http://www.bikeoff/design_resource)

*Hunters Hall Park has historically had issues with illegal use of motorcycles and unauthorised Gypsy Traveller encampments. Gypsy Travellers have set up camp in the park on a number of occasions in recent years, which has had a detrimental effect on park users. The park, tracks*

*adjacent to the Niddrie Burn and other areas around the Jack Kane Centre are regularly used by off road motorcyclists and as a shortcut by motorcycle users between the Craigmillar area and the Bing on the South side of The Wisp. There is a risk that motorcyclists may be tempted to use the BMX and cycling facilities proposed for the site with a potential for costly damage. We strongly advise the implementation of robust security measures to minimise this risk:*

- *It is my understanding that the main track will be a competition track for professional use only and access to the general public will not normally be permitted. It is crucial that a robust security fence is installed here to prevent unauthorised access.*

*The fence should be approximately 3 metres in height and be capable of raking and stepping to maintain height over different ground levels without creating gaps underneath. Ideally vertical wires of the fence would protrude slightly at the top to provide a visually inoffensive yet effective anti-climb measure. All steel used in the manufacture of the fence should be galvanised to BS EN1461 with a service life in excess of 25 years. All gates installed within a secure fencing system must be certificated to the same standard as the adjoining fence.*

- *The pump track will have restricted public access. This track should also be enclosed with a fence similar in specification to the main track fence. The fence should segregate both tracks with gates installed to allow simultaneous use during competitions.*

- *Given the specialist track surface proposed for the outdoor velodrome, unauthorised use by inappropriate vehicles could cause damage that would be particularly expensive to repair. This track also requires a robust security fence similar in specification to the main BMX track fence. I understand that the internal crash barrier will enhance security here in terms of motorcycle mitigation.*

- *The proposed 3G sports pitches should be appropriately fenced. While these facilities don't necessarily require the same level of security as the bike tracks, fencing should still be used to delineate between public and private space with lockable gates where appropriate.*

- *Sports pavilions and spectator shelters, particularly when these are built remotely from the main sports centre require to be constructed in non-combustible materials.*

- *It is my understanding that a small network of paths will be used to connect the various on-site facilities. These paths should be lit and consideration given to motorcycle mitigation measures wherever appropriate.*

- *There should be a comprehensive lighting strategy to ensure paths, roads, parking spaces and entrances/exits to buildings are illuminated to an adequate level. All street lighting for both adopted highways and footpaths, private estate roads, footpaths and car parks should comply with BS 5489:2013. Lighting should be matched to use and available surveillance.*

*To limit the potential for light pollution, only luminaries with suitable photometry serving to reduce light over spill and upward light should be used. Lit bollards should be avoided as a sole source of lighting. While ideal when used to mark routes and footpaths, they rarely provide enough light to allow pedestrians to effectively detect the presence or recognise the behaviour and intentions of other pedestrians. Bollard lighting can also be prone to vandalism.*

*Illumination of facilities will inevitably draw local attention to them at night. Lighting requires to be coordinated with actual occupation and use of each facility, such as evening community use, to avoid wasting energy and unwanted attention at times when there are no users or appropriate staff present.*

- *Vehicle mitigation measures should be considered along the main drive from Niddrie Mains Road to restrict vehicular access to the park. In the past, groups setting up unauthorised encampments have gained access here. Robust planting or a ditch and bund arrangement could help restrict unauthorised access.*

*The foregoing recommendations are aimed at reducing the risk of criminal intrusion and anti-social behaviour as far as possible taking into account various factors. With this in mind, however, no measure can ever be guaranteed to be infallible. Police Scotland do not recommend or endorse specific products or companies. Any product used should, where possible, be endorsed as part of the 'Secured By Design' and 'Sold Secure' criteria.*

## **Edinburgh Access Panel**

25 July 2016

*I write on behalf of Edinburgh Access Panel in connection with the above Planning Application at The Jack Kane Centre, Hunters Hall, Edinburgh. The Panel was not able to see the full extent of the refurbishment in the drawings however it welcomes the introduction of accessible lifts and simplification of the layout. In addition we would like to raise the need for the following features/spaces which would enhance the existing provision:*

- *Clear designation of parking spaces to be considered in line with best practice and not on minimum standards as per the Building Regulations. We are of the view that 4 spaces is not sufficient for a sports facility of this size particularly when para team sports have the potential to grow.*
- *Defined external routes for people with visual impairments*
- *Spaces for assistance dogs- particularly designated dog toileting areas for blind cyclists*
- *Accessible benches in the park and leading to the proposed velodrome and areas where resting may be required for spectators with mobility difficulties*
- *Accessible reception and provision of induction loops where key information is given.*
- *Parking/shelter for adapted cycles*

- *Clear Signage in line with the Sign Design Guide*
- *Careful consideration of uniform lighting in the existing sports centre*
- *The provision of a Changing Places facility (reference PAMIS/Changing Places Campaign)*
- *Mix of inclusive and discrete changing for disabled people*
- *Inclusive Fitness Equipment*

*In addition, the Access Panel would welcome the project team to discuss the design in more detail at any of its forthcoming Access Panel meetings held in Waverley Court.*

## **Sports Scotland**

31 August 2016

*As you know we have spoken to the Council's Sports Manager and the SFA - who contacted the amateur association regarding existing use of football pitches and how this may be affected by the proposals. Following these discussions we are comfortable that the proposals will be able to service existing users and that overall, the playing capacity of the site will be maintained or improved, in accordance with SPP paragraph 226.*

*Accordingly I confirm that sportscotland does not object to these proposals.*

*We note that the existing grass pitches were not specifically constructed as such (with this relating to levels, drainage etc), but if there is any opportunity for the proposed grass pitches to be improved then this would be welcomed. We also note that the Project team will work with users of the site to minimise disruption to users, and welcome this approach.*

## **Waste and Cleansing**

12 September 2018

*Happy with this. As long as all the waste streams are covered.*

12 July 2016

*I have been asked to provide feedback on this application on behalf of the Waste Management Service.*

*Clearly the plans relate to the development of the new Jack Kane Centre. However I have not been able to find any mention whatsoever of the arrangements for managing waste in these plans, to the extent that the relevant part of the Sustainability Statement has been left blank.*

*At the current site, which is operated by Edinburgh Leisure, the waste from that part of the building is managed by a private contractor, under contract to Edinburgh Leisure. However my understanding is that Waste Services operate the waste collection to the adjacent community centre.*



*I am not clear whether there will continue to be a Council operated Community Centre here. However if there is then it may be that Waste Services will continue to be the waste provider for that part of the site, and a private contractor for the Edinburgh Leisure side.*

*If there is any expectation whatsoever that Waste Services will be required to participate in managing waste at this location, the developer needs to be engaging as a matter of urgency with our Community Waste team as the site will require to provide access which is compliant with the needs of our collection team, in terms of size, health and safety, etc. Moreover they will be required to comply with the Council's policy of segregating their waste for recycling.*

*Regardless of this, the operators of the property will be required to comply with the Waste (Scotland) Regulations which mean that both within and outwith the building there is now a legal requirement to sort specified waste streams for recycling, and of course any private contractor providing waste services to this site will have similar requirements to ourselves in relation to safety, access, etc.*

*Unless I have missed it (but I don't think I have!!) I am concerned that I have been unable to find any information in relation to waste management and I would certainly advise you to raise this with the developer.*

## **Roads Authority**

5 September 2018

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

- 1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport and a display capable of showing real time public transport information;*
- 2. Cycle parking should be provided in secure and undercover locations (see Note b. below). The number of spaces should be reviewed and increased in line with demand;*
- 3. Motorcycle parking should be provided at 1 space per 20 car parking spaces, i.e. 6 spaces (out of 115);*
- 4. Disabled parking spaces should be provided at 8% of total parking spaces, i.e. 9 spaces (out of 115);*
- 5. Electric vehicle charging points should be provided at 1 in 6 of total spaces, i.e. 19 spaces (out of 115);*
- 6. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.*

Note:

a. There are no current Council car parking standards for this type of leisure /sport development. The proposed ratio of 1 car space per 8 users results in total of 115 spaces for the maximum expected 924 participants. The applicant states that this will be provided in an expanded car park of 85 spaces (currently 42) with a further 30 spaces provided in an overflow car park. This latter to be used for coach parking if required. The proposals are considered acceptable;

b. There are no current Council cycle or motorcycle parking standards for this type of leisure development. The applicant is expected to provide cycle parking which is: directly and safely accessible; sited close to the main entrance; under cover; and ensure that cycles can be securely locked through the frame and wheels. Motorcycle parking for leisure developments is generally 1 per 20 car parking spaces.

20 December 2016

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

1. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Planning and Transport if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved by the Head of Planning and Transport;

Note:

- There are no current Council car parking standards for this type of leisure development. The proposed ratio of 1 car space per 8 users results in total of 115 spaces for the maximum expected 924 participants. The applicant states that this will be provided in an expanded car park of 85 spaces (currently 42) with a further 30 spaces provided in an overflow car park. This latter to be used for coach parking if require. The proposals are considered acceptable.

- There are no current Council cycle parking standards for this type of leisure development. The applicant is expected to provide cycle parking which is: directly and safely accessible; sited close to the main entrance; under cover; and ensure that cycles can be securely locked through the frame and wheels.

## **The Coal Authority**

22 February 2017

I refer to the email from the agent (Craig Laughlan) acting on behalf of the applicant, submitted to The Coal Authority on 30 January 2017, which includes both a Mineral Outcrops Plan and statement providing a reasoning as to the rationale behind the chosen position of the proposed velodrome. The Coal Authority is a non-departmental public body sponsored by the Department for Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas. The Coal Authority Response: Material Consideration.

*The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The Coal Authority records indicate that the site has been subject to recorded underground coal mining at shallow depth. Our records indicate that a worked coal seam underlies the site at a depth of only 13m with an extraction thickness of 1.3m, which was last worked in 1923.*

*The application site is also likely to have been subject to unrecorded underground coal mining at shallow depth and our records indicate a number of recorded mine entries (shafts) within the vicinity of the site. There has also been one reported surface hazard within 50m of the planning boundary. The Coal Authority has previously objected to this planning application on more than one occasion, the most recent in a letter to the LPA dated 12 August 2016. On that occasion, and on the basis that the submitted Geo-environmental Desk Study Report (30 August 2015, prepared by Woolgar Hunter) reached the same conclusions as the previously submitted supporting information (i.e. that the installation alone of a geotextile across the formation level of all development areas would safeguard the development) we maintained our objection.*

*The Coal Authority is therefore now pleased to note the submitted Mineral Outcrops Plan and statement provided in an email dated 30 January 2017 from Woolgar Hunter, the content of which attempts to provide reasoning as to the rationale behind the chosen position of the proposed velodrome. In considering that both the statement and accompanying plan confirm the position of the velodrome west of the conjectured positions of four coal outcrops, which dip to the southeast, and that the remaining outcrop to the west would be sufficiently far enough away to place the coal at a depth, that if worked would not influence ground stability, The Coal Authority withdraws its objection to this planning application.*

*Notwithstanding the above, in considering; the ratio between the extraction thickness of the workings and the depth of competent rock cover; the conclusions of the supporting information provided (i.e. that no further works are required with regards to assessing the*

*risk of mineral instability), along with the proposed mitigation measures to further safeguard stability, The Coal Authority considers that the imposition of a planning condition to ensure that the mitigation measures are implemented would be appropriate.*

#### *The Coal Authority Recommendation to the LPA*

*The Coal Authority is satisfied that the proposed measures as detailed in the email dated 30 January 2017 from Woolgar Hunter); to mitigate the risks posed by coal mining legacy are appropriate. The Coal Authority therefore withdraws its objection to the proposed*

*development. The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development, to ensure that these works are integral to the development proposed.*

15 December 2016

*I refer to the email from the agent (Craig Laughlan) acting on behalf of the applicant, submitted to The Coal Authority on 27 July 2016, which includes a Geo-environmental Desk Study (30 August 2015, prepared by Woolgar Hunter) in support of the above planning application.*

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

*The Coal Authority Response: Substantive Concern*

*The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.*

*The Coal Authority records indicate that the site has been subject to recorded underground coal mining at shallow depth. Our records indicate that a worked coal seam underlies the site at a depth of only 13m with an extraction thickness of 1.3m, which was last worked in 1923.*

*The application site is also likely to have been subject to unrecorded underground coal mining at shallow depth and our records indicate a number of recorded mine entries (shafts) within the vicinity of the site. There has also been one reported surface hazard within 50m of the planning boundary.*

*The Coal Authority previously objected to this planning application in a letter to the LPA dated 7 July 2016. The objection was raised on the grounds that we had very serious concerns that mitigation in the way of a geotextile alone would not ensure the stability of the development, specifically the proposed velodrome, from past recorded and unrecorded shallow underground coal mining.*

*The Coal Authority now notes the submitted Geo-environmental Desk Study Report (30 August 2015, prepared by Woolgar Hunter), Sections 4 and 7 of which discuss the mining aspects of the project. However, on the basis that the Report draws the same conclusions as the previous Stage 1 Geo-Environmental Desk Study Report (i.e. the installation of a geotextile across the formation level of all development areas), The Coal Authority's concerns remain.*

*In addition, consideration to the location of the velodrome cannot now be given, as the proposed layout is for approval, which appears to contradict the suggest locations for the velodrome as identified in Figure 6 of the Geo-environmental Desk Study Report. We therefore maintain our objection to this planning application.*

*The Coal Authority Recommendation to the LPA*

*The further information submitted still fails to fully assess the risks posed by both recorded shallow mine workings and potential historic unrecorded shallow underground coal workings and the mitigation proposed is not considered adequate to ensure the stability of the proposed velodrome.*

*The applicant should assess whether or not past mining activity poses any risk to their development proposal and, where necessary, propose mitigation measures to address any issues of land instability. This could include further intrusive site investigation to ensure that the LPA has sufficient information to determine the planning application.*

*The Coal Authority would be very pleased to receive for further consultation and comment any additional information prepared and submitted by the applicant.*

*Alternatively, The Coal Authority would recommend that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring site investigation works in the area of the velodrome prior to commencement of development.*

*In the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings to ensure the safety and stability of the proposed development, this should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.*

*A condition should therefore require prior to the commencement of development:*

- The submission of a scheme of intrusive site investigations for approval;*
- The undertaking of that scheme of intrusive site investigations;*
- The submission of a report of findings arising from the intrusive site investigations;*
- The submission of a scheme of remedial works for approval; and*
- Implementation of those remedial works.*

*The Coal Authority objection to the proposed development could be overcome subject to the imposition of a condition or conditions to secure the above.*

## **SEPA**

4 September 2018

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

### *1. Flood risk*

*1.1 Review of the SEPA Flood Map indicates that the site, or parts thereof, lies within, or immediately adjacent to, the 0.5% annual probability (1 in 200-year) flood extent and may therefore be at medium to high risk of flooding. Fluvial flood risk is identified from the Niddrie Burn in the west of the site and the Magdalene Burn to the south of the site. Surface water flooding is also predicted to impact in some areas.*

*1.2 We were consulted on this application previously and advised that as there was no increase in vulnerability of proposed land use and there did not appear to be any landraising within the functional floodplain that we had no objection to the proposals. We did state that should a Flood Risk Assessment (FRA) be carried out for the site in accordance with the design statement that we would welcome the opportunity to review the submission.*

*1.3 A FRA (dated August 2017) has now been provided in support of the proposed development. A 1D model of the Niddrie Burn has been constructed in Flood Modeller to determine the fluvial flood risk at the site from this source. We believe the design flows obtained from ReFH2 are underestimated for this catchment. A number of flood studies have been undertaken on the Niddrie Burn and higher flows predicted. However, we note that a 30% allowance for climate change has been added to the flows and the model does not take account of upstream storage areas. We also note that the predicted flood level on the Niddrie Burn is well below the level of the site and the ground levels on the opposite bank are lower than site levels and as such flood water would preferentially flood the west bank first.*

1.4 The results of the modelling indicate that the proposed development lies outwith the functional floodplain of the Niddrie Burn. No modelling has been undertaken of the Magdalene Burn although information provided indicates that site levels are higher than the watercourse and in the event of overtopping that water would flow south rather than north to the site. The proposed land use in this area is for pitches which is the same as existing and as such we do not require further assessment. We would highlight that the Magdalene Burn is culverted immediately to the southeast of the site and as such blockage at this location may cause water levels to rise in this area.

1.5 A 2D pluvial model has been constructed in Flood Modeller to determine the surface water flood risk at the site. The results correspond well to the SEPA Flood Map and show that the eastern boundary may be at flood risk and areas in the centre of the site. Flood depths are predicted to be a maximum of 0.3m. There is no new development proposed in areas of pluvial flood risk.

1.6 The Surface Water Management Plan (SWMP) provided indicates that the existing site drains to the Niddrie Burn unrestricted and there is no proposal to retrofit SUDS for these areas. Areas of new development are to have surface water runoff attenuated and discharged at brownfield runoff rates. Whilst we have no objection to proposals to discharge surface water at existing rates we would recommend that there is an opportunity for betterment by providing SUDS for the full site and discharging at greenfield rates. Any SUDS could be designed to provide amenity and biodiversity value alongside surface water management. City of Edinburgh Council should satisfy themselves that the proposed drainage measures and runoff rates will not increase runoff compared to the existing scenario.

## 2. Surface water drainage

2.1 We previously noted that the surface water drainage proposal outlined in the Drainage Impact Assessment (DIA) / SuDS Strategy dated 6 June 2016 was acceptable to us in terms of water quality as it provided the required levels of treatment for surface water run-off from this type of development.

2.2 We have now been provided with a Surface Water Management Plan (dated 6 June 2018). We advise that developers should ensure the surface water management proposals are in compliance with The Controlled Activities Regulations General Binding Rules 10 and 11 and follow the approach set out in the CIRIA SUDS Manual (C753).

2.1 We also refer your authority to our standing advice on SUDS available in the following link: [standing advice](#).

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

2.3 Comments should be requested from Scottish Water where the SUDS proposals would be adopted by them and, 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.

*Detailed advice for the applicant*

### 3. Flood risk

3.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> 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.

3.2 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

3.3 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to 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.

*Regulatory advice for the applicant*

### 4. Regulatory requirements

4.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

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

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

15 December 2016

*Thank you for your consultation email which SEPA received on 07 July 2016.*

*We have no objection to this planning application. Notwithstanding our position we would expect the City of Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.*

*Please note the advice provided below.*

*Advice for the planning authority*

*1. Flood risk*

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

*1.2 Scottish Planning Policy paragraph 255 states that "The planning system should promote: a precautionary approach to flood risk from all sources including coastal, water course (fluvial), surface water (pluvial), groundwater, reservoirs and drainage systems (sewers and culverts), taking account of the predicted effects of climate change".*

*1.3 We have been asked to comment on minor changes to Hunters Hall Public Park to include refurbishment of a community centre, demolition of janitor's accommodation, and construction/ modifications to pitches, velodrome, and bmx track. There is no increase in vulnerability of use as area is currently used for recreational purposes.*

*1.4 We recently commented on this site as part of the local development plan and stated that "As this is designated open space we would recommend retaining existing ground levels to ensure there is no increase in flood risk as a result of floodplain loss or alterations to flow paths. Should development be proposed here we would require an FRA which assesses the risk from Niddrie Burn and Magdalene Burn. Consideration will need to be given to bridge and culvert structures within and adjacent to the site. Site will likely be heavily constrained due to flood risk. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer."*

*1.5 From the topographic information supplied as part of the Drainage Impact Assessment (06/06/2016) it would appear that the Jack Kane Centre is approximately 6 metres above the bed level of the nearby Niddrie Burn. The pitches closest to the Niddrie Burn would appear to be approximately 5 metres above the nearby bed level of the Niddrie Burn. There does not appear to be any changes to existing ground levels comparing pre- and post-development site levels. We would support this as it will ensure there is no loss of floodplain storage/ conveyance and hence no increase in flood risk elsewhere. It is unclear whether the Magdalene Burn is within or immediately adjacent to the southern site boundary as it does not appear on any of the drawings. We would strongly recommend that there are no alterations to ground levels immediately adjacent to the Magdalene Burn.*

*1.6 We would note that the Design and Access Statement (June 2016) does mention the requirement for a Flood Risk Assessment (FRA) which has not been submitted as part of the application. Should an FRA be submitted we would welcome review of the document.*



1.7 There are small pockets of surface water flooding as indicated by the SEPA Flood Map. Further investigation into the risk of surface water flooding at this site is recommended to ensure the proposed development will not be at risk of flooding and nearby existing property and infrastructure will not be at an increased risk of flooding. A detailed assessment, which should be submitted to the council, will inform areas suitable for development at this site and include details of any proposed mitigation measures.

1.8 We also recommend that contact is made with the Flood Prevention Officers within Edinburgh Council to collect any information/ local knowledge that they may possess.

## 2. Surface water drainage

2.1 The surface water drainage proposal outlined in the Drainage Impact Assessment (DIA) / SuDS Strategy dated 6 June 2016 is acceptable to us in terms of water quality as it provides the required levels of treatment for surface water run-off from this type of development. We have not considered the water quantity aspect of this scheme. Comments from Scottish Water, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on any water quantity issues.

Detailed advice for the applicant

## 3. Flood risk

3.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> 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/>

3.2 We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>. Please note that this document should be read in conjunction Policy 41 (Part 2).

3.3 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.

3.4 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice 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/>.

## *Regulatory advice for the applicant*

### *4. Regulatory requirements*

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

## **CEC Flooding**

15 June 2018

*Thanks for sending these through. I've looked over it and Flood Prevention have no further comment on this application. We will not require any informatives or conditions to be attached to any determination.*

## **Environmental Assessment**

29 August 2018

*There's enough for me in this NIA to be able to make a formal response to you now with no objections.*

## **CEC Trees and Woodlands**

29 August 2018

*I've created a basic spreadsheet to compare my findings against the 2015 survey. I hope you can open this without any difficulties.*

*I've tried to colour code it to simplify the interpretation.*

*Green - No changes from the 2015 survey.*

*Orange - Amendments from the 2015 survey*

*Red - Disagreements with the 2015 survey recommendations*

*I've still got a long way to go before I've completed the survey but as you can see from the trees that I have assessed there is quite a lot of changes. There's no point paying for work which isn't required or trying to retain and work around trees which now require removal. I'll keep chipping away but as I've said it's slow progress.*

*Some other pointers that I would like to mention are;*

*The replanting plan needs to be completely reconsidered. The current spacing is poorly considered for mature tree dimensions and the specification for trees with mesh root balls is something that I would completely avoid. I've seen too many fallen trees with mesh girdling the roots to back this spec. I can provide photos to evidence the problems of mesh root balls if required.*

## Environmental Protection

13 September 2018

*I have reviewed the Site investigation reports for this application. The previous consultation not supplied by myself in 2016 appears to have raised the matter of noise levels but not land contamination. Nevertheless and in summary, I do not consider further information to be necessary to investigate the land further for land contamination, although I can provide the following comments for the main purpose of the planning consultation and also notification for the applicant with regard to this particular consideration:*

*Consideration of Land contamination;*

*Environmental Protection has assessed the following technical reports made available by the applicant for the material consideration of land contamination in connection with the general details of the proposal:*

*1. Geo-environmental Desk Study (V1.10): Woolgar Hunter Engineers: Project No: 15080-1041: 30.08.2015*

*2. Geo-environmental Development Appraisal (V10.0): Woolgar Hunter Engineers: Project No: GL 151096: 08.09.2015*

*Further to review of the documents, Environmental Protection is prepared to accept the information altogether supplied as being sufficient to enable the Local Authority to determine with reasonable confidence that the land defined by the application is in a suitable condition for the intended use. Therefore, further information or the use of a future planning condition to request additional site investigation is not considered to be necessary.*

*It should be noted that this recommendation is based upon the information supplied by the applicant and does not necessarily confirm that the land does not contain contaminants. Furthermore, the developer is responsible for safe development in accordance with guidance stipulated within Planning Advice Note 33: Development of Contaminated Land (2001).*

*In the event unreported or unexpected ground conditions are encountered during the site reprofiling phase of works that indicate the likely presence of harmful contamination: for example; suspect asbestos containing material; it is requested for site works to cease immediately while arrangements should be made with the Environmental Consultant to inspect the area of concern and for the matter to be raised with the Planning Authority to ensure safety of development. In addition, the developer is responsible for ensuring any imported material on site is clear from contamination and suitable for the specific purpose intended.*

*Should the applicant wish to discuss the condition of the land in further detail either before or during the development programme with the Local Authority, contact can be made with Environmental protection directly on 0131 4695693 or [environmetntalassessment@edinburgh.gov.uk](mailto:environmetntalassessment@edinburgh.gov.uk)*

## Location Plan

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