

Development Management Sub Committee

Wednesday 26 September 2018

**Application for Planning Permission 17/04391/FUL
At Land Adjacent to Lochside Way, Edinburgh.
Application for full planning permission for new and
upgraded road and infrastructure works with associated
landscaping (amended).**

Item number	Item 7.3
Report number	
Wards	B03 - Drum Brae/Gyle

Summary

The proposed tram crossing is acceptable in principle. However it is proposed to be limited to public transport, cycles and pedestrian access. Further details are required to ensure that there is no operational disturbance to the tram. The landscaping will provide a strong edge along the tram line. A number of conditions will be required to ensure appropriate delivery.

Links

<u>Policies and guidance for this application</u>	LDPP, LDEL01, LDEL04, LDES01, LDES02, LDES03, LDES07, LDES08, LDES09, LDES10, LEN09, LEN12, LEN16, LEN18, LEN19, LEN20, LEN21, LEN22, LEMP01, LTRA01, LTRA02, LTRA03, LTRA04, LTRA08, LTRA09, LTRA10, NSG, NSGD02, NSGSTR,
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Report

Application for Planning Permission 17/04391/FUL At Land Adjacent to, Lochside Way, Edinburgh. Application for full planning permission for new and upgraded road and infrastructure works with associated landscaping (amended).

Recommendations

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

Background

2.1 Site description

The site, extending to approximately 1.65 hectares in area is in Edinburgh Park South. It is irregular in shape and includes part of the Edinburgh tram line and Edinburgh Park tram stop, vacant ground, landscaping, the southmost part of a lochan and sections of existing road. It lies broadly on the north of undeveloped ground at Edinburgh Park. Its westmost point is Lochside Avenue and its eastmost part is Lochside Court. To the north is Edinburgh Park North, which has been developed.

Edinburgh Park is located in West Edinburgh, approximately four miles from the City Centre and two miles from Edinburgh Airport.

The partly culverted Gogar Burn runs through the site.

2.2 Site History

11 April 2003 - planning permission granted by Scottish Ministers for the Southern Phase of Edinburgh Park to develop offices and other business use, hotel and supporting facilities with associated road works and car parking (application number: 99/02295/OUT).

12 October 2009 - application granted under section 42 of the Town and Country Planning (Scotland) Act 1997 to vary the terms of condition 1 of planning permission 99/02295/OUT by extending the time period by 10 years (application number: 09/00430/FUL).

AMC site

22 September 2017 - application submitted for matters specified in condition 5 of planning permission 09/00430/FUL (application number 17/04341/AMC). This application is being considered by the Planning Authority.

Main report

3.1 Description Of The Proposal

This application seeks approval for new and upgraded road and infrastructure works with associated landscaping (amended). It aims to support application number 17/04341/AMC which is being considered at the same time.

Scheme 2

This is an amended scheme for:

- a vehicular and pedestrian crossing of the tram line by a section of new east/west road (Cross Street);
- a pedestrian path across the tramline, to the west of Lochside Way;
- access off Lochside Way into buildings proposed in planning application reference 17/04341/AMC;
- a section of cycle track to the east of the tram line;
- a section of running track to the west of the tram line;
- tree removal, landscaping with oak cypress trees, pin oak trees, and beech hedging;
- re-configuration, path alteration and landscaping of the south part of the Lochans; and
- other landscaping, including grassed areas.

The roads will be tarmac, and the paving and edging and kerbs will be concrete.

The application plans include unspecified sculpture/ public art.

Previous scheme (Scheme 1)

The application was amended with the principle changes being:

- Cross Street ('boulevard') width reduced;
- landscaping reconfiguration; and
- introduction of cycle path and running track beside tram line.

Supporting information

The applicant has submitted supporting information, which is available to view on Planning and Building Standards Online Services, as follows:

- Arboriculture Method Statement and Tree Protection Plan;
- Bike storage systems advice;
- Design and Access Statement;
- Flood Risk Assessment;
- Habitat Survey Report;
- Photomontage view;
- Summary of proposed adjustments;
- Surface Water Management Plan with appendices (updated);
- Swept Path Analysis;
- Topographical base plans; and
- Visual Appraisal Report.

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) transport issues have been addressed
- c) design and landscape proposals are acceptable;
- d) other material issues have been addressed
- e) any impacts on equalities or human rights are acceptable; and
- f) comments raised have been addressed

a) Principle

This site is within the Urban Area as identified in the Local Development Plan (LDP). LDP policy Del 4 (Edinburgh Park/ South Gyle) supports development which maintains the strategic employment role of the area and also introduces a wider mix of uses.

The LDP Development Principles for Edinburgh Park/ South Gyle envisage a thriving business and residential community, well integrated with the rest of the city through good transport links, and with a more balanced mix of uses and facilities and high quality public realm and green spaces. The general principles state that proposals should help contribute towards realising the long term vision for Edinburgh Park/ South Gyle, incorporate good cycle and pedestrian links through the site and that a flood risk assessment is to be carried out to inform design and layout of development proposals. There is no current, approved masterplan for the area although the LDP contains site-specific principles and an indicative layout plan.

The applicant has put forward indicative proposals for Edinburgh Park Southern Phase as a whole. Masterplan discussions with the same applicant about the southern phase, are at pre-application stage. Architecture and Design Scotland (A&DS) provided the applicant with some masterplan pre-application design input and a proposal of application notice (18/01012/PAN) was submitted for a potential masterplan application. While the A&DS report on the masterplan will not be available until a masterplan application is submitted, A&DS has made limited comment. The refinement of the proposed new Cross Street from a dual carriageway to a mainly two lane road is supported within the A&DS comments.

The principle of infrastructure and landscaping at this location to support the development of the office blocks and ancillary uses is acceptable subject to compliance with other LDP policies.

b) Transport

Road Layout

The related application 17/04341/AMC proposes a new east- west road ('The Street') to the south of the development blocks. This new street provides access to an internal road and provides an all vehicle linkage between Lochside Avenue and Lochside Court. The Street would cross the tram line and this is considered in this application.

The application originally proposed that The Street would be formed of four lanes. This has been amended to a single lane in each direction. The reduction of the width of this road is welcomed and reduces the dominance of the road on this area.

The Street would replace the function of Station Park road in providing access for bus services currently servicing Edinburgh Park Station, Edinburgh Park and The Gyle. This alternative bus route is acceptable and will bring public transport into the heart of this scheme.

However, Transport Planning has expressed concerns regarding this route as an all vehicle access across the site. It is considered that the dominance of the car fails to provide the strong public transport connections and priority as required by Policy TRA 1 of the LDP.

It is considered appropriate to limit the crossing of the tram route in order to promote the use of active travel and public transport options within the site. It is therefore recommended that a TRO is promoted to limit the movement of traffic towards the tram crossing to only public transport.

The design in and around the actual tram crossing point has not been fully resolved with the tram team. It is considered that the reduction of the crossing to only buses, pedestrians and cycles will limit the potential disruption to the tram. It is proposed that the design solution to cross the tram will be covered by condition. A TRO will be required to limit movements across the tram line.

Pedestrian Access

The development is within close proximity to the Edinburgh Park Tram Stop. A strong pedestrian connection is provided under to the development. These paths provide segregated provision directly into the existing pedestrian network within Edinburgh. A condition will be required to ensure that these linkages are delivered prior to the occupation of the first office development.

The proposed transport and public transport alterations are generally supported and will provide good connections to the wider public transport network. A condition will be required for the delivery of the tram crossing and details of the road junctions.

c) Landscape

The proposed segregated pedestrian and cycle routes running parallel to the tram routes are a positive inclusion in to the scheme. The routes are tree lined providing a strong definition to the landscape and change of density being established within the wider context of this area.

The proposed landscaping is acceptable.

d) Other Material Considerations

Archaeology - The site is identified as being within an area of archaeological significance, and remains potentially relating to Edinburgh's Prehistory, Roman Occupation, medieval and pre-improvement farming may survive in-situ across the site. A programme of archaeological work is recommended before and during development. This can be secured by a suitable condition.

Ecology - The site has the potential to support protected species. Should Committee be minded to grant the application, a Construction Environmental Management Plan (CEMP) should be put in place to ensure any potential species on site are protected during construction. This should include the ecology report's recommended measures to protect wildlife during site clearance and construction. Other mitigation, survey work

and site ecology development, including that detailed in the ecology report, is needed to compensate for the loss of habitat and improve biodiversity.

Flooding and drainage - Flooding has reviewed the surface water management information and the flood risk assessment information and does not raise an objection. SEPA was consulted and has no objection.

e) Equalities and human rights

Pedestrian paths and cycle lanes support active travel which can benefit health and well-being. Physical security for future site users is liable to be good during working hours. A condition requiring a detailed lighting plan will help ensure reasonable lighting at other times and improve a sense of security. Details of access for those with mobility issues will need to comply with Building Standards requirements.

f) Representations

Material objections

Transport issues, addressed in 3.3.b)

- Concerns about the dual carriageway.
- Car travel should be minimised and discouraged as there are very good public transport links.
- Out of touch with current CEC policies, which aim to prioritise public transport and cycling.
- Need attractive and safe walking and cycling routes through the area.
- Breaches government policy on the hierarchy of design that should prioritise pedestrian and cycle traffic over vehicle traffic. Consider 'Scots Roads Development Guide' and 'Designing Streets'.
- Lack of suitable connectivity of cycle routes, internally and to other cycle routes and
- Western end of boulevard, underpass, will be key link. Unclear how active traveller will be able to get to and from this without multiple stage crossings of roads.

Non-material comments

- Dissatisfaction with the consultation process - consultation took place in line with legislative requirements; and
- Proposal will encourage bad driving - this is a traffic regulation matter.

Scheme 2 - Additional Comments

- The space occupied by the east-west road to the south of the site would be better used for active travel; and
- Need extension of segregated cycle lanes into wider network;

Non-material comments

- Dissatisfaction expressed with the consultation process - consultation took place in line with legislative requirements;
- Multi-storey car parks lack active frontage at ground level and will not promote active travel and or increase perceptions of safety for those travelling on foot or by bike, particularly in the darker months - car parks are in the related AMC application, not this one; and
- Bike parking poorly designed, needs reconsidered - bike parking is not this application.

Conclusion

The proposed tram crossing is acceptable in principle. However it is proposed to be limited to public transport, cycles and pedestrian access. Further details are required to ensure that there is no operational disturbance to the tram. The landscaping will provide a strong edge along the tram line. A number of conditions will be required to ensure appropriate delivery.

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

3.4 Conditions/reasons/informatives

1. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
2. 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. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted and agreed in writing by the Planning Authority to ensure that any potential species are protected during construction.

4. Prior to the commencement of development, full details of the crossing of the Edinburgh Tram line must be submitted for approval including (but not limited to):
 - A full construction method statement which maintains full operation of the Edinburgh Tram network with no severance throughout the period of the works;
 - Details of the Engineering Consultancy(ies) appointed to carry out the design of the works;
 - An outline stakeholder consultation/engagement framework and programme;
 - Design of the proposed crossing;
 - An outline construction programme;
 - Outline cost of the works to form the crossing; and
 - Construction cannot proceed without an Approval to Work, where full construction programme and methodology will need to be approved by Edinburgh Trams Limited before works can commence. The applicant should be aware that separate RCC approval will be required.
5. Prior to the commencement of development a phasing schedule for the delivery of the landscaping and open spaces shall be submitted to and agreed in writing by the Planning Authority. Thereafter the landscaping and open space shall be implemented in accordance with the approved phasing schedule.

Reasons:-

1. No development shall take place within until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. In order to safeguard the interests of nature conservation.
4. In order to safeguard the interests of road safety.
5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation to transport infrastructure.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

The matters required to be addressed by TRO promotion;

- 1) contribute the sum of £2,000 to limit traffic in a westwards direction along The Street to public transport only;
- 2) contribute the sum of £2,000 to limit traffic along The Street from Lochside Court to the tram crossing to public transport only;
- 3) contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
- 4) contribute the sum £2,000 to promote a suitable order to introduce a 20mph speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council.

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

Financial impact

4.1 The financial impact has been assessed as follows:

The Council has an arm's length interest in the tram operators. The application is subject to a legal agreement.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

This application was advertised on 27 October 2017. The proposals that formed Scheme 1 received 13 objections and one neutral comment. Following re-advertisement on 25 May 2018, two representations, both objections, were received for Scheme 2.

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

Background reading/external references

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

**Statutory Development
Plan Provision**

The current Development Plan for this site comprises the Strategic Development Plan for South East Scotland (June 2013) and the Edinburgh Local Development Plan (LDP). Supporting documents for the LDP include the LDP Environmental Report, Transport Appraisals and Education Appraisal.

Edinburgh Local Development Plan

In the LDP the application site is identified as being within Area EP1, a mixed use area, with business, residential and ancillary uses and commercial hub.

Strategic Development Plan

The site is within the West Edinburgh Strategic Development Area.

Supplementary Guidance

Revised Supplementary Guidance, Developer Contributions and Infrastructure, has been approved by Committee and will progress to formal adoption. In the meantime, the finalised Supplementary Guidance is a material consideration.

Date registered

22 September 2017

Drawing numbers/Scheme

01-03,04A-06A,07,08A-18A, 19,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Del 4 (Edinburgh Park/South Gyle) sets criteria for assessing developments within the boundary of Edinburgh Park/South Gyle.

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 7 (Layout design) sets criteria for assessing layout design.

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

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

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

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

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

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 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

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

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

LDP Policy Emp 1 (Office Development) identifies locations and circumstances in which office development will be permitted.

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

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

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

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

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

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

LDP Policy Tra 10 (New and Existing Roads) safeguards identified routes for new roads and road network improvements listed.

Relevant Non-Statutory Guidelines

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

Non-statutory guidelines - EDINBURGH STREET DESIGN GUIDANCE - Edinburgh Street Design Guidance supports proposals that create better places through the delivery of vibrant, safe, attractive, effective and enjoyable streets in Edinburgh. It sets out the Council's expectations for the design of streets and public realm.

Appendix 1

Application for Planning Permission 17/04391/FUL At Land Adjacent to, Lochside Way, Edinburgh. Application for full planning permission for new and upgraded road and infrastructure works with associated landscaping (amended).

Consultations

Archaeology comment

As stated in response to the earlier 2009 & 2017 applications for the redevelopment of this site, although buried beneath modern made ground, the site is considered as still having archaeological significance. The site overlies the course of the Gogar burn which fed the former Gogar/Corstorphine Loch to the north of this site, a shallow post-glacial body of water which stretched westwards from the Gyle towards Corstorphine. Archaeological evidence has shown that both the burn and loch formed important focal points for prehistoric, Roman, Dark Age and Medieval/post-medieval occupation. Excavations at South Gyle (Edinburgh Maybury Park 1990-2' by Moloney C & Lawson J A. 2007, SAIR 23), although limited in scope, provided evidence for occupation of all periods from as early as the Neolithic through to the 19th century.

Accordingly, this site has been identified as occurring within an area of archaeological significance. This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh Local Development Plan (2016) Policies 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.

Although this site has undergone a process of modern landscaping with the deposition of landfill material, it is still possible, given the limited extent of the 1990's field work, that important archaeological remains relating to Edinburgh's Prehistory, Roman Occupation, medieval and pre-improvement farming can survive in-situ across the site, though probably in isolated areas. Ground-breaking works associated with development may therefore have a significant adverse affect, however one which is considered on the whole to be low-moderate.

It is recommended therefore that prior to development that a programme of archaeological works is undertaken prior to and during development to fully excavate, record and analysis all significant remains, including a programme of environmental sampling of any Palaeo-river and loch deposits. Furthermore, if important discoveries are made during these works a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) will be required to be undertaken, the final scope to be agreed with CECAS.

Therefore, it recommended that if consent is granted that the following condition is attached to ensure the undertaking of the required programme of archaeological works on this site.

'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, reporting & analysis, public engagement, interpretation and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Archaeology comment revised scheme 2018

Having assessed the new revised documents, I can confirm that my earlier comments and recommendations (see memo of the 18th October 2017) in respect to the original application remain unaltered and are as follows:

As stated in response to the earlier 2009 & 2017 applications for the redevelopment of this site, although buried beneath modern made ground, the site is considered as still having archaeological significance. The site overlies the course of the Gogar burn which fed the former Gogar/Corstorphine Loch to the north of this site, a shallow post-glacial body of water which stretched westwards from the Gyle towards Corstorphine. Archaeological evidence has shown that both the burn and loch formed important focal points for prehistoric, Roman, Dark Age and Medieval/post-medieval occupation. Excavations at South Gyle (Edinburgh Maybury Park 1990-2' by Moloney C & Lawson J A. 2007, SAIR 23), although limited in scope, provided evidence for occupation of all periods from as early as the Neolithic through to the 19th century.

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Architecture+Design Scotland comment

Architecture & Design Scotland were requested to provide support to the Edinburgh Park project following discussions with City Of Edinburgh Council and Parabola in October and November 2017. Support was provided in the form of two workshops which provided a locus for dialogue and review of the wider masterplanning for the extension of Edinburgh Park.

We were encouraged by the way the design team responded to comments raised at both workshops and acknowledge that a lot of significant work and improvements have been made to the planning application(s) following our discussions.

In particular, we welcome the changes made to the Boulevard and the refinement of this to a smaller 'Cross Street'. The reduction in vehicle lanes, introduction of shared space design and general changes to the character of this has positively extended the pedestrian priority which was a key discussion in the workshops. We are also pleased to see the introduction of rain gardens to act as SUD's features and an extension of the culvert; another item which had been discussed in detail at the workshops.

We welcome Parabola's intent and vision to transform a business park into a mixed-use area and part of the city of Edinburgh. The presentations and clarity of the drawings brought to both workshops allowed for substantive and meaningful discussions. We feel it would have been useful for this application to include information regarding further phases of the wider masterplan proposals for the site, as we know considerable work and thought have gone into this and that these will be integral to the success of the scheme submitted.

We welcome the proposals as a potential model for peripheral sites in Edinburgh in terms of density and urban form. We commend the Client's aspirations and vision for

the site and think there is great potential in the approach which has been taken. We also welcome delivery models that demonstrate urban qualities of density, creating vitality and a mix of uses.

We would note that the majority of our advice in connection with the project relates to the masterplanning of the wider mixed-use development area proposed and in particular the housing component. However, we consider the current proposals now demonstrate an effective and convincing first step towards realising the wider mixed-use development envisaged.

Edinburgh Airport comment

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal.

Edinburgh Trams comment

Edinburgh Trams welcomes the development and will assist the Council and the developer wherever possible. I have noted below our detailed comments.

Tram Crossing

It would be useful to understand the requirement for such a large road crossing of the tram tracks being proposed. The scale, cost and disruption associated with a change of this magnitude should not be underestimated - it would be a significant undertaking to an operational tramway and would require changes to the following infrastructure:

- tram trackform type*
- change in rail profile*
- drainage*
- tram detection (on the approach to a controlled crossing in both directions)*
- communications infrastructure*

We would need to keep disruption to a minimum during these works. We would also require the loss in revenue, and any incurred costs to be met by the developer.

A less disruptive alternative would be an active travel crossing for pedestrian and cyclists and the occasional emergency vehicle.

Asset Protection

It is recommended that the Council, as asset owner of the tram system, enter into an asset protection agreement with the developer to ensure the planning, construction, future maintenance and indemnification is adequately addressed. We would be welcome to assist in this, if required.

Landscaping

Detailed landscaping plans need to be agreed to ensure we maintain the required forward visibility and adequate viability of approaching pedestrians, cyclists and vehicles.

Environmental Protection comment

Environmental Protection has no objection to the application, however, we would like to draw the applicant's attention to the following matter.

This application supports the overarching AMC application for the area (17/04341/AMC | Application for matters specified in condition 5 of planning permission 09/00430/FUL | 101 Edinburgh Park). One of the outstanding concerns for that application is transport issues, and in particular car parking.

Reducing the need to travel and promoting use of sustainable modes of transport are key principles underpinning the current Local Development Plan (LDP) Strategy. Future growth of the city based on excessive car use and dependency would have serious consequences in terms of congestion and deteriorating air quality. An improved transport system based on sustainable alternatives to the car is therefore a high priority for Edinburgh. This is the central objective of the Council's Local Transport Strategy, which proposes continued investment in public transport walking and cycling. (2nd LDP).

The provision of over 1500 car parking spaces within the AMC contradicts the applicants vision including - Exceptional transport and connectivity, strategies to encourage pedestrians and cyclists and Sustainability and culture at the heart of the design.

The scale of the AMC proposed development's parking numbers is problematic. The potential impacts traffic generated by the site will have on the nearby AQMA. The main source of this pollution is traffic generated and this site will introduce an increased number of vehicles onto the network. The proposed numbers of parking spaces are excessive for a site that is well served by public transport. The applicant has not fully considered the full range of mitigation measures open to them. We would normally encourage developers to work with Environmental Protection to produce a Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts;

- 1. Keep Car Parking levels to minimum.*
- 2. Car Club facilities (electric and/or low emission vehicles).*
- 3. Provision of electric vehicle charging facilities.*
- 4. Public transport incentives for residents.*
- 5. Improved cycle/pedestrian facilities and links.*
- 6. Taxi specific rapid electric vehicle charging points.*

In addition, we would draw the applicant's attention to the recently approved Edinburgh Design Guidance for City of Edinburgh Council, particularly section 2.4: Design, Integration and Quality of Parking, which provides new parking standards for the city and minimum standards for electric car charging places.

Environmental Protection comment revised scheme May 2018

Environmental Protection has no objection to the application, however, we would like to draw the applicant's attention to the following matter.

This application supports the overarching AMC application for the area (17/04341/AMC | Application for matters specified in condition 5 of planning permission 09/00430/FUL | 101 Edinburgh Park). One of the outstanding concerns for that application is transport issues, and in particular car parking.

Reducing the need to travel and promoting use of sustainable modes of transport are key principles underpinning the current Local Development Plan (LDP) Strategy. Future growth of the city based on excessive car use and dependency would have serious consequences in terms of congestion and deteriorating air quality. An improved transport system based on sustainable alternatives to the car is therefore a high priority for Edinburgh. This is the central objective of the Council's Local Transport Strategy, which proposes continued investment in public transport walking and cycling. (2nd LDP).

The provision of over 1500 car parking spaces within the AMC contradicts the applicants vision including - Exceptional transport and connectivity, strategies to encourage pedestrians and cyclists and Sustainability and culture at the heart of the design.

The scale of the AMC proposed development's parking numbers is problematic. The potential impacts traffic generated by the site will have on the nearby AQMA. The main source of this pollution is traffic generated and this site will introduce an increased number of vehicles onto the network. The proposed numbers of parking spaces are excessive for a site that is well served by public transport. The applicant has not fully considered the full range of mitigation measures open to them. We would normally encourage developers to work with Environmental Protection to produce a Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts;

- 1. Keep Car Parking levels to minimum.*
- 2. Car Club facilities (electric and/or low emission vehicles).*
- 3. Provision of electric vehicle charging facilities.*
- 4. Public transport incentives for residents.*
- 5. Improved cycle/pedestrian facilities and links.*
- 6. Taxi specific rapid electric vehicle charging points.*

In addition, we would draw the applicant's attention to the recently approved Edinburgh Design Guidance for City of Edinburgh Council, particularly section 2.4: Design, Integration and Quality of Parking, which provides new parking standards for the city and minimum standards for electric car charging places.

Environmental Protection supplementary

A site investigation would be recommended:

Prior to the commencement of construction works on site:

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

(b) Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning. Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

Flood Prevention

We have reviewed the updated surface water management information uploaded to the portal and accept it on behalf of flood prevention.

Whilst there is no flood risk assessment uploaded to the portal under this planning reference we understand that this application is linked to 17/04341/AMC and a flood risk assessment was undertaken for this. The FRA covered the area and the proposed development for both applications and as a result we are happy to use this to discharge concerns for this application (17/04391/FUL). The FRA followed our self-certification procedure.

As a result, Flood Prevention have no further comment on this application and we are happy for it to proceed to determination.

Public + Accessible Transport

Our comments are listed below.

- Although reduced in size, the boulevard will still require the closure of the tram until the new road can be built. This will require agreement with Edinburgh Trams on how a temporary arrangement can be set up which still allows a full route service to be provided until construction is complete. Any loss of revenue by Edinburgh Trams would be funded by CEC so an agreement will be required so this can be recovered from the developer.*
- If the crossing of the tramway was restricted to pedestrian/cycle and occasional emergency vehicles then a proprietary product such as Strail could form the crossing and this could be done overnight when services are not running with very little disruption to trams.*

- *Trams operate via line of sight and enclosing them in a corridor bounded by hedging could affect visibility. The rest of the landscaping through this business park is very open and visibility is also very good. During Autumn there are issues with traction elsewhere when leaves land on the tracks so planting a line of trees adjacent to the rail could create ongoing maintenance issues.*
- *The landscape maintenance responsibilities elsewhere in this park are fairly complicated. Edinburgh Park Management look after common ground, the building owner looks after the frontage and CEC looks after the tram corridor. It would be much more straightforward if a condition was put on this application that one maintainer looks after the corridor.*

SEPA

Advice for the planning authority

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

1. Engineering activities in the water environment

1.1 There are no issues which we are aware of with the existing culvert (as referenced in the Design and Access Statement paragraph 2.3.2) that could impact on the development.

1.2 Some engineering activities in the water environment require authorisation under the Water Environment (Controlled Activities) Regulations 2011 (as amended) i.e. the "CAR Regulations". Further details of the types of activities that may require authorisation under the CAR Regulations can be found in SEPA's CAR Practical Guide. It is advised that a developer should contact the relevant local SEPA team to discuss any activities that may be subject to these regulations.

2. Flood Risk

2.1 In accordance with the SEPA-Planning Authority Protocol (SEPA Policy 41) planning authorities must specify when they require flood risk advice at the time of consultation. You should screen planning applications against SEPA's Indicative River and Coastal Flood Map (Scotland) available on your GIS system and against any other flood risk information from your internal Flood Prevention Officer. You should then determine if the type of development is one for which we have provided standing advice in the Appendices of this guidance note. If it is clear that the proposal could lead to an increase in the number of persons or buildings at risk of being damaged by flooding then you should ensure that the application is supported by a flood risk assessment and then consult SEPA. This approach is in accordance with the general duties for local authorities under the Flood Risk (Scotland) Management Act 2009 to undertake relevant functions in a way that reduces overall flood risk.

SEPA

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

1. Drainage Plan

1.1 A construction site licence under CAR for water management across the whole construction site is like to be required. 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 pre-application discussions with a member of the regulatory team in the local SEPA office, which can be found at the end of this letter, are arranged.

2. Surface Water Drainage

2.1 The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) includes a requirement that surface water discharge must not result in pollution of the water environment. It also makes Sustainable Drainage Systems (SUDS) a requirement for new development, with the exception of runoff from a single dwelling and discharges to coastal waters. We encourage surface water from all developments to be treated by SUDS in line with Scottish Planning Policy (Paragraph 209).

2.2 SUDS help to protect water quality and reduce potential for flood risk. They are appropriate in both urban and rural situations. Cost effective SUDS solutions can be found for almost every situation, and can be a cheaper alternative to traditional drainage measures. SUDS also provide opportunities for increased amenity and biodiversity value of sites.

2.3 Where the alternative is use of combined systems, SUDS increases capacity in infrastructure for future developments and reduces the risk of pollution events. Discharges to combined sewers should be avoided. Scottish Water will only accept surface water into a combined system in exceptional circumstances, and we would expect Scottish Water and the applicant to ensure that all reasonable efforts are made to remove surface water from the combined sewer.

2.4 It is important to ensure that adequate space to accommodate SUDS is included within the site layout (especially when considering applications for planning permission in principle). Each individual type of SUDS feature, such as a filter drain, detention basin, permeable paving or swale, provides one level of treatment. For example, surface water treated by permeable paving then in turn by a detention basin, ie runoff passing through both features in series (not in parallel), would be classed as receiving two levels of treatment whereas surface water treated by two detention basins would be classed as receiving one level of treatment.

2.5 For all developments, run-off from areas subject to particularly high pollution risk (eg yard areas, service bays, fuelling areas, pressure washing areas, oil or chemical storage, handling and delivery areas) should be minimised and directed to the foul sewer. Where run-off from high risk areas cannot be directed to the foul sewer we can, on request, provide further site specific advice on what would be the best environmental solution.

2.6 Developers are directed to the SUDS Manual (C753) and the importance of preventing runoff from the site for the majority of small rainfall events (interception) is promoted. Applicants should be using the Simple Index Approach (SIA) Tool to determine if the types of SUDS proposed are adequate.

2.7 The SUDS treatment train should be followed which uses a logical sequence of SUDS facilities in series allowing run-off to pass through several different SUDS before reaching the receiving waterbody.

2.8 Comments should be requested from Scottish Water where the SUDS proposals would be adopted by them and, where appropriate, the views of the local authority's roads department and flood prevention unit should be sought on the SUDS strategy in terms of water quantity and flooding issues. This would not be a role for SEPA's flood risk hydrology function.

2.9 Further guidance on the design of SUDS systems and appropriate levels of treatment can be found within CIRIA's C753 manual entitled *The SUDS Manual* at www.ciria.org. Advice can also be found in the SEPA Guidance Note LUPS GU12 *Planning Advice on Sustainable Drainage Systems (SUDS)* and SEPAs regulatory method WAT-RM-08 for SuDS. Further information can also be found in the *Water Assessment and Drainage Assessment Guide* produced by the Sustainable Urban Drainage Scottish Working Party (SUDSWP).

Transport Scotland

The Director does not propose to advise against the granting of permission.

Waste Services

It is my understanding that this application does not include residential development therefore no waste strategy agreement is required.

Transport Authority

The application should be refused.

This recommendation should be read in conjunction with the consultation response for planning application 17/04341/AMC.

Reason(s):

1. Insufficient detail has been provided in respect of the proposed crossing of the Edinburgh Tram line within Edinburgh Park.

Should you be minded to approve the application, the following should be included as conditions or informatives as appropriate:

- 1. The applicant will be required to:*
 - Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
 - Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;*
- 2. Before the commencement of development, full details of the crossing of the Edinburgh Tram line must be submitted for approval including (but not limited to):*
 - A full construction method statement which maintains full operation of the Edinburgh Tram network with no severance throughout the period of the works;*
 - Details of the Engineering Consultancy(ies) appointed to carry out the design of the works;*
 - An outline stakeholder consultation/engagement framework and programme;*
 - Design of the proposed crossing;*
 - An outline construction programme;*
 - Outline cost of the works to form the crossing; and*
 - Construction cannot proceed without an Approval to Work, where full construction programme and methodology will need to be approved by Edinburgh Trams Limited before works can commence. The applicant should be aware that separate RCC approval will be required.*
- 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;*
- 4. The proposed cross-sectional details of the "Boulevard" are not applicable to this application;*
- 5. The proposed cross-sectional details of the "Boulevard" and construction details are not approved;*
- 6. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;*

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. *Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;*
9. *Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;*
10. *The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.*
11. *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;*
12. *The developer must submit a maintenance schedule for all SUDS infrastructure for the approval of the Planning Authority;*

TRAMS - Important Note:

The proposed site is on or adjacent to the operational Edinburgh Tram. An advisory note should be added to the decision notice, if permission is granted, noting that it would be desirable for the applicant to consult with the tram team regarding construction timing. This is due to the potential access implications of construction / delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:

- Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;*
- Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;*
- Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;*
- Any excavation within 3m of any pole supporting overhead lines;*

- Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;
- The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line.
- See our full guidance on how to get permission to work near a tram way
- <http://edinburghtrams.com/community/working-around-trams>

Location Plan



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