

Development Management Sub Committee

Wednesday 26 September 2018

Application for Approval of Matters Specified in Conditions 18/01145/AMC

At Land 71 Metres Southeast Of 29, Sealcarr Street,
Edinburgh

Development of Health Hub (Class 2) and retail units (Class
1) (as amended)

Item number	Item 4.6
Report number	
Wards	B04 - Forth

Summary

The proposal seeks approval of a number of matters set out in the conditions of application reference 01/00802/OUT in relation to a Plot 19B. The principle of the proposed uses is acceptable. The design and layout of the proposed development is acceptable for the location, subject to conditions in relation to materials and the delivery of the road. The proposed development is acceptable in terms of access and parking. The impact on the amenity of neighbours will be acceptable. The proposal is acceptable in all other respects, subject to suitable conditions. There are no material considerations that outweigh this.

Links

[Policies and guidance for this application](#)

LDPP, LDEL03, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN21, LEN22, LHOU10, LRET06, LTRA02, LTRA03, LTRA04, NSG, NSGD02,

Report

Application for Approval of Matters Specified in Conditions 18/01145/AMC At Land 71 Metres Southeast Of 29, Sealcarr Street, Edinburgh Development of Health Hub (Class 2) and retail units (Class 1) (as amended)

Recommendations

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

Background

2.1 Site description

The site, covering approximately 0.4 hectares, is located to the west of Chestnut Street. It is a part of a larger vacant area of hardstanding that is currently surrounded by a palisade fence. The site is relatively flat and rectangular in shape. A foot/cycle path runs along the wide pavement on Chestnut Street. Access to the site is taken from both the southeast and northeast corners.

The site boundary covers part of the existing Sealcarr Street on the northern part.

At the north of the site, partially contained within the site boundary, is Sealcarr Street. This provides access to an industrial estate to the west of the site. The industrial estate accommodates a number of large, terraced industrial buildings in various uses.

North of the site is a residential flatted development on Hesperus Crossway, which rises up to seven storeys. There are also further areas of vacant land that have planning permission for residential development. To the northeast of the site, a planning application has been approved for retirement flats.

To the east of Chestnut Street is a vacant area of land where a planning application for residential use has been approved.

To the south of the site are more industrial style buildings comprising car garages and car hire uses.

2.2 Site History

Relevant history to the site:

20 June 2003 - Outline planning permission granted for the Granton Harbour Village, mixed use development comprising residential units, hotel and serviced apartments, shops and retail /services, restaurants /cafes, public houses, general business, leisure facilities and marina. This permission includes a legal agreement to secure contributions towards education and transportation infrastructure, 15% affordable housing, restrictions on future tenancies within Granton Industrial Estate and the long term maintenance and upkeep of the Western Breakwater (application number: 01/00802/OUT).

31 January 2014 - Application approved for matters specified in condition 2 as attached to outline permission 01/00802/OUT: covering siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes. This was subject to a number of conditions (application number: 13/04320/AMC).

26 August 2016 - Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes (Scheme 5) approved. Condition 4 states that the reserved matters applied for in respect of plots 12, 14, 15, 15A, 16 and 17 i.e. the large retail/leisure centre are not approved (application number: 14/05305/AMC).

2 February 2017 - Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes (Scheme 2) approved. However, the matters applied for in relation to plots 8C, 12,14, 15, 15A, 16, 17, S1, S2 and 35 are not approved (application number: 16/05618/AMC). This is the most up to date masterplan for the Granton Harbour area.

31 May 2017 - Application submitted for approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design, and configuration of public and open spaces, access, road layouts, footpaths and cycle routes at Granton Harbour, West Harbour Road (application number: 17/02484/AMC). Not yet determined.

15 December 2017 - Approval of Matters Specified in Conditions on outline application 01/00802/OUT regarding the erection of a healthcare superhub and six units in Class 1, Class 2 and Class 3 use (as amended) refused (application number: 17/02865/AMC).

Other recent applications on neighbouring plots:

3 August 2017 - Application approved for matters specified in condition 2 of application 01/00802/OUT for the erection of a 3/7 storey residential development of 302 units with associated roads, car parking and landscaping on plot S1 and S2 (S) to the east of the site (application number: 17/01481/AMC).

22 November 2017 - Application approved for matters specified in conditions of application 01/00802/OUT for the erection of buildings containing 104 retirement flats and ancillary accommodation, formation of road access, underground parking, internal private open space and a public square on Plots 9A and 9B to the northeast of the site (application number: 17/01219/AMC).

13 March 2018 - Application approved for the change of use of building and land from Class 6 to Class 5 to include building operations and siting of plant to permit use of existing warehouse building as a micro distillery at 29 Sealcarr Street to the west of the site (application number: 17/03297/FUL).

13 June 2018 - Application for approval of matters conditioned regarding the erection of buildings containing 18 houses and 144 flats; formation of road access, parking, private and public open space on land to the west and north of the site (application number: 18/02721/AMC). Not yet determined.

Main report

3.1 Description Of The Proposal

The proposal seeks to primarily deal with the matters specified in condition 2 of the outline planning permission 01/00802/OUT. The condition states that:

Before any work on each phase of the site is commenced, details of the undernoted reserved matters being submitted to, and approved in writing by the planning authority, in the form of a detailed layout of that phase of the site (including landscaping and car parking) and detailed plans, sections and elevations of the buildings and all other structures.

Reserved Matters:

- Siting, design and height of development, including design of all external features and glazing specifications, design and configuration of public and open spaces, external lighting, all external materials and finishes, including their colour.
- Car and cycle parking, access, road layouts and alignments, servicing areas.
- Hours of operation and servicing.
- Footpaths and cycle routes.
- Boundary treatments.
- Floor levels (including the submission of all calculations to support the levels, and including a report on sea levels, with climate change, storm surge and wave action).
- Quay edge retention design.
- Hard and soft landscaping details, which shall include layout plans to provide full details of ground preparation, and:
 - (i) Existing and finished ground levels in relation to Ordnance Datum.
 - (ii) Layout and design, including walls, fences and gates.
 - (iii) Existing and proposed services.
 - (iv) Any structures in addition to any buildings, such as street furniture (including lighting columns and fittings), play equipment.
 - (v) Programme of completion and subsequent maintenance for the creation of high quality open space including details of the canal and water features.
 - (vi) The location of new trees, shrubs, and hedges.
 - (vii) A schedule of plants to comprise species, plant size and proposed number/density.

(NOTE:- Landscaping for each phase of development shall be completed within the planting season following the completion of each phase of development, to the satisfaction of the Head of Planning and Strategy. Landscaping shall be designed to minimise the risk of birdstrike).

(viii) Nature of all material to be utilised for land infill or reclamation purposes, whether imported into the site or obtained from within the site; such material shall be clean and inert.

Information has also been submitted to deal with other conditions the more general conditions on the outline permission. In summary, these are:

3a) Noise assessment;

3b) Site survey and measures relating to landfill gases and any required protective measures;

3c) Site survey relating to contamination and any required remedial/protective measures;

6) Surface Water disposal arrangements; and

14) Drainage.

The proposal is for the erection of a health centre, incorporating GP practice and dentist surgery over two floors (678sqm). A pharmacy covering 84sqm sits on the ground level below the dentist surgery. A single storey row of four shop units (all 91sqm in size) runs north from the main building.

The proposed building fronts onto Chestnut Street with the two storey element on the southern part of the site. The health centre is accessed via a two sided glass atrium area providing access from both the rear car parking and the front from Chestnut Street. A flat roof is proposed for the whole building, though through the use of the parapet this is angled at certain locations.

The main material proposed is a light facing brick. There are large glazed elements on the ground floor and also a number of projecting metal window boxes. The southern elevation contains metal decorative panels.

Vehicular access is taken from the existing Sealcarr Street at the north of the site, this leads to a rear car parking area and a drop off layby. At the south of the site the Ross Kestrel Road, as identified in the masterplan, is to be partly implemented. There are 16 car parking spaces, this includes four accessible spaces and three spaces equipped with electric vehicle charging points. There are nine cycle parking spaces and three motorcycle spaces.

A composite wooden fence is proposed along the western boundary to separate the site from the adjacent vacant land.

Hours of operation are intended to be 8:30 to 18:00 for the health hub and 08:00 to 21:00 for the shop units.

Supporting Statements

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

- Noise Impact Assessment;
- Flood Risk Assessment;
- Surface Water Management Plan;
- Site Investigation Report (Enabling Works); and
- Feasibility Report (Engineering Works).

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

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

a) Principle

Edinburgh Local Development Plan (LDP) Policy Hou 10 Community Facilities sets out that planning permission for housing development will only be granted where there are associated proposals to provide any health and community facilities relative to the impact and scale of development proposed. The intention of this policy is to ensure that new housing development goes hand in hand with the provision of a range of community facilities.

LDP Policy Del 3 supports proposals which meet a number of requirements, including the provision of a series of mixed use sustainable neighbourhoods that connect with the waterfront and the provision of local retail facilities.

The site is located within the Granton Harbour Area at Granton Waterfront, as identified in the LDP. It is covered by Proposal EW2c for housing led mixed use development.

The most recently approved masterplan (application number 16/05618/AMC) shows indicative plans for units consisting of 250 sqm retail use, 500 sqm leisure use and 500 sqm health use on this plot. Such uses are acceptable in principle at this location, in line with the outline permission (application number: 01/00802/OUT) and subsequent approved masterplans.

The LDP Action Programme (January 2018) contains a healthcare action to provide a new practice to mitigate the impact of new residential development in Granton Waterfront. An option being explored is to co-locate this with a new waterfront primary school.

No further information has been provided to support the size of the proposed healthcare centre. The applicant states that there is occupier interest.

Edinburgh Health and Social Care Partnership (EHSCP) is responsible for the planning and development of GP practices in Edinburgh. Its strategic plan includes the need for a new practice to provide for approximately 10,000 people (as per the LDP Action Programme). Exploratory discussions between the applicant and the EHSCP have taken place, but no commitment has been given to the applicant about the suitability of the proposals at this stage.

The proposed health centre is a Class 2 (financial, professional and other services) use. If given approval, the 678 sqm unit could be changed into a Class 1 (shops) use under permitted development rights. Condition 19 of the outline planning permission restricts the gross floor area of each retail unit to 250 sqm, with the exception of one larger retail unit restricted to a maximum of 1,500 sqm. If such a change took place, then this would account for the one larger unit permitted under the terms of this condition.

The principle of the proposed uses is acceptable at this location in terms of the outline permission and is supported by LDP policies.

b) Acceptability of the Details

Design:

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

The LDP also sets out the aims of the long-term strategies for the Edinburgh Waterfront. This vision includes transforming the waterfront into one of the city's landmark features, attract high quality developments and create distinctive high density urban quarters and build exemplar sustainable communities with a reduction in the influence of the car in design and layout.

Design and Height:

The building is of a suitable modern design, providing a frontage onto Chestnut Street, whilst turning the corner onto the proposed Ross Kestrel Road.

The shop units are uniform in style with large glazed shop fronts. The principle frontage of the main health centre building is punctuated by the double height glazed atrium entrance. The entrance feature aids in splitting up the building. When viewed with the overhangs and the angled roofline it defines the building as a more commercial/ public style development from the nearby residential developments.

The use of protecting metal window frames and the metal screening adds interesting details to the elevations of the proposed development.

The proposed two storey building (with single storey elements) is in an area where higher rise residential development exists (and are proposed) and therefore the building height will not impact on adjacent buildings. It also ties in with height of some of the proposed two storey houses proposed to the northwest of the site.

Materials:

The Edinburgh Design Guidance indicates that materials should normally harmonise with those surrounding buildings. The wider area is characterised by a number of different building types and materials, both in terms of the current industrial ones and the existing and proposed residential developments. There is no overarching design code for the area.

Nearby existing residential developments within Granton Harbour area have utilised render and a number of other materials. The render has not weathered well at this location.

More recent approvals on adjacent sites have proposed brick as the primary material. Brick is an appropriate material which, as noted in the Edinburgh Design Guidance, has good weathering characteristics.

A buff coloured facing brick is proposed as the main material in the development, along with the glazing and metal screening elements will harmonise well into the emerging development in the area. A condition is recommended in relation to material specification.

Layout:

The proposed development creates an active frontage onto one of the principal streets in the Granton Harbour area and is within a central location.

In line with LDP Policy Tra 4 Design of Off-Street Car and Cycle Parking, the surface car parking for the area is proposed to the rear of the development. The inclusion of a central entrance foyer for the health centre provides a dual access point from both the car parking to the rear and pedestrians and cyclist from the front. This will also allow servicing to take place from the rear.

LDP Policy Des 2 Co-ordinated Development sets out that planning permission will be granted for development which will not compromise the effective development of adjacent land or the comprehensive development and regeneration of a wider area as provided for in a master plan, strategy or development brief approved by the Council.

The proposed development responds to the constraints of the site, both by not interfering with access to the existing industrial buildings to the west of the site and by also taking into account the most recently approved masterplan for the area.

The masterplan contains a proposed road (Ross Kestrel Road) running through the southern part of the application site and linking into a large circus surrounded by proposed residential development. The application contains provision for incorporating the Ross Kestrel Road through the site, which is important in enabling future sites to come forward. The proposed health centre will provide an edge to the future road.

It is recommended that to safeguard the provision of this route that a condition is put on any approval to ensure that this road is delivered as part of this application. The applicant has proposed using bollards to be put in place until a time when further adjacent development sites come forward and this is acceptable to the Roads Authority.

In summary, the first reserved matter has been adequately dealt with. The design and layout of the proposed development is acceptable for the location, subject to conditions in relation to materials and the delivery of the road.

Transport Matters:

Vehicle access to the site is taken from Sealcarr Street and is acceptable. The access junction has been designed in line with the Edinburgh Design Guidance (EDG). A service/drop off area to the rear of the site is also proposed.

Hours of operation have been stated as 08:30 to 18:00 for the health hub and 08:00 to 21:00 for the retail units. This raises no concerns and any noise implications are considered further in section 3.3c) below.

The parking standards allow for a maximum of 27 car parking spaces. A total of 16 spaces are proposed and this is acceptable. Four of the spaces have been proposed as accessible spaces, which is above the EDG 8% requirement. Three spaces are proposed to be equipped for electric vehicle charging, which meets the Council's requirement of 1 in 6. Environmental Protection has recommended that a condition should be used to ensure that the electric vehicle charging points are installed prior to the use being taken up.

A minimum of seven cycle spaces are required, nine are proposed. However, full details have not been provided, these can be secured through a condition. A cycle way runs along Hesperus Broadway / Chestnut Street and raised tables are proposed at the junction points to promote pedestrian and cycle movement.

The proposal is satisfactory in relation to the relevant reserved matters that deal with the transport implications of the site.

Flooding and Drainage:

The reserved matter relates to floor levels and associated information to support the levels. Condition 6 on the outline permission relates to surface water disposal arrangements and condition 14 relates to sustainable urban drainage.

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

SEPA does not object to the proposals. The information submitted satisfactorily deals with this reserved matter and conditions 6 and 14 for the application site.

Landscaping:

The proposed building is on a relatively tight site within a larger area of regeneration. The public realm is predominately hard and suitable for the creation of an urban area. The area at the north of the site is proposed to be open space and this is covered by a separate application that is currently under consideration.

A temporary composite timber fence boundary to divide the site from the adjacent vacant land is proposed. This is acceptable in these circumstances as it is an appropriate boundary for a site proposed for commercial use and further plans will come forward when the adjacent site comes forward for development.

This reserved matter has been dealt with.

c) Other Material Considerations

Noise:

A Noise Impact Assessment (NIA) has been submitted. This concludes that commercial noise from the proposed units will mainly comprise of patron car parking and van deliveries. Delivery activities are predicted to meet the internal noise criteria. The NIA demonstrates that no mitigation measures will be required to ensure neighbouring amenity is protected.

Environmental Protection accepts this assessment and the proposal will be acceptable in terms of any noise impacts.

Contaminated land:

Site investigation information has been submitted in support of the application as required under condition 3b) and c) of the outline permission. This condition can be discharged for the site once Environmental Protection has assessed its acceptability.

Sustainability:

A Sustainability Form has not been submitted with the application as per normal procedures. It is not a reserved matter on the application and if submitted as a standalone application would not be considered a major application. Any relevant sections of the Building Regulations will still need to be met.

Archaeology:

There are no significant archaeological impacts associated with the application.

d) Equalities

The application has been assessed in terms of equalities and human rights. The proposal will develop a vacant area of land for healthcare uses and other services. The application raises no overriding concerns in relation to equalities and human rights.

e) Public Comments

No public comments received.

Conclusion

The proposal seeks approval of a number of matters set out in the conditions of application reference 01/00802/OUT in relation to a Plot 19B. The principle of the proposed uses is acceptable. The design and layout of the proposed development is acceptable for the location, subject to conditions in relation to materials and the delivery of the road. The proposed development is acceptable in terms of access and parking. The impact on the amenity of neighbours will be acceptable. The proposal is acceptable in all other respects, subject to suitable conditions. There are no material considerations that outweigh this.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. No development shall take place until the section of Ross Kestrel Road as shown in plan reference A-P-00-G1-005D (Council plan reference 03B) shall be constructed. For the avoidance of doubt this is not to be a temporary grass surface.
2. Prior to the commencement of development, details of the proposed cycle parking regarding location, specification, design and security to be submitted to the Planning Authority for approval.

Before any part of the development is brought into use, the cycle parking approved by this condition shall then be completed and available for use.

3. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
4. Prior to the use being taken up, one double headed 7 Kw (Type 2) charger and one rapid electric vehicle charging point, capable of 70 -50kW (100 Amp) DC with 43kW (64 Amp) AC output shall be installed in the commercial car parking area as per drawing A-P00-G1-005 - C dated 2017.
5. The use of the units shown as Retail Units 1 to 4 on plan reference A-P-00-G2-010 (Council plan reference 04) shall be restricted to Class 1 (Shops) of the Town and Country Planning (Use Classes) (Scotland) Order 1997

Reasons:-

1. In order to ensure co-ordinated development with adjacent sites.
2. In order to ensure that the cycle parking is adequate.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. To ensure incorporate facilities for charging plug-in and other ultra-low emission vehicles.
5. To define the permission.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or fifteen years from the date of the outline planning permission (01/00802/OUT, whichever is the later.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. For the avoidance of doubt, condition 3b) and 3c) are not discharged through this approval. Environmental Protection are considering the submitted reports and their acceptability or otherwise will be confirmed in due course.

5. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. It is expected that the northernmost and southernmost accesses will be subject to RCC. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
6. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
7. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;
8. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

Financial impact

4.1 The financial impact has been assessed as follows:

There is an existing legal agreement in place.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

The submission of a sustainability form is not a reserved matter and if submitted as a standalone application would not be considered a major application. Any relevant sections of the Building Regulations will still need to be met.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

No representations have been received.

Background reading/external references

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

Statutory Development Plan Provision

The site is located within the Urban Area as shown on the Local Development Plan proposals map. The land is identified as being within Edinburgh Waterfront.

Proposal EW 2c (Granton Harbour) states that the area is for a housing-led mixed use development. It sets out a number of Development Principles. These include that proposals will be expected to:

- Complete the approved street layout and perimeter block urban form.
- Provide a housing mix that is appropriate in terms of place-making and would maximise completions within this urban regeneration proposal within the plan period.

Date registered 23 March 2018

Drawing numbers/Scheme 01, 02, 03B, 04, 05, 06, 07A, 08, 09, 11,

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 3 (Edinburgh Waterfront) sets criteria for assessing development in Granton Waterfront and Leith Waterfront.

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

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

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

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

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

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

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

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

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

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

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

LDP Policy Ret 6 (Out-of-Centre Development) identifies the circumstances in which out-of-centre retail development will be permitted.

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

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

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

Relevant Non-Statutory Guidelines

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

Appendix 1

Application for Approval of Matters Specified in Conditions 18/01145/AMC

**At Land 71 Metres Southeast Of 29, Sealcarr Street,
Edinburgh**

Development of Health Hub (Class 2) and retail units (Class 1) (as amended)

Consultations

Archaeology Officer comment - dated 4 April 2018

Further to your consultation request I would like to make the following comments and recommendations concerning this AMC application for the development of Health Hub (class 2) and retail units (class 1).

The site lies at the centre of the 19th century Granton Harbour, a site identified as being of archaeological significance. Although there is further archaeological work to be undertaken in regards to the development of 01/00802/OUT, it is considered unlikely that significant archaeological remains will occur in situ on this site. Therefore, it is concluded that there are no significant archaeological impacts upon this scheme.

Roads Authority Issues - dated 12 June 2018

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

- 1. The access junctions will be designed in line with the emerging Edinburgh Street Design Guidance Fact Sheets, and designed in such a manner that highlights pedestrian and cyclist priority over the junctions. The existing cycle facilities on Chestnut Street/Hesperus Broadway are to be retained;*
- 2. The section of the proposed "Ross Kestrel Road" that falls within the red line boundary should be delivered as part of this development and to an adoptable standard;*
- 3. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. It is expected that the northernmost and southernmost accesses will be subject to RCC. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;*

4. *In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*
5. *The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;*
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 the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;*
7. *Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;*
8. *The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.*

Note:

1. *The application has been assessed under the 2017 parking standards. These permit the following:*
 - a. *A maximum of 27 car parking spaces, the 16 spaces proposed are acceptable;*
 - b. *8% of total parking should be accessible plus a space for each disabled employee, the 4 accessible spaces proposed are acceptable.*
 - c. *1/6 of the parking spaces should be equipped for EV's, the 3 EV spaces proposed are acceptable.*
 - d. *1 motorcycle parking space, the 3 proposed are acceptable.*
 - e. *A minimum of 7 cycle parking spaces, the 9 proposed are acceptable.*

SEPA comment - dated 11 April 2018

Advice for the planning authority

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

1. *Flood Risk*

1.1 *We have no objection to the proposed development on flood risk grounds. Notwithstanding this we expect the City of Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority*

1.2 *We have previously provided responses on multiple applications within the Granton Harbour area including the overall masterplan, reference 01/00802/OUT. We did not object to the overall masterplan, however we made recommendation on finished floor levels and any development below ground.*

1.3 The proposal is for a health hub and retail units at plot 19b. A Flood Risk Assessment (FRA) has been submitted in support of the application, dated May 2016. The FRA includes analysis to quantify wave action and overtopping rates at the site. It is for the City of Edinburgh Council (CEC) to satisfy themselves that the assessment of wave action and joint probability correspond with their analysis of these factors.

1.4 We previously recommended that finished floor levels (FFL) should be set above 5.07mAOD. The FRA recommends a minimum FFLs of 4.85mAOD. Review of site topography shows a minimum elevation of 5.53mAOD. We therefore strongly recommend that FFLs are set above existing ground levels with an appropriate freeboard.

1.5 The site lies adjacent to the surface water flood extent shown on the SEPA Flood Maps. Therefore we recommend that the applicant considers incorporating flood resistant and resilient measures into the design and construction of the site to mitigate the risk from surface water flooding. This could include raised FFL and landscaping the ground to direct water away from dwellings. These measures should not increase the flood risk to existing property or infrastructure.

Caveats & Additional Information

1.6 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>

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

1.8 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to the City of Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>.

2. Site Drainage

2.1 Surface water discharges to coastal waters do not automatically require Sustainable Urban Drainage Systems due to the high dilution available.

2.2 These discharges, however, still have to comply with the Controlled Activities Regulations General Binding Rule "no pollution" requirement. The seventeen car parking spaces, for instance, may require some form of interceptor to prevent hydrocarbons entering sea.

3. Marine Ecology

3.1 As far as we can determine this development will be on an existing site within the confines of the harbour and as such we have no concerns about marine ecology.

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 the local SEPA office at:

Silvan House, SEPA 3rd Floor, 231 Corstorphine Road, Edinburgh EH12 7AT.

Tel: 0131 449 7296

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

Environmental Protection response - dated 29 August 2018

The site is located on the West side of Chestnut Street it is currently surrounded by existing commercial single storey units to the south, existing residential flats to the North and an existing industrial estate to the west.

The development proposals comprise a two storey GPs, GF level Pharmacy with Dental Practice above, five ground floor level retail units. The use of other five units is unknown although we expect light retail (i.e. takeaway food, coffee shop, cafe, corner shop). Opening hours for all units would be expected to be within the daytime (7am-11pm), although early morning deliveries would be likely (5am-7am).

The applicant has submitted a support noise impact assessment. This has demonstrated that no mitigation measures will be required to ensure neighbouring amenity is protected. Environmental Protection accept this assessment.

Environmental Protection have raised concerns regarding the potential impacts this larger master planned development may have on local air quality. This was due to the increase in numbers of car parking spaces. Environmental Protection encouraged previous applications for this site to keep parking numbers to a minimum and make provisions for electric vehicle (EV) charging throughout the development. It is noted that the proposed car parking numbers have been reduced from that in the previously withdrawn application and that the applicant will be installing 3 electric vehicle charging points in line with the Edinburgh Design Standards. The applicant should install a rapid EV charging point of the following standard with further technical details available in the Edinburgh Design Standards;

70 or 50kW (100 Amp) DC with 43kW (64 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

The applicant has committed to installing the EV charging points and provide details of where they will be located on drawing A-P00-G1-005 - C dated 2017.

Environmental Protection also advised the applicant that all CHP/energy plant units must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.

If class 3 uses are being proposed the termination points of the kitchen extracts will need to be carefully considered in relation to the proposed and existing neighbouring uses. This information has not been submitted therefore we cannot support the provision of any class three uses as part of this AMC application.

The applicant has submitted a Ground Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed

Therefore, Environmental Protection offers no objection subject to the following conditions;

Prior to the use being taken up, one double headed 7 Kw (Type 2) charger and one rapid electric vehicle charging point, capable of 70 -50kW (100 Amp) DC with 43kW (64 Amp) AC output shall be installed in the commercial car parking area as per drawing A-P00-G1-005 - C dated 2017.

1. i) Prior to the commencement of construction works on site:

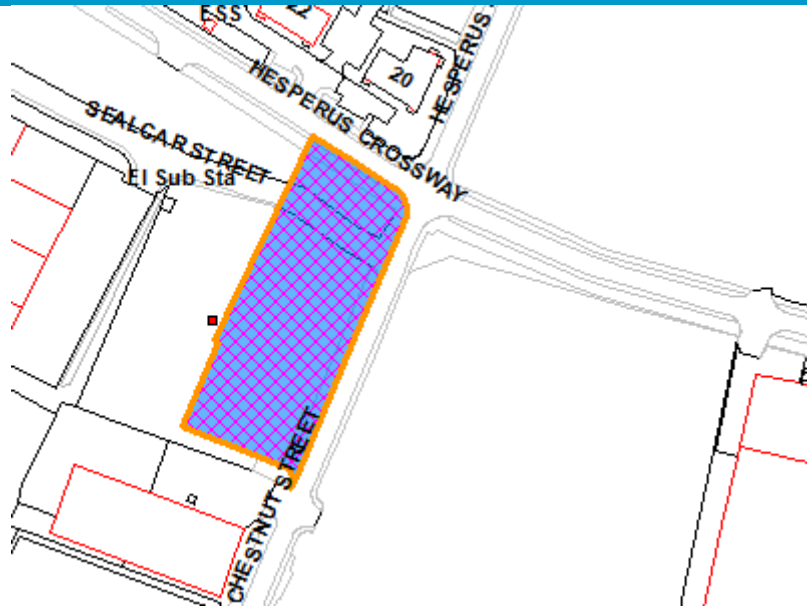
a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

3 No Class 3 use shall be allowed until details of the extract flue and ventilation system, capable of 30 air changes per hour have been submitted.

Location Plan



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