

Notice of meeting and agenda

Development Management Sub-Committee of the Planning Committee

10:00am, Wednesday 6 March 2019

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

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

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1. Order of business

- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.
- 1.2 Any member of the Council can request a Hearing if an item raises a local issue affecting their ward. Members of the Sub-Committee can request a presentation on any items in part 4 or 5 of the agenda. Members must advise Committee Services of their request by no later than **1.00pm on Monday 4 March 2019** (see contact details in the further information section at the end of this agenda).
- 1.3 If a member of the Council has submitted a written request for a hearing to be held on an application that raises a local issue affecting their ward, the Development Management Sub-Committee will decide after receiving a presentation on the application whether or not to hold a hearing based on the information submitted. All requests for hearings will be notified to members prior to the meeting.

2. Declaration of interests

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

3. Minutes

- 3.1 None.

4. General Applications, Miscellaneous Business and Pre-Application Reports

The key issues for the Pre-Application reports and the recommendation by the Chief Planning Officer or other Chief Officers detailed in their reports on applications will be approved without debate unless the Clerk to the meeting indicates otherwise during “Order of Business” at item 1

Pre-Application

- 4.1 13 Clovenstone Gardens, Edinburgh (At Land North West Of) – Forth coming application by J Smart And Co (Contractors) PLC for Erection of 69 affordable housing flats – application no 19/00160/PAN – report by the Chief Planning Officer (circulated)
- 4.2 61 and 63 London Road, Edinburgh EH7 6AA (At Land At) – Forthcoming application by Summix TRT Development Ltd for Erection of mixed use development including student accommodation and ancillary uses, commercial uses and landscaping and infrastructure – application no 18/10244/PAN – report by the Chief Planning Officer (circulated)

- 4.3 Niddrie Mains Road, Edinburgh (At Redevelopment Site) – Forthcoming application by City of Edinburgh Council for Replacement Castlebrae High School - Erection of a three and four storey secondary school with associated hard & soft landscaping, 'town square', external sports provision and car – parking – application no 18/10431/PAN – report by the Chief Planning Officer (circulated)

Applications

- 4.4 13 Craigtinny Grove Edinburgh EH7 6QD - Removal of existing roof, first floor extension with new roof over - application no 18/09594/FUL – report by the Chief planning Officer (circulated)

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

- 4.5 Eagle Lodge, 488 Ferry Road, Edinburgh EH5 2DL – Demolition of existing building forming officers' quarters and alteration and extension to existing care home to form 10 additional bedrooms and associated facilities (as amended) – application no 18/03813/FUL - report by the Chief Planning Officer (circulated)

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

- 4.6 1 and 4 Gilmerton Station Road, Edinburgh EH17 8RZ - Mixed Use Development comprising - Class 1 retail, class 2 professional services, class 3 (inc Sui Generis) Food and Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class 11 Assembly and Leisure, Access, Car Parking, Servicing, Bridge, Demolition and Associated Works, 1 and 4 Gilmerton Station Road, Edinburgh EH17 8RZ – application no 18/01557/PPP – report by the Chief Planning Officer (circulated)

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

- 4.7 Granton Harbour West Harbour Road Edinburgh - Proposed marina office with associated retail, cafe space and community boat yard (as amended) – application no 18/02833/AMC – report by the Chief Planning Officer (circulated)

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

- 4.8(a) GF 11, Learmonth Terrace, Edinburgh EH4 1PG - Proposed subdivision of a ground and basement floor flat to form two separate properties along with internal alterations required – application no 18/10040/FUL – report by the Chief Planning Officer (circulated)

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

- 4.8(b) GF, 11 Learmonth Terrace, Edinburgh EH4 1PG - Proposed subdivision of a ground and basement floor flat to form two separate properties along with internal alterations required – application no 18/10039/LBC – report by the Chief Planning Officer (circulated)

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

- 4.9 20, 22 & 24 Windsor Street, Edinburgh, EH7 5JR - The proposal is to link the 3 properties of 20, 22 and 24 Windsor Street to the adjoining hotel. This will be

achieved by forming a new door opening at basement level in the party wall between number 18 and 20 Windsor Street. Replacement of 3 no. doors are also proposed. Reinstatement of original staircases from ground floor to basement level. Internal alterations to non-original partitions at ground and first floor level to help reinstate principal rooms to original proportions and insertion of bathroom pods (as amended) – application no 18/09901/LBC – report by the Chief Planning Officer (circulated)

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

5. Returning Applications

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

5.1 None.

6. Applications for Hearing

The Chief Planning Officer has identified the following applications as meeting the criteria for Hearings. The protocol note by the Head of Strategy and Insight sets out the procedure for the hearing.

6.1 None.

7. Applications for Detailed Presentation

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

7.1 3 Burdiehouse Crescent Edinburgh (Site 117 Metres Northeast Of) - Erection of a new school including associated hard and soft landscaping, land regrading, sprinkler tank enclosure, bin store, cycle shelter, substation, drop-off and car parking – application no 18/02172/FUL – report by the Chief Planning Officer (circulated)

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

7.2 Granton Harbour (Plots 7B & 8C), West Harbour Road, Edinburgh - Granton Harbour plots 7B and 8C: Application for approval of matters conditioned regarding the erection of buildings containing perimeter block residential flats; formation of road access, basement parking, and open space – application no 18/02812/AMC – report by the Chief Planning Officer (circulated)

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

8. Returning Applications Following Site Visit

These applications have been discussed at a previous meeting of the Sub-Committee and were continued to allow members to visit the sites. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer and discussion on each item.

8.1 None.

Laurence Rockey

Head of Strategy and Communications

Committee Members

Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Dixon, Gordon, Griffiths, McLellan, Mitchell, Mowat, Osler and Staniforth.

Information about the Development Management Sub-Committee

The Development Management Sub-Committee consists of 11 Councillors and usually meets twice a month. The Sub-Committee usually meets in the Dean of Guild Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

Further information

A summary of the recommendations on each planning application is shown on the agenda. Please refer to the circulated reports by the Chief Planning Officer or other Chief Officers for full details. Online Services – planning applications can be viewed online by going to [view planning applications](#) – this includes letters of comments received.

The items shown in part 6 on this agenda are to be considered as a hearing. The list of organisations invited to speak at this meeting are detailed in the relevant Protocol Note. The Development Management Sub-Committee does not hear deputations.

The Sub-Committee will only make recommendations to the full Council on these applications as they are major applications which are significantly contrary to the Development Plan.

If you have any questions about the agenda or meeting arrangements, please contact Committee Services, City of Edinburgh Council, Business Centre 2:1, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG, 0131 529 4240, email committee.services@edinburgh.gov.uk.

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to www.edinburgh.gov.uk/meetings .

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Please note this meeting may be filmed for live and subsequent broadcast via the Council's internet site – at the start of the meeting the Convener will confirm if all or part of the meeting is being filmed.

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Any information presented by individuals to the Council at a meeting, in a deputation or otherwise, in addition to forming part of a webcast that will be held as a historical record, will also be held and used by the Council in connection with the relevant matter until that matter is decided or otherwise resolved (including any potential appeals and other connected processes). Thereafter, that information will continue to be held as part of the historical record in accordance with the paragraphs above.

If you have any queries regarding this, and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact Committee Services (committee.services@edinburgh.gov.uk).

Development Management Sub Committee

Wednesday 6 March 2019

Report for forthcoming application by

**J Smart And Co (Contractors) PLC. for Proposal of
Application Notice**

19/00160/PAN

**At Land North West Of 13, Clovenstone Gardens,
Edinburgh**

Erection of 69 affordable housing flats.

Item number	4.1
Report number	
Wards	B02 - Pentland Hills

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission for a residential development at Land North West of 13 Clovenstone Gardens, Edinburgh.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicants submitted a Proposal of Application Notice: 19/00160/PAN on 15 January 2019.

Links

Coalition pledges

Council outcomes

Single Outcome Agreement

Recommendations

- 1.1 It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

Background

2.1 Site description

The application site, covering an area of 0.55ha, is triangular in shape, lying north east of the junction between Clovenstone Gardens and Clovenstone Road. The site is currently wooded.

To the north is Kingsknowe Golf Course and to the south is predominantly flatted residential accommodation between three and four storeys. Clovenstone Primary School is further to the south with Wester Hailes Train Station and West Side Plaza to the east.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The application is a Proposal of Application Notification of Full Planning Permission for 69 residential flats. No details are provided at this stage in the process.

3.2 Key Issues

The key considerations against which the eventual application will be assessed include whether:

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

The site is currently defined as Open Space and Policy Env 18 Open Space Protection must be considered. The site must be assessed against all relevant policies within the Local Development Plan (LDP) including Policy Hou 1 Housing Development and the Edinburgh Design Guidance.

b) The design, scale and layout are acceptable within the character of the area; and does the proposal comply with the Edinburgh Design Guidance;

The applicant will be required to comply with all relevant design policies within the LDP as well as guidance where applicable e.g. Edinburgh Design Guidance. A design and access statement will be required to support the application as well as a daylight, overshadowing and privacy assessment for both the proposal and neighbouring properties.

c) Access arrangements are acceptable in terms of road safety and public transport accessibility;

The proposal shall have regards to LDP transport policies and Edinburgh Street Design Guidance. Developer Contributions and Infrastructure Delivery Supplementary Guidance will apply to the proposal. The applicant will be required to provide transport information to demonstrate how the proposal prioritises active travel and is aligned with parking standards, including service arrangements and cycle parking provision.

d) There are any other environmental factors that require consideration;

The applicant will be required to submit sufficient information to demonstrate that the site can be developed without having an unacceptable detrimental impact on the environment. In order to support the application, the following documents are anticipated:

- Pre-Application Consultation report;
- Planning Statement including Open Space Assessment;
- Design and Access Statement;
- Sustainability Form S1;
- Daylight, privacy and overshadowing information;
- Transport Information;
- Ecology information;
- Arboricultural impact assessment;
- Waste management information;
- Flooding risk and drainage information; and
- Noise/air quality information.

3.3 Assessment

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received, and consultees and the public have the opportunity to comment.

Financial impact

4.1 The forthcoming application may be 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 This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

Sustainability impact

7.1 A sustainability statement will need to be submitted with the application.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The applicant's Proposal of Application Notice noted that a public exhibition was to be held at Wester Hailes Library, 27 February 2019 from 14.30 - 19.00. A public notice was placed in the Edinburgh Evening News on 18 February 2019 and the applicant intended to advertise the event locally by using leaflets in public buildings.

The applicant has confirmed that Wester Hailes Community Council and local councillors received a copy of the Proposal of Application Notice on 17 January 2019.

Background reading/external references

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

David R. Leslie

Chief Planning Officer

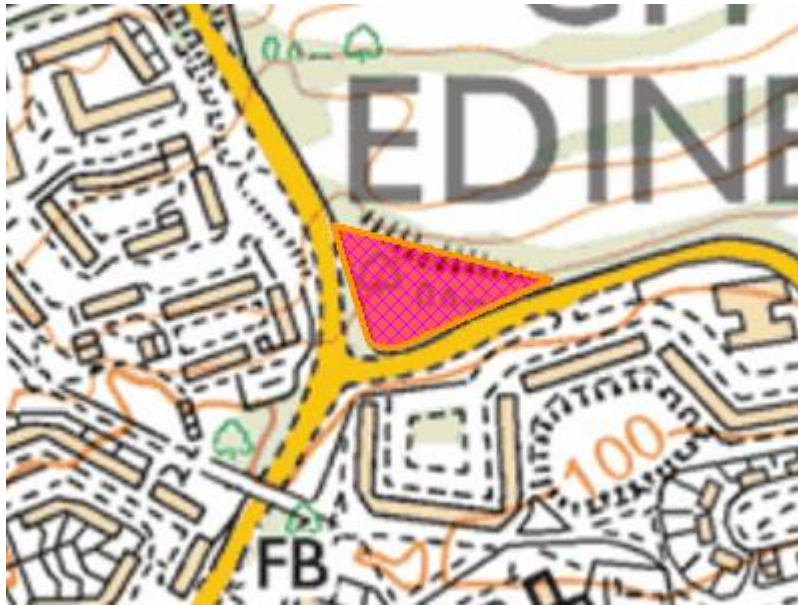
PLACE

The City of Edinburgh Council

Contact: Declan Semple, Assistant Planning Officer

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Location Plan



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Development Management Sub Committee

Wednesday 6 March 2019

Report for forthcoming application by

Summix TRT Development Ltd. for Proposal of Application Notice

18/10244/PAN

**At Land At 61 And 63 London Road, Edinburgh, EH7 6AA
Erection of mixed use development including student accommodation and ancillary uses, commercial uses and landscaping and infrastructure.**

	4.2
Item number	
Report number	
Wards	B14 - Craigentiny/Duddingston

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming detailed application for the demolition of existing buildings and the redevelopment of the site for student accommodation.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicant has submitted a Proposal of Application Notice on 3 December 2018 (18/10244/PAN).

Links

Coalition pledges

Council outcomes

Single Outcome Agreement

Recommendations

- 1.1** It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

Background

2.1 Site description

The site is 0.29 hectares in size and is situated on the south side of London Road. The site is currently occupied by two separate single-storey buildings, one that previously operated as a Boots Opticians and the other operates as Ashley Ann interior showroom.

To the north of the site is Meadowbank Stadium, which is currently being demolished. Planning permission has been granted for a new sports centre immediately opposite the application site. To the east is an existing car wash where planning permission has been granted for a new residential development comprising 30 flats and rising up to 5 storeys. The narrow Clockmill Lane runs immediately to the south of the site with the East Coast mainline beyond. To the west is a free-standing McDonald's fast food restaurant with a drive thru that operates 24 hours.

2.2 Site History

There is no planning history for the site.

Adjacent Sites

65 London Road

15 November 2018 - Planning permission granted for the demolition of existing single storey car-wash unit and erection of new residential flatted development rising up to 5 storeys, comprising 30 flats, and including all associated landscaping, parking and ancillary facilities (as amended) (reference number - 17/03633/FUL).

Meadowbank Stadium

11 December 2018 - Planning permission in principle granted for the proposed redevelopment of existing Sports Centre site to provide new Sports Centre facilities and redevelopment of surplus land for mixed uses including residential, student accommodation, hotel and commercial uses, together with car parking, landscaping, drainage and ancillary works (reference number - 18/00154/PPP).

11 December 2018 - Planning permission granted for the re-development of Meadowbank Sports Centre. The detailed proposals include the development of a new sports centre facility, including a new sports centre building with offices for Edinburgh Leisure, the retained athletics track, new spectator stand, sports pitches and floodlighting, with associated access, roads, car parking, landscaping and ancillary works (reference number - 18/00181/FUL).

Main report

3.1 Description Of The Proposal

An application will be submitted for the demolition of the existing buildings on site and the erection of a mixed use development comprising student accommodation and ancillary uses.

3.2 Key Issues

The key considerations against which the eventual application will be assessed include whether:

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

The site is designated as urban area in the Edinburgh Local Development Plan (LDP) and will be assessed in terms of Policy Hou 8 and other policies in the plan. Proposals will also be assessed in relation to the Council's Non-statutory Guidance on Student Housing.

b) The design, scale and layout are acceptable within the character of the area and whether the proposal complies with the Edinburgh Design Guidance;

The proposal will need to demonstrate high standards of design and utilise appropriate materials. The proposal should also have regard to the surrounding urban form and the comprehensive regeneration of the wider area. Daylight, sunlight and privacy, as well as usable amenity spaces should be provided.

The proposal will be considered against the Edinburgh Design Guidance and local plan policies. A design and access statement will accompany the application.

c) Access arrangements are acceptable in terms of road safety and public transport accessibility;

The proposal should have regards to transport policies of the LDP and Edinburgh Street Design Guidance. Consideration should be given to the impact on traffic flows on local roads, access to public transport and improved pedestrian and cycle access. Transport information will be required to support the application. The transport information should include an assessment of the impact of the London Road Air Quality Management Area.

d) There are any other environmental factors that require consideration;

The applicants will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment, including:

- Pre-application Consultation Report;
- Planning Statement;
- Design and Access Statement (to include key and local view assessment);

- Transport Information (to include assessment of the London Road AQMA);
- Flood Risk Assessment and Surface Water Management Plan;
- Tree Survey;
- Sustainability Statement;
- Noise Impact Assessment; and
- Archaeological Information.

3.3 Assessment

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received, and consultees and the public have the opportunity to comment.

Financial impact

4.1 The forthcoming application may be 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 This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

Sustainability impact

7.1 A sustainability statement will need to be submitted with the application.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The Proposal of Application Notice (reference 18/10244/PAN), outlined two public exhibitions to be held on 31 January 2018 (from 12:00 - 18:00) and 1 February 2019 (14:00 - 20:00) at the Meadowbank Church.

Craigentenny and Meadowbank Community Council were served notice on 30 November 2018. The local councillors for this area along with the MSP and MP were also served notice on 30 November 2018.

The results of the community consultation will be submitted with the application as part of the Pre-Application Consultation Report.

Background reading/external references

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

David R. Leslie

Chief Planning Officer

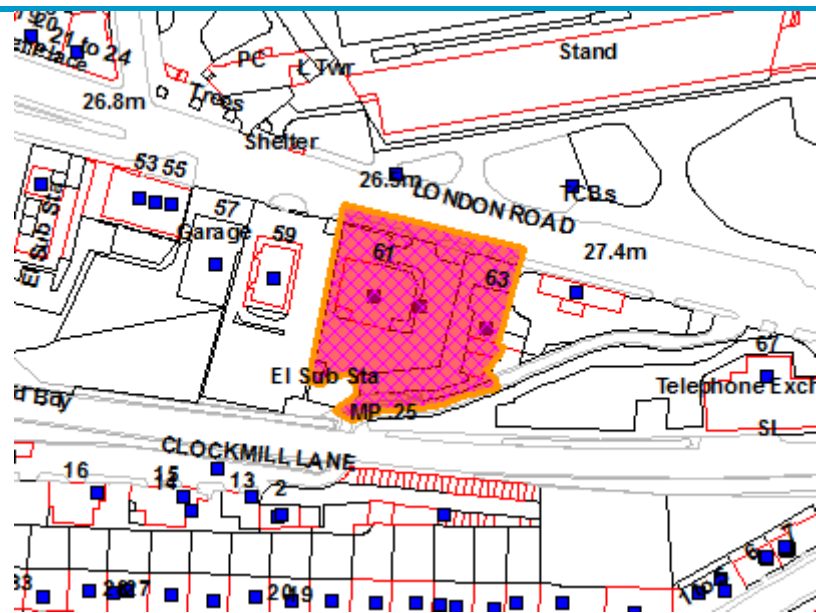
PLACE

The City of Edinburgh Council

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Location Plan



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Development Management Sub Committee

Wednesday 6 March 2019

Report for forthcoming application by

City Of Edinburgh Council. for Proposal of Application Notice

18/10431/PAN

At Redevelopment Site At, Niddrie Mains Road, Edinburgh Replacement Castlebrae High School - Erection of a three and four storey secondary school with associated hard & soft landscaping, 'town square', external sports provision and car-parking.

Item number	4.3
Report number	
Wards	B17 - Portobello/Craigmillar

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission for the development of a three and four storey secondary school (replacement Castlebrae High School) with associated hard and soft landscaping, 'town square', external sports provision and car parking on land at Niddrie Mains Road, Edinburgh.

In accordance with the Town and Country Planning Act 1997, as amended, the applicants submitted a Proposal of Application Notice (18/10431/PAN) on 17 December 2018.

Links

Coalition pledges

Council outcomes

Single Outcome Agreement

Recommendations

- 1.1 It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

Background

2.1 Site description

The site is located on the north side of Niddrie Mains Road, to the north and east of the East Neighbourhood Centre building. It is currently vacant, brownfield land populated informally by urban grassland and extends to approximately 4.53 hectares. The site covers two areas of land, a smaller plot to the north of Harewood Road (0.93ha), and a larger plot located between Peffer Place and Niddrie Mains Road (3.6ha).

The northern boundary of the site is formed in part by Peffer Place. Castlebrae Business Centre is located to the immediate north west of the site and forms the boundary along these edges. The remaining western site boundary meets an area of undeveloped brownfield land.

The eastern boundary of the site is formed by Harewood Road. Land to the east of Harewood Road is currently being developed as residential flats and housing with associated access and open space.

The southern boundary of the site abuts the East Neighbourhood Centre building and an area of public open space for which landscape improvements to form a town square were approved in December 2016. This consent has not been implemented.

2.2 Site History

Development site

24 September 2015: Planning permission granted for mixed use development including retail (class 1); financial, professional + other services (class 2); food + drink (class 3); business + employment (class 4); residential institutions (class 8); residential (class 9); assembly + leisure (class 11); sui generis flatted development + other associated works including car parking, public realm, access arrangements + works in general at Niddrie Mains Road Edinburgh (application reference 14/03416/PPP). Varied by application 14/03416/VARY.

9 December 2016: Application approved to extend the public realm in front of the neighbourhood hub at Craigmillar Town Square connecting the two spaces through uniform materials and building on the existing design framework. The Town Square provides ample space for flexible use. As amended (application reference 16/02697/AMC).

Adjacent sites

24 October 2018: Planning application minded to grant (subject to legal agreement) for the development of 136 flatted dwellings across 5 no. blocks with associated landscaping, roads and car parking at 100 Niddrie Mains Road, Edinburgh (application reference 17/02744/FUL).

23 February 2018: Approval of matters specified in conditions for the development of 194 new residential units, comprising 128 flats and 66 terraced houses, along with associated roads, pedestrian paths, parking courtyards, amenity space and soft landscaping (matters listed in conditions one i (a), two, three (excluding (h)), four, five and six) (as amended) on land at Niddrie Mains Road, Edinburgh (application reference 17/03244/AMC). Varied by application 17/03244/VARY.

10 May 2018: Approval of matters specified in conditions for the design details for a surface water management plan and SUDs scheme (application reference 17/04998/AMC).

Main report

3.1 Description Of The Proposal

An application for planning permission will be submitted for the erection of a new secondary school to replace Castlebrae High School, with associated hard and soft landscaping, 'town square', external sports provision and car parking at land at Niddrie Mains Road, Edinburgh.

3.2 Key Issues

The key considerations against which the eventual application will be assessed include whether:

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

The site is currently brownfield in nature. The proposals for the site require to be assessed against the relevant policies of the LDP.

b) the design, scale and layout are acceptable within the character of the area and whether the proposal complies with the Edinburgh Design Guidance;

The application will be for full planning permission. A design and access statement will be required to accompany the application. The layout and design of the proposed development will be assessed against the requirements of the Edinburgh Design Guidance and the Craigmillar Urban Design Framework.

Early proposals were presented to the Edinburgh Urban Design Panel on 26 September 2018. The key considerations were:

- Ensuring the school is well integrated into the community;

- Considering the setting within the landscape context;
- Addressing existing demand for public routes through the site and forming linkages to the site;
- Neighbour amenity;
- Integrating phasing of future extensions into the scheme from the outset;
- Retaining historical features on site as part of the landscape design; and
- Sustainability of the development.

c) access arrangements are acceptable in terms of road safety and public transport accessibility;

The proposal should have regard to the transport policy of the LDP and Designing Streets. Consideration should be given to prioritising pedestrian and cycle movement. Transport information will be required to support the application.

d) there are any other environmental factors that require consideration;

The applicants will be required to submit sufficient information to demonstrate that the site can be developed without having a unacceptable impact on the environment. In order to support the application the following documents are likely to be expected (this list is not exhaustive):

- Pre-application Consultation Report;
- Planning Statement;
- Design and Access Statement;
- Transport information;
- Archaeology Assessment;
- Flood Risk Assessment and Surface Water Management Plan;
- Noise Impact Assessment;
- Air Quality Impact Assessment; and
- Sustainability Statement.

3.3 Assessment

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received, and consultees and the public have the opportunity to comment.

Financial impact

4.1 The forthcoming application may be 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 This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

Sustainability impact

7.1 A sustainability statement will need to be submitted with the application.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The Proposal of Application Notice (reference: 18/10431/PAN) outlined two public exhibitions to be held at:

- Castlebrae High School, Greendykes Road on 24 January 2019 (16:00 - 19:00).
- East Neighbourhood Centre, Niddrie Mains Road on 30 January 2019 (15:30 - 19:00).

The applicant has also undertaken the following measures:

- Consultation information on the City of Edinburgh Council's website;
- E-correspondence with local councillors, MSPs and MP;
- E-correspondence to key community groups in the local area;
- Posters displayed in the local area; and
- Social media to promote public events.

The results of the community consultation will be submitted with the application as part of the Pre-application Consultation Report.

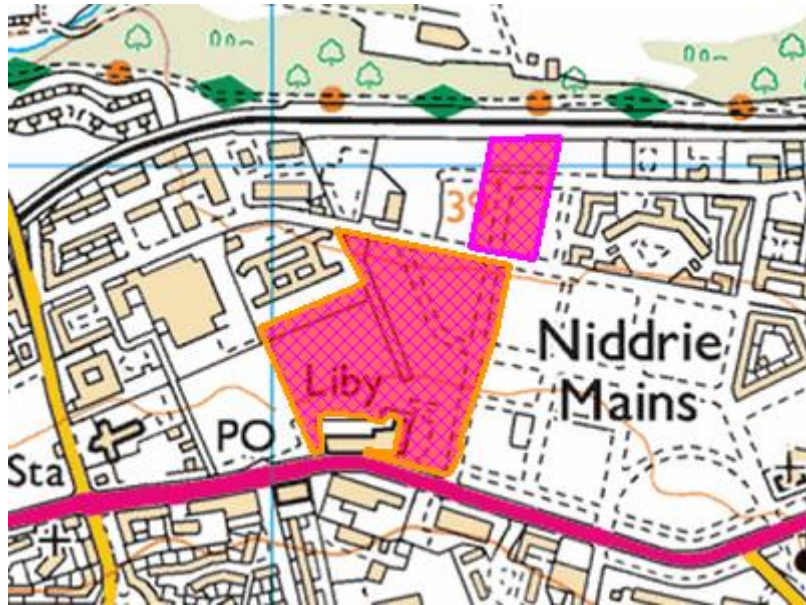
Background reading/external references

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

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

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Location Plan



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Development Management Sub Committee

Wednesday 6 March 2019

**Application for Planning Permission 18/09594/FUL
At 13 Craigentinny Grove, Edinburgh, EH7 6QD
Removal of existing roof, first floor extension with new roof
over.**

Item number	4.4
Report number	
Wards	B14 - Craigentinny/Duddingston

Summary

The proposed scale and form of the proposed development is not compatible with the character of the existing building and fails to respect the character of the surrounding residential area. There are no material planning considerations which would justify approval.

Links

[Policies and guidance for this application](#) LDPP, LDES12, NSG, NSHOU,

Report

Application for Planning Permission 18/09594/FUL At 13 Craigentenny Grove, Edinburgh, EH7 6QD Removal of existing roof, first floor extension with new roof over.

Recommendations

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

Background

2.1 Site description

The application site is a detached bungalow on the east side of Craigentenny Grove. Craigentenny Grove is a cul-de-sac in a hammerhead form to the east of Craigentenny Crescent and to the north of Portobello Road. The area is residential in nature with the majority of properties being of bungalow form, though four properties on the west side of Craigentenny Grove are two-storey terraced properties and four properties on the south of the cul-de-sac are one and a half storey in form. To the north of Craigentenny Grove, the area is generally composed of bungalows.

The property has been already extensively extended to the rear, with a substantial increase in floor space and resulting in a large rectangular plan form.

2.2 Site History

31 July 1997 - planning permission granted to alter and extend dwelling house (application number 97/01391/FUL).

6 June 2018 - planning permission refused for the removal of existing roof, first floor extension with new roof over (application number 18/00301/FUL). Reasons for refusal were:

- Scale and form of extension; and
- Impact on amenity.

Main report

3.1 Description Of The Proposal

The application proposes the removal of the existing roof and the erection of a first floor extension with a new roof over. The work would convert the traditional bungalow into two storey dwelling house.

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 proposed scale, form and design is acceptable and would accord with neighbourhood character;
- (b) the proposal will result in an unreasonable loss of neighbouring amenity;
- (c) the proposal will have any detrimental impact on equalities and human rights; and
- (d) whether any comments raised have been addressed.

(a) Scale, form, design, neighbourhood character

Edinburgh Local Development Plan (LDP) Policy Des 12 states that alterations or extensions to existing buildings should, in their design and form, choice of materials and positioning be compatible with the character of the existing building and that they should not be detrimental to neighbourhood amenity and character. The Non-statutory Guidance for Householders requires alterations and extensions to be architecturally compatible in design, scale and materials with the original house and its surrounding area; extensions should not overwhelm or dominate the original form or appearance of the house, or detract from the character of the area. For bungalows, this guidance states that extensions should be designed in a way that retains the character of the original property and is subservient in appearance.

The key issue to be determined is whether or not the conversion of this bungalow to a two-storey house is acceptable. Whilst there are examples of two-storey terraced houses in the area and in this cul-de-sac, the predominant dwelling form in the Craigentenny area is bungalow-style.

The proposed development is of an inappropriate scale, form and design as it would result in an incongruous, bulky and overly dominant addition to the property. It would dominate the original house, rather than being subservient to it. The resulting bungalow would lack the simplicity of form which is characteristic of properties of this type.

The additional storey proposed to the bungalow is uncharacteristic and overpowers the surrounding bungalows. It is not in keeping with the scale and overall spatial pattern of the area. The proposed additional storey to the bungalow would detract from the amenity of the neighbouring property.

In the area, there are a number of examples of extensions but not of such a scale and form.

The proposed scale, design and form is not compatible with the character of the existing building and fails to respect the character of the surrounding residential area, contrary to LDP Policy Des 12 and the non-statutory Guidance for Householders.

(b) Neighbouring amenity

The proposed windows are in compliance with the privacy requirements of the non-statutory Guidance for Householders and it would not cause any privacy issue.

With regard to sunlight, the non-statutory Guidance for Householders states that generally half the area of garden space should be capable of receiving potential sunlight during the spring equinox for more than three hours. The proposal will not cause unreasonable overshadowing of neighbouring properties. In terms of the daylight to the neighbouring property, the proposed extension complies with the 45 degree criterion set out in the non-statutory Guidance for Householders.

The proposal will not result in an unreasonable loss of neighbouring amenity and accords with policy Des 12 and complies with the Non-statutory Guidance for Householders.

(c) Equalities and Rights

There would be no impact on equalities or human rights.

(d) Representations

Material Representations - Objection:

- Amenity - assessed in section 3.3 (b).
- Out of character - assessed in section 3.3 (a).
- Visual obtrusion - assessed in section 3.3 (a).
- The scheme is breach of Council Policy Hou 4 - assessed in section 3.3 (a).
- Overdevelopment of the site - assessed in section 3.3 (a).

Material Representations - Support:

- Proposals are in keeping and appropriate in design and scale- assessed in section 3.3 (a).
- No additional garden ground is being used - assessed in section 3.3 (a).
- The neighbourhood is characterised by similar extensions - assessed in section 3.3 (a).
- The proposed materials are of good quality- assessed in section 3.3 (a).

- The proposed development cannot be seen from the street - assessed in section 3.3 (a).
- No loss of daylight or privacy- assessed in section 3.3 (b).

Non-Material Representations:

- Previous application has already been refused.
- Access issues and increase in traffic - this is an extension to an existing property and not a new dwelling.
- Title deeds not allowed to extend bungalows.

Conclusion

In conclusion, the proposals do not comply with the development plan and non-statutory guidance as the proposals are not compatible with the character of the existing bungalow and fail to respect the character of the area. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposed scale and form is not compatible with the character of the existing building and fails to respect the character of the surrounding residential area. It would be contrary to LDP Policy Des 12 and the non-statutory Guidance for Householders.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application has attracted 27 letters of objections, a petition objecting the proposal with 38 signatures and 23 letters of support.

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	Edinburgh Local Development Plan
Date registered	30 October 2018
Drawing numbers/Scheme	01-02, Scheme 1

David R. Leslie
 Chief Planning Officer
 PLACE
 The City of Edinburgh Council

Contact: Weronika Myslowiecka, Planning Officer
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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

Relevant Non-Statutory Guidelines

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

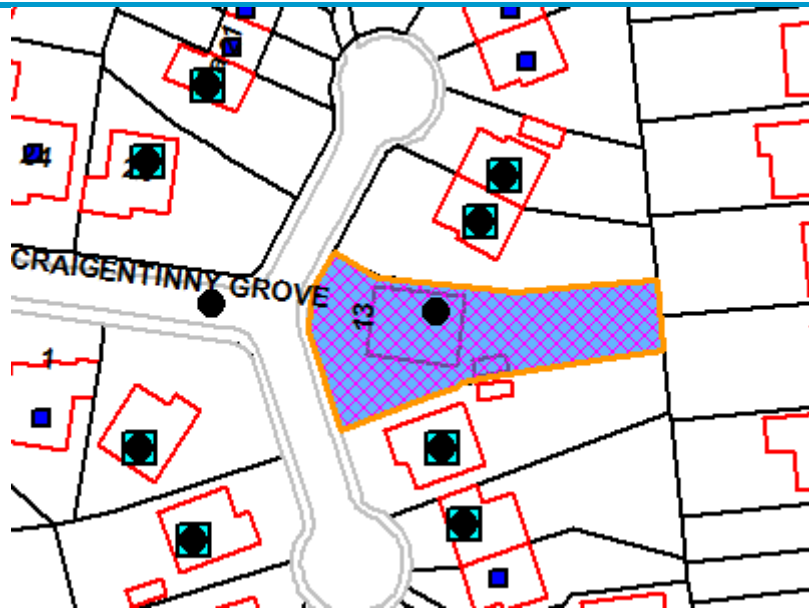
Appendix 1

**Application for Planning Permission 18/09594/FUL
At 13 Craigentenny Grove, Edinburgh, EH7 6QD
Removal of existing roof, first floor extension with new roof
over.**

Consultations

No Consultations received.

Location Plan



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END

Development Management Sub Committee

Wednesday 6 March 2019

**Application for Planning Permission 18/03813/FUL
At Eagle Lodge, 488 Ferry Road, Edinburgh
Demolition of existing building forming officers' quarters
and alteration and extension to existing care home to form
10 additional bedrooms and associated facilities (as
amended).**

Item number	4.5
Report number	
Wards	B04 - Forth

Summary

The proposal complies with the development plan. The proposal is acceptable in this location, will have no detrimental impact on the setting of the listed buildings, is of an acceptable height, scale and materials and will have no detrimental impact on traffic, road safety or neighbouring residential amenity.

Links

<u>Policies and guidance for this application</u>	LTRA03, NSG, NSGD02, LDPP, LDES12, LEN03, LEN04, LTRA02, LTRA04,
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Report

Application for Planning Permission 18/03813/FUL At Eagle Lodge, 488 Ferry Road, Edinburgh Demolition of existing building forming officers' quarters and alteration and extension to existing care home to form 10 additional bedrooms and associated facilities (as amended).

Recommendations

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

Background

2.1 Site description

The application site relates to the grounds of a large traditional two storey villa (Ashbrook) and its ancillary buildings, including its gate lodge that is attached to a large modern building, and which is in use as a nursing home (Eagle Lodge) run by the Salvation Army.

The site is located on the north side of Ferry Road, opposite playing fields which lie within Inverleith Conservation Area. To the east and north, is a modern housing estate. To the west is a carwash. Ashbrook, the main villa, has most recently been used as a Homelessness Services Unit, but is now vacant. It is set behind a stone boundary wall and line of mature trees and is not clearly visible from Ferry Road. The lodge house has been used as an officers' quarters for the Salvation Army. It is located near the entrance, is visible from Ferry Road and is attached to the large modern block that forms the nursing home. As seen from the road, the lodge house is one and a half storeys on its eastern half and one storey high on its western half. A car park is situated between the lodge house and the boundary wall.

The villa, as the main subject of listing, was B listed on 31 January 1981 (ref. 28753).

2.2 Site History

8 March 1972 - Planning permission granted for erection of a home for the elderly (Application reference no. 1882/71).

19 October 1988 - Planning permission granted to erect a three storey residential home for the elderly with car parking (Application reference no. 1094/88).

30 July 2018 - Listed Building Consent not required for the demolition of former gate lodge/stable block currently used as officers accommodation associated with the existing Eagle Lodge Care Home the site. (Application reference no. 18/03816/LBC).

Main report

3.1 Description Of The Proposal

This application is for the demolition of the former lodge house to Ashbrook, which is the listed villa on the site, and to extend the nursing home with a two storey structure, to provide an additional ten bedrooms.

The new build will be more than twice as large in terms of floor area than the existing structure, extending further to the south, west and wrapping around the building to the north.

The extension will be a two storey structure with a pitched slate roof. The walls will be sandstone (some of which will be reclaimed from the lodgehouse) and brick above with zinc panel elements. Windows, fascia and projecting roof vents are to be timber. On the eastern elevation which faces the rear of the gardens of properties on West Ferryfield, the external wall will be entirely stone.

The application proposes 12 vehicular parking spaces, two of which are for disabled use and two of which have electric charging points. There will be two motorcycle parking spaces and cycle parking for ten bicycles.

Supporting Statement

As part of this application the following documents have been submitted which are available to view on Planning and Building Standard's Online Services:

- Design and Access Statement; and
- Supporting Planning Statement.

Scheme 1

The proposals as originally submitted proposed an alternative design to the street elevation and different materials. The east wall which faces the neighbours was to be reconstituted stone and brick, above the boundary wall.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the development is acceptable in this location;
- b) the proposals will impact on the setting of listed buildings;
- c) the proposals are of an appropriate scale, form, and design;
- d) the proposals will result in an unreasonable loss of neighbouring residential amenity;
- e) the proposals will have any traffic or road safety issues; and
- f) any comments raised have been addressed.

a) The Acceptability of the Principle of the Development in this Location

The principle of the care home use on this site is already established. This proposal will add 10 bedrooms to the existing home that currently accommodates 35 residents. Policy Des 12 relates to alterations and extensions to existing buildings in respect of design, neighbouring amenity and character. Subject to the assessment of these points to be addressed below, the principle of the additional accommodation for the nursing home is acceptable.

b) The Impact on the Setting of the Listed Buildings

Policy Env 3 relates to development that impacts upon the setting of listed buildings.

The main villa (Ashbrook, 492 Ferry Road) is a B listed building. The lodge house is attached to the large modern development that forms the care home at 488 Ferry Road. The setting of Ashbrook is already substantially compromised by this modern three storey structure.

Although, when built, the lodge house was associated with the main villa, the construction of the modern development on this site has altered this relationship so that the lodge is now subsidiary too, and ancillary to the modern care home. The loss of this feature will therefore not have any impact on the setting of the listed building. The replacement structure will present a public face to the care home as it will face Ferry Road. However, as the setting of Ashbrook has already been significantly altered by the modern care home, it will not have an additional adverse impact on the setting of the listed structure.

c) Scale, Form and Design

Policy Des 12 relates to design, materials and positioning of extensions to existing buildings. New extensions should be compatible with the character of the existing building and not be detrimental to neighbourhood character.

The existing care home is a rendered three storey structure with a pitched roof clad with cement tiles.

The proposed extension will be two storeys high and will be subservient to the main three storey building behind. The materials are of reclaimed stone from the lodge and brick above with a slate roof. To the west, facing the neighbour on West Ferryfield, the elevation will be stone as is currently the case.

The materials, form and design represent an improvement over the current building and present a public face to the street. The character of this part of Ferry Road is currently mixed, with modern housing and the occasional traditional building. The new extension will not be at odds with the surrounding area and will be an appropriate addition to the existing building.

The materials, form and design are appropriate.

d) Neighbouring Amenity

Policy Des 12 relates to extensions on existing buildings with respect to their impact in terms of loss of light to neighbouring properties.

The applicant has submitted information with respect to potential overshadowing of the rear gardens on West Ferryfield as well as a daylight analysis of light to the rear windows to these dwellings. Both of these documents use methodologies specified in the Edinburgh Design Guidance.

The overshadowing study shows that the gardens already receive daylight for over half their gardens for three hours during the middle of the day and this will not be changed by the proposed development. There will be a minor impact on these gardens later in the day, but overall the impact is within acceptable limits.

The daylighting diagram indicates that there will be no undue impact on the neighbouring dwellings on West Ferryfield.

There will be no adverse impact on neighbouring amenity and Des 12 is complied with.

e) Traffic or Road Safety Issues

Policies Tra 2, Tra 3 and Tra 4 relate to the design and provision of parking spaces.

It is proposed that there will be 12 parking spaces for the care home as a whole which includes two spaces for the disabled. It also provides motorcycle parking and cycle parking. The provision of parking complies with the parking standards in the Edinburgh Design Guidance. Unfortunately one of the disabled bays is not immediately adjacent to the main entrance. However, it would be impossible to site it closer without having an impact on mature trees. Ten cycle parking spaces are to be provided which is in excess of the standards and this will be secured through the use of a planning condition. Therefore the provision of parking is satisfactory and complies with Tra 2, 3, and 4.

f) Public Comments

Material objections

- The design is overly 'grand' and ornate. This has been addressed in the revised scheme.
- Location of front entrance is not obvious. This has been addressed in the revised scheme.
- Height, scale and materials. This has been addressed in Section 3.3.c).
- The impact on the setting on the listed building. This has been addressed in Section 3.3.b).
- Loss of a building of interest. This has been addressed in Section 3.3.b).
- Loss of daylight. This has been addressed in Section 3.3.d).

Non-material comments

Non material comments relate to:

- Increased wind.
- Could be for other uses in the future.

Conclusion

In conclusion, the proposal complies with the development plan. The proposal is acceptable in this location, will have no detrimental impact on the setting of the listed buildings, is of an acceptable height, scale and materials and will have no detrimental impact on traffic, road safety or neighbouring residential amenity.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. Before any part of the development is brought into use, the cycle parking as shown on the approved plans shall be completed and available for use.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to safeguard the interests of road safety.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. 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. 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;
6. 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;

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Neighbour were notified about this application on 30 July 2018. In all there have been 11 letters of objection from neighbours, members of the public and the Cockburn Association. There has been one letter of comment from the Trinity Community Council.

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 application site is located within the Urban Area as defined by the Local Development Plan.

Date registered

17 July 2018

Drawing numbers/Scheme

1, 2, 3a, 4-9, 10a, 11a, 14a, 15a, 16a, 17a, 18a, 19a, 20-21,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Barbara Stuart, Senior Planning Officer

E-mail: barbara.stuart@edinburgh.gov.uk Tel: 0131 529 3927

Links - Policies

Relevant Policies:

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

Relevant Non-Statutory Guidelines

Non-Statutory guidelines 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.

Relevant policies of the Local Development Plan.

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

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

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

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

Appendix 1

Application for Planning Permission 18/03813/FUL At Eagle Lodge, 488 Ferry Road, Edinburgh Demolition of existing building forming officers' quarters and alteration and extension to existing care home to form 10 additional bedrooms and associated facilities (as amended).

Consultations

Transport

Response dated 19 February 2019

There are no objections to the application subject to the following being included as conditions or informatives as appropriate:

1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision 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;

2. 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;

3. 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;

Note:

It is understood that the proposed development would add 10 beds to the existing 35 existing care home. Current standards would permit / require the following:

Motor vehicle parking - maximum 1 space per 4 beds, i.e. 3 spaces for the additional 10 beds and 12 spaces for the total 45 beds. 12 Car parking spaces are proposed;

Motorcycle parking - minimum 1 space per 25 beds, i.e. 1 space for the additional 10 beds and 2 for the total 45 beds. 2 motorcycle parking spaces are proposed;

Electric vehicle parking - minimum of 1 space per 6 spaces to feature a charging point. 2 EV parking spaces are proposed, meeting this requirement;

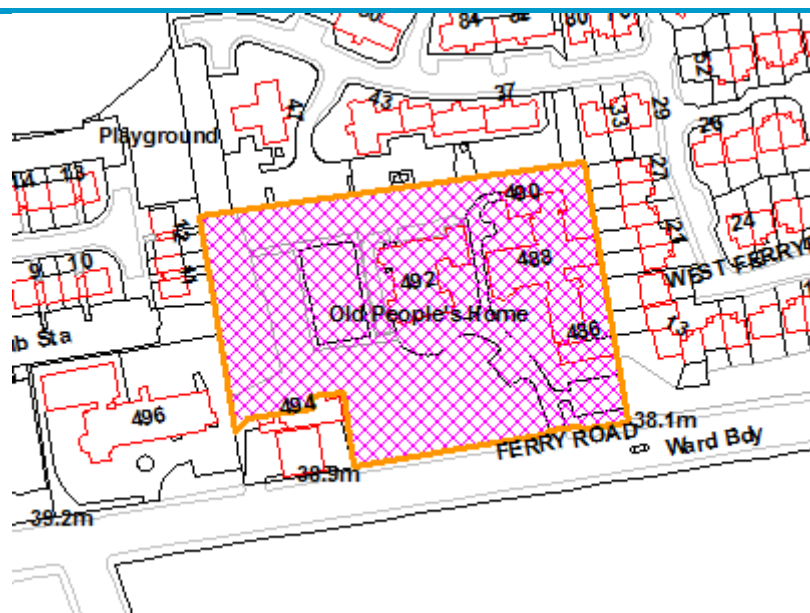
Disabled parking - minimum of 1 space for each disabled employee plus 12% of total motor vehicle parking provision. 2 accessible spaces are proposed, this meets this requirement. There is some concern over the position of space 12, as accessible parking should be as close as possible to building entrances as possible.

Environmental Services

This proposed extension of an existing facility is bordered by residential dwellings approximately 15m to the east. Environmental Protection has checked our records and found no history of complaints regarding the existing care home. The addition of 10 more bedrooms is unlikely to negatively affect existing amenity.

Environmental Protection has no objections to this proposed development.

Location Plan



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END

Development Management Sub Committee

Wednesday 6 March 2019

Application for Planning Permission in Principle 18/01557/PPP

**At 1 And 4 Gilmerton Station Road, Edinburgh, EH17 8RZ
Mixed Use Development comprising - Class 1 retail, class 2 professional services, class 3 (inc Sui Generis) Food and Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class 11 Assembly and Leisure, Access, Car Parking, Servicing, Bridge, Demolition and Associated Works, 1 and 4 Gilmerton Station Road, Edinburgh EH17 8RZ**

Item number	4.6
Report number	
Wards	B16 - Liberton/Gilmerton

Summary

The proposed mixed use development is contrary to retail policies Ret 6 and Ret 8; transport policies Tra 1, Tra 2 and Tra 4; and design policies Des 1, Des 2 and Des 7 of the Local Development Plan. There is not considered to be a quantitative or qualitative retail deficiency within the local area, and certainly not one that would necessitate a retail development of the size that is proposed by the application. In addition, the proposal will have a significant impact on existing centres as it will divert existing retail trade; as much as 54%, from existing retailers within a 10 minute drive and in sequentially preferable locations that are supported in policy.

The leisure element has not been assessed as part of the sequential test as required by Policy Ret 8 and cannot therefore be justified.

The proposal will result in a car-borne environment that fails to integrate with the neighbouring planned extension to the urban area and does not provide a positive edge to this part of the city.

Considering the scale of the retail offering, with restaurants and potentially additional leisure uses, it is conceivable that the site will become a retail destination attracting visitors from well beyond the catchment, most of who will travel by private car. The proposal is, in effect, an out of town retail centre that will encourage private vehicle use and is not supported in policy. It is recommended that the application should be refused.

Links

<u>Policies and guidance for this application</u>	NSGSTR, LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LEN08, LEN09, LEN12, LEN16, LEN21, LEN22, LEMP01, LEMP09, LEMP10, LRET01, LRET06, LRET08, LRET11, LTRA01, LTRA04, LTRA07, NSG, NSGD02, NSG,
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Report

Application for Planning Permission in Principle 18/01557/PPP

**At 1 And 4 Gilmerton Station Road, Edinburgh, EH17 8RZ
Mixed Use Development comprising - Class 1 retail, class 2
professional services, class 3 (inc Sui Generis) Food and
Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class
11 Assembly and Leisure, Access, Car Parking, Servicing,
Bridge, Demolition and Associated Works, 1 and 4 Gilmerton
Station Road, Edinburgh EH17 8RZ**

Recommendations

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

Background

2.1 Site description

The development site, covering an area of 5.08 hectares, lies to the south east of Edinburgh and is currently occupied by industrial and agricultural uses. The site is bound by Gilmerton Road (A772) to the north and Gilmerton Station Road to the west. Beyond Gilmerton Road is agricultural land that is designated as green belt in the LDP. Part of this land is also designated as a Special Landscape Area associated with the wider Drum Estate. To the south are existing industrial uses and to the east is open countryside in agricultural use which also forms part of the green belt. A bus terminus with drivers' facilities is located at the north-west corner of the site on Gilmerton Road. There are no buildings or structures of significant interest on the site.

The site is intersected by a former railway line that has recently been laid out as a cycle path linking Lasswade and Shawfair.

The site is designated as urban area in the LDP. The site was identified in the Gilmerton and South East Site Brief as a long term redevelopment opportunity that could provide additional housing in the longer term.

2.2 Site History

2 February 2017 - Proposal of Application Notice submitted for a Mixed Use Development Comprising: Class 1 Retail, Class 2 Professional Services, Class 3 (inc Sui Generis) Food and Drink, Class 4-6 Business/Light Industrial, Class 7 Hotel, Class 11 Assembly and Leisure, access, car parking, servicing, bridge, demolition of building and associated works (application number: 1704330/PAN).

Neighbouring Sites

The site to the west (Gilmerton Station Road - HSG 24) and the north (The Drum - HSG 25) are allocated for housing in the Edinburgh Local Development Plan. Development is currently underway on both sites.

Gilmerton Station Road - HSG 24

18 January 2016 - Planning permission in principle granted for a residentially-led mixed-use development including primary school, commercial/community uses, open space, access, car parking and landscaping (application number: 14/01649/PPP). This application was granted by Scottish Ministers following an appeal against non-determination by the planning authority.

22 December 2016 - Approval of matters specified in condition 1.a) a site development layout and phasing plan showing a phased implementation programme for built development, road and footpath provision, open space provision, tree and shrub planting and woodland management (as amended) (application number: 16/03299/AMC).

2 March 2017 - Approval of matters specified in conditions 1(b)-1(f), 1(h)-1(i), 1(j)i, v-vii and conditions 2-5 of Planning Permission in Principle ref 14/01649/PPP for the first phase of development for the erection of 199no. dwellings, four units for commercial or community use and associated works (application number: 16/04382/AMC).

7 September 2017 - Application submitted for approval of matters specified in condition 1(g) - 1(j)ii,iii and iv of Planning Permission in Principle ref 14/01649/PPP for the first phase of development for the erection of 199no dwellings and associated works (application number: 17/04164/AMC).

The Drum - HSG 25

5 December 2016 - Planning Permission in Principle was granted for a residential development and associated works (application number: 14/01238/PPP).

Drum 2

14 June 2016 - Planning Permission in Principle refused for a Residential Development and Associated Works. This decision was subsequently upheld by the Scottish Ministers following an appeal (application number: 15/02905/PPP).

Main report

3.1 Description Of The Proposal

Planning permission in principle is sought for a mixed use development comprising retail, professional services, food and drink, business/industrial, hotel and assembly and leisure uses.

An indicative masterplan has been submitted showing how the site may be laid out. This includes a schedule of accommodation proposing:

- Two 250 sq/m units providing class 1-3;
- Four 140 sq/m units providing class 1-3;
- Two units measuring 279 sq/m and 465 sq/m operating as class 3 or sui generis hot food use;
- 1,858 sq/m class 1 foodstore;
- 2,230 sq/m class 7 hotel;
- 1,858 sq/m unit operating as a class 1 foodstore or class 11 assembly and leisure; and
- 16 class 4-6 business/industrial units with a combined floor area of 1,486sq/m.

The indicative plan shows a total of 315 car parking spaces dispersed throughout the development.

The development will have two vehicular accesses, one from Gilmerton Road and another from Gilmerton Station Road. It is also proposed to make a connection to the Shawfair-Lasswade cycleway that runs through the site.

Supporting Material

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

- Planning Statement;
- Design and Access Statement;
- Pre-application Consultation Report;
- Retail Impact Assessment;
- Transport Statement;
- Socio Economic Statement;
- Ecological Impact Assessment;
- Noise Impact Assessment;
- Cultural Heritage Impact Assessment;
- Air Quality Impact Assessment;
- Flood Risk Assessment;
- Site Investigation Report;
- Land and Visual Impact Assessment;
- Drainage Strategy Report; and
- Energy Statement.

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

The proposal was screened for EIA on 28 September 2017. It was concluded that there would be no significant impacts as a result of the development and an EIA was not required.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposal is acceptable in principle;
- b) the proposal will have any transport or road safety impacts;
- c) the proposal complies with placemaking principles;
- d) there are any issues relating to archaeology;
- e) there are other material considerations, including economic benefits, which outweigh development plan policies; and
- f) representations raise issues to be addressed.

a) Principle

Scottish Planning Policy (SPP) states that development plans should adopt a sequential town centre first approach when planning for uses which generate significant footfall, including retail and commercial leisure uses. This requires that locations are considered in the following order of preference: town centre (including city centres and local centres); edge of town centre; other commercial centres identified in the development plan; and out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes.

SESplan establishes a spatial strategy to guide the location of retail and commercial development. It establishes that Local Development Plans will identify and define town and commercial centres. Paragraph 99 states that LDPs are to assist in protecting and promoting town centres by promoting a sequential approach to selecting locations for retail and commercial leisure development. Unless an exception is identified through an LDP and justified by rigorous analysis, priority is to be given to town centre then edge of centre locations, then established commercial centres and finally out of centre locations.

Consistent with SESplan's spatial strategy and framework for delivery, Policies Ret 1 - Ret 6 of the Edinburgh Local Development Plan (LDP) support development that strengthens Edinburgh City Centre's role as the regional focus for shopping and maintains the vitality and viability of the existing network of centres. In particular, policies Ret 1 and Ret 6 set out the specific criteria that must be met for retail development outwith the network of centres to be acceptable. These policies provide guidance to assist the assessment of retail proposals through the application of a sequential approach consistent with that set out in Scottish Planning Policy (SPP) paragraph 68.

The application site is approximately 600 metres from the existing Gilmerton Local Centre and the various local shops and other facilities located there. As stated in para 249 of the LDP 'edge of centre' only applies to sites physically adjoining the existing boundary of the centre. Therefore, the proposal represents an out-of-centre development. The supporting text to Policy Ret 6 states that in exceptional cases, there may be retail proposals that can justify an out-of-centre location. Development will only be permitted if it has been demonstrated that:

- the proposal will address a quantitative or qualitative deficiency or will meet the needs of an expanding residential or working population within its catchment area;
- all potential sites, either within or on the edge of an identified centre, have been assessed and can be discounted as unsuitable or unavailable;
- the proposal will not have a significant adverse effect, either individually or cumulatively with other developments, on the vitality and viability of any existing centre; and
- the site is or can be made easily accessible by a choice of transport modes and will reduce the length and overall number of shopping trips made by car.

The proposal also includes leisure uses, a hotel and business/industrial units. The LDP sets out policy on entertainment and leisure developments in Policy Ret 8. The policy supports such proposals if all potential city centre, or town centre sites have been assessed and discounted as unsuitable or unavailable. Policy Ret 8 also requires that proposals should not lead to an unacceptable increase in traffic locally and are also required to be integrated satisfactorily into its surroundings with attractive frontages of high quality design that safeguards existing character.

Policy Emp 9 permits the redevelopment of employment sites in the urban area for uses other than business, industry and storage provided the introduction of non-employment uses will not prejudice the activities of nearby employment use, will contribute to the comprehensive regeneration of and improvement of the area and includes floorspace designed to provide for a range of business users.

Policy Emp 10 supports hotel development in locations within the urban area with good public transport access to the city centre.

Retail Deficiency and Impact of the Proposal

The most significant element of the proposal is the provision of new retail floorspace. This takes the form of a series of smaller retail units, and a large single food retail unit. There is a separate unit that is also identified for retail/leisure. As a result, the proposal has the potential to create up to 4,776 sq/m of gross retail floorspace.

The RIA submitted in support of the proposal suggests that the development is required as there is currently significant leakage of retail expenditure from the catchment due to a lack of competition and choice locally.

This is at odds with the findings of the 'Access to Supermarkets and Food Shopping in Edinburgh (September 2011)' study (ASFSE) which concludes that Edinburgh and the Lothians generally have a good supply of food shops, including an ample provision of supermarkets.

In a more local context, the primary catchment area as identified in the RIA is well provided for in terms of convenience shopping that includes Morrisons, Aldi, Lidl, Iceland, Tesco Express, three Scotmids and a number of other small convenience retailers mainly located within nearby local centres. In addition, there are other modern retail facilities located just outside the primary catchment area. Asda, Sainsbury's and M&S Simply Food at Straiton; Sainsbury's and Aldi at Cameron Toll and Morrisons, Tesco and Lidl at Dalkeith are all within a 10 minute drive from the application site.

It is a similar situation when looking at the number of convenience stores within 800 m (10 minute walk time). Most of the catchment population have 6-10 convenience stores within 800 metres. It is likely that this figure will be further improved by the units to be delivered as part of the Broomhills, Gilmerton Station Road and Lasswade Road developments.

The catchment area adopted in the assessment is of fundamental significance as it provides the context for the assessment of available retail expenditure and any leakage to other centres or stores. The catchment area has been drawn to extend north most of the way along Gilmerton Road as far as Inch, it takes in Danderhall to the east and the ongoing housing development at Broomhills to the west. To the south the boundary follows the Edinburgh Bypass.

The RIA advises that the catchment area was informed by a visit to the area, a review of historic RIA and an understanding of the proposal. It also considers that trade will be drawn mainly from those living locally and generally within a seven minute drive time. As a result, the catchment boundary does not include Cameron Toll to the north. Although Cameron Toll is some distance from Gilmerton Local Centre, it is still on the same public transport route with regular services. Therefore, its exclusion is unrealistic. In addition, the site is located near the bypass and therefore close to the southern boundary of the catchment area. The shopping facilities at both Straiton Commercial Hub and Dalkeith Town Centre are sequentially preferable and within a seven minute drive time of the proposal but are not included within the catchment area. The RIA indicates that at 2022, 29% of convenience shopping and 28% of comparison shopping by residents within the catchment would be at Cameron Toll or Straiton. The omission of these sites is unrealistic due to their proximity to the catchment and nearby residential areas.

The RIA suggests that retail expenditure by residents from within the catchment at stores outwith it amounts to undesirable leakage which the development will claw back. However, in some cases the facilities outwith the catchment are the nearest and most sustainable locations for residents to shop. Notwithstanding where the catchment boundary is drawn, there will be some outflow to other centres and large convenience stores and this trend is to be expected in a suburban area. However, there is also likely to be an inflow of trade from outside the catchment, in particular to the larger existing convenience stores on Gilmerton Road and potentially to local centres where they lie near the catchment boundary. Midlothian Council has commented on the application and expressed concern in respect of the scale and nature of the proposed retail provision. They expect it to trade over a wide area and provide for essentially car borne shopping which would draw significant passing trade to the detriment of Midlothian's town centres.

Cameron Toll provides convenience and comparison shopping facilities for a wide area to the south east of the city and is an existing commercial centre which the LDP supports and seeks to improve. However, the RIA notes that the proposal will draw 22% of its convenience trade from Sainsbury's at the centre as well as 23% from Morrisons within the catchment and 9% from Gilmerton Local Centre. The justification for this is that, in comparison to 'average' turnover, the impacted stores are over trading. However, the concept of 'average' turnover for a retail facility is highly subjective, and does not necessarily mean that a quantitative deficiency exists. The national averages reflect the fact that national multiple retailers have a range of store sizes in catchments of differing population sizes. It cannot be assumed that if the actual turnover of stores is in excess of these averages that there is an issue of over trading.

The RIA uses the same catchment for both convenience and comparison shopping. Customers engaging in comparison shopping can be expected to travel as far as the city centre, which is the regional shopping centre for the city region, or existing commercial centres in order to buy products. It is not reasonable to expect the same catchment area to be used for comparison shopping because it is unrealistic, and therefore references to 'retail leakage' in the assessment in this context are not accepted. However, the RIA does identify the impact of the proposal on the city centre and states that this is from where it will draw 22% of its trade. It is an objective of the LDP to sustain and enhance the city centre as the regional focus for shopping, entertainment, and commercial leisure. Therefore, the proposal is contrary to this objective.

Proposed New Town Centre

The RIA states that the proposal would 'enable a town centre to be formed (perhaps as an extension to Gilmerton Local Centre)'. However, the proposal cannot form an extension to the existing Gilmerton Local Centre due to its remoteness from it.

In terms of the formation of a new local centre, the LDP explains the complementary roles that the network of centres perform 'while their size can vary, local centres contribute to their area by providing local shops and other services within walking distance. Local centres are situated at the centre of communities and have been designed to act as a focal point within these areas'. The proposal bears no relationship to the character or appearance of Gilmerton and lacks the character of a local centre. The proposed development is similar to an edge of town retail park with a vehicle borne environment that promotes private car travel. Therefore, it is not accepted that the proposal can act as an extension to Gilmerton Local Centre or assist in the creation of a new town centre.

The RIA's justification for the new retail development is, in part, based on the volume of new residential developments in the south east area. However, recently approved housing developments at Broomhills, Gilmerton Station Road and Lasswade Road will each deliver units providing commercial space. Taken together these could potentially deliver approximately 1,858 sq/m gross retail floorspace for the developments. Moreover, the additional population from the new development at 2022 would generate £3.96 million of convenience expenditure, well below the convenience turnover of the proposal of £9.83 million.

Sequential Test

In line with Policy Ret 1 - Town Centres First sets out that retail and commercial uses that generate a significant footfall should adopt the town centre first sequential approach in the following order of preference: town centres (including city and local centres), edge of town centre, other commercial centres as identified in the plan and out-of-centre locations that are or can be made accessible by a choice of transport modes.

The RIA has considered alternative locations for the retail elements which have all been considered and discounted:

Gilmerton Local Centre The local centre has a limited number of vacant commercial properties. All of the vacant units were considered too small to accommodate the proposal and have no dedicated parking or servicing provision;

Hyvot A new commercial unit measuring 210 sq/m is proposed as part of the Hyvot phase 7 development. This has been discounted as it is not in a sequentially preferable location;

Gilmerton Station Road Commercial units measuring approximately 600 sq/m will be provided at the entrance to the Gilmerton Station Road residential development site. This has been discounted as it is not in a sequentially preferable location; and

Other Local Centres A number of small retail premises were considered within other local centres in the catchment. All of the units were considered to be constrained, limited in scale and not suitable or viable for this proposal.

The RIA states that there are no sites within the defined catchment that are capable of accommodating the amount of development proposed. While it is accepted that the applicant has shown that there are no other alternative sites that could accommodate the development, this is largely due to the inappropriate scale of the proposal and not down to any perceived retail deficiency within the area. The lack of a site capable of accommodating the proposal within a nearby local centre does not justify the provision of an unsustainable out of town development.

Other Development Proposals

Leisure Use

The RIA does not consider the leisure use separately and therefore has not applied the sequential test to this element. The applicant has not demonstrated that there are no other location options for this element of the proposal, therefore the proposal is contrary to Policy Ret 8.

Hotel Proposal

Policy Emp 10 supports hotel development in locations within the urban area with good public transport access to the city centre. The RIA advises that the hotel is aimed at the business/travel sector as well as overspill for tourists from the city centre. In this regard it compares the proposal to hotel developments taking place at the airport. However, hotel development at the airport is explicitly supported by Policy EMP 10 and is not comparable to the proposal site.

The proposal includes a significant area for car parking which is likely to encourage visitors to travel by car. Nevertheless, due to its location on a frequent and regular bus route to the city centre, the proposal is in accordance with Policy Emp 10.

Industrial/Business Units

Policy Emp 9 permits the redevelopment of employment sites in the urban area for uses other than business, industry or storage subject to various criterion. The policy aims to help meet needs of small businesses by ensuring that where large business or industrial sites are to be redeveloped for other uses, proposals must include some new small industrial/business units. In this respect the proposal is consistent with the policy as it does include some business units although it is not clear from the supporting documents what the net increase in industrial/business floorspace would be as some existing buildings would be removed. It may also make a contribution to the improvement of the wider area as the existing uses may not fit well with the expanding residential development to the north of the site.

Overall, the proposal is contrary to the LDP Policy Ret 6. There is not considered to be a quantitative or qualitative retail deficiency within the local area, and certainly not one that would necessitate a retail development of the size that is proposed by the application. In addition, the proposal will have a significant impact on existing centres as it will divert existing retail trade; as much as 54%, from existing retailers within a 10 minute drive and in sequentially preferable locations that are supported in policy.

b) Transport Impacts

LDP Policy Ret 6 sets out that out-of-centre development will only be acceptable where it can be demonstrated that the development 'can be made easily accessible by a choice of transport modes and will reduce the length and overall number of shopping trips made by car'.

In addition, Policy Tra 1 Location of Major Travel Generating Development states that for non-city centre sites, the suitability of a proposal will be assessed having regard to:

- a) The accessibility of the site by modes other than the car; and
- b) The contribution the proposal makes to Local Transport Strategy objectives and the effect on targets in respect of overall travel patterns and car use.

LDP Policy Tra 1 also sets out that out-of-centre development will only be acceptable where it can be demonstrated that the development 'will be no more reliant on car use than a town centre location'. The proposal would be served by frequent bus services and the recently formed Shawfair-Lasswade cycle path also runs through the site. However, the Transport Statement submitted in support of the application predicts that 86% of trips to the site will be by car (73% driver, 13% passenger) with 243 car trips in the AM peak and 439 in the PM peak. The level of pass-by trips indicates that over 70% of these trips would already be on the network rather than being generated by the development. Notwithstanding this, a significant number of visitors to the development will do so by private car. These visitors will be encouraged by the car-centric nature of the development and many of the pass-by trips will be drawn from other town and local centres in sequentially preferable locations. The development has not demonstrated that the location is sufficiently accessible by walking, cycling and public transport nor that there are opportunities to bring non-car accessibility up to acceptable levels and is contrary to Ret 6 and Tra 1.

The proposal is considered to be contrary to Tra 1 b) as it does not contribute to the following objectives set out in the Local Transport Strategy:

- Be green, reducing the impacts of transport on the environment, in particular playing its full part in reducing greenhouse gas emissions;
- Be healthy, promoting Active Travel, with streets appropriately designed for their functions, and with an emphasis on encouraging walking, cycling and public transport use and a high quality public realm; improving local air quality; and
- Be part of a well-planned, physically accessible, sustainable city that reduces dependency on car travel, with a public transport system, walking and cycling conditions to be proud of.

In addition, the proposed layout prioritises vehicles and compromises pedestrian/cycle movement within the site and therefore does not support the following LTS objectives:

- Be, and be perceived to be, safe, secure and comfortable, so that people feel able move around by which ever mode they choose, whenever they wish; and

- Be inclusive and integrated. Everyone should be able to get around the city regardless of income or disability.

The proposal is also considered to be contrary to Policy Tra 2 Private Car Parking which states that planning permission will be granted for development where it has 'been demonstrated through a travel plan that practical measures can be undertaken to significantly reduce the use of private cars to travel to and from the site'. Whilst it is accepted that the submitted Travel Plan (Transport Assessment dated March 2018) is only draft, it is considered that there is little scope to make those significant reductions.

The development proposes 315 car parking spaces, which is within the permitted level in the Council's standards. The applicant has indicated that cycle parking will be provided in line with Council standards

The LDP Action Programme includes work to improve the capacity of junctions affected by developments in the area. It is anticipated that the traffic impact of the proposed development will be accommodated in the proposed works.

Overall, the proposal is a car borne development on a peripheral site on the edge of the city that will encourage private vehicle use. It is contrary to LDP transport policies and does not contribute to objectives set out in the Local Transport Strategy.

c) Placemaking

Placemaking and the application of a design-led approach to development is a principal policy of SPP. These principles are supported by LDP design policies, the Edinburgh Design Guidance (EDG) and the Edinburgh Street Design Guidance (ESDG).

While the site layout is indicative at this stage, the RIA and Transport Assessment submitted in support of the application sets out the quantum of development and level of car parking proposed. The application has not been supported by any documents to demonstrate how the proposal will create a high quality place. It is clear from the scale of the buildings, land uses and the level of car parking proposed that the development will create a car dominated environment that will not produce interesting or attractive spaces, contrary to Policy Des 1, Policy Tra 4 and the EDG.

In addition, the cycleways/footways within the site are compromised by the roads and layout and will not encourage walking and cycling contrary to Des 7 and the ESDG.

The development fails to complement the neighbouring planned expansion of the city and would not form a positive edge to this part of the city. The proposal is an inward focused, car-centric retail park that does not adequately integrate with the predominantly residential areas to the north, contrary to Policy Des 2.

d) Archaeology

The site is identified as occurring within an area of archaeological potential. The City Archaeologist has advised that if planning permission is granted the following condition should be imposed: 'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis, reporting, publication, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

e) Other Material Considerations

Economic Benefits

The applicant has submitted a Socio-Economic Statement (SES) in support of the application. This SES shows that beyond the construction phase the fully completed and occupied development will create between 236 and 358 jobs. However, when taking account of displacement and multiplier effects, the number of additional jobs will range between 115 and 161.

While the development would generate economic benefits for the local economy, this is likely to have disbenefits elsewhere. The SES shows that for the retail units and food store the displacement rate will be 75%. It is likely that an impact of this will be jobs and trade being diverted away from locations that are supported by local and national policy, including Gilmerton Local Centre, contrary to Policy Ret 6. In terms of the restaurants and hotel the displacement figure is expected to be 50% and 25% for the business units.

Overall, the job creation benefits of the scheme are not sufficient to overcome the conflict with the development plan and are likely to lead to negative employment implications elsewhere.

Air Quality Impacts

The applicant has submitted an Air Quality Impact Assessment in support of the application. Environmental Protection are satisfied that the impacts of the proposed development will be limited and have no objections to the application.

f) Public Comments

- Will provide employment opportunities - addressed in section 3.3 c).
- Loss of world war one aircraft hangar - addressed in section 2.1.
- Transport issues are a huge concern given the existing traffic issues at Drum Street - addressed in section 3.3 b).
- Additional traffic will impact on air quality - addressed in section 3.3 c).
- There is already sufficient retail provision in the area - addressed in section 3.3 a).
- Strongly objects to the inclusion of hot food units which will encourage car use - addressed in section 3.3 a) and c).

Conclusion

The proposed mixed use development is contrary to retail policies Ret 6 and Ret 8; transport policies Tra 1, Tra 2 and Tra 4; and design policies Des 1, Des 2 and Des 7 of the Local Development Plan. There is not considered to be a quantitative or qualitative retail deficiency within the local area, and certainly not one that would necessitate a retail development of the size that is proposed by the application. In addition, the proposal will have a significant impact on existing centres as it will divert existing retail trade; as much as 54%, from existing retailers within a 10 minute drive and in sequentially preferable locations that are supported in policy.

The leisure element has not been assessed as part of the sequential test as required by Policy Ret 8 and cannot therefore be justified.

The proposal will result in a car-borne environment that fails to integrate with the neighbouring planned extension to the urban area and does not provide a positive edge to this part of the city.

Considering the scale of the retail offering, with restaurants and potentially additional leisure uses, it is conceivable that the site will become a retail destination attracting visitors from well beyond the catchment, most of who will travel by private car. The proposal is, in effect, an out of town retail centre that will encourage private vehicle use and is not supported in policy. It is recommended that the application should be refused.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Ret 6 in respect of Out-of-Centre Development, as will have a significant impact on existing centres and will encourage private car use.
2. The proposal is contrary to LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations), as the applicant has not demonstrated that there are no other location options for this element of the proposal.
3. The proposal is contrary to the LDP Policy Tra 1 (Location of Major Travel Generating Development), as the applicant has not demonstrated that the location is sufficiently accessible by walking, cycling and public transport. While there are bus services as well as cycle and footpaths within the vicinity of the development it is predicted that the vast majority of visits to the site (86%) will be by car.

4. The proposal is contrary to the Local Development Plan Policy Tra 2 in respect of Private Car Parking, as the development will lead to significant car travel to and from the site.
5. The proposal is contrary to the LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking), as the development will create a car dominated environment which detracts from urban vitality and safety.
6. The proposal is contrary to the LDP Policy Des 1 (Design Quality and Context), as the scale of the buildings, proposed land uses and volume of car parking will not produce interesting or attractive spaces.
7. The proposal is contrary to the LDP Policy Des 2 (Co-ordinated Development), as the proposal is an inward focused, car-centric retail park that does not adequately integrate with the emerging, predominantly residential, areas to the north.
8. The proposal is contrary to the Local Development Plan Policy Des 7 (Layout Design), as the cycleways/footways within the site are compromised by the roads and layout and will not encourage walking and cycling.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 30 April 2018. A total of 113 representations have been received. Of the representations 31 were objections, including from the Gilmerton/Inch Community Council, and 64 were in support of the proposals. A total of 18 individuals initially objected before changing their view and supporting the proposals.

Many of the initial objections referred to the loss of an existing field archery club that operates from one of the units on site. Discussions between the archery club and the site owner led to the archery club being provided with alternative accommodation, at which stage a number of the objections were withdrawn.

Reasons for support:

- Interested in the leisure provision and smaller units
- Will provide employment opportunities

Reasons for objecting:

- Loss of archery facility
- Loss of world war one aircraft hangar

Gilmerton/Inch Community Council comments:

- Public transport service is not 'excellent' as claimed
- Transport issues are a huge concern given the existing traffic issues at Drum Street
- Additional traffic will impact on air quality
- There is already sufficient retail provision in the area
- Strongly objects to the inclusion of hot food units which will encourage car use

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 designated as urban area in the Edinburgh Local Development Plan.

Date registered

25 April 2018

Drawing numbers/Scheme

01-02, 03A,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Alexander Gudgeon, Planning Officer

E-mail:alexander.gudgeon@edinburgh.gov.uk Tel:0131 529 6126

Links - Policies

Relevant Policies:

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.

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

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

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

LDP Policy Emp 9 (Employment Sites and Premises) sets out criteria for development proposals affecting business and industrial sites and premises.

LDP Policy Emp 10 (Hotel Development) sets criteria for assessing sites for hotel development.

LDP Policy Ret 1 (Town Centres First Policy) sets criteria for retail and other town centre uses following a town centre first sequential approach.

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

LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations) sets out the circumstances in which entertainment and leisure developments will be permitted outwith the identified preferred locations.

LDP Policy Ret 11 (Food and Drink Establishments) sets criteria for assessing the change of use to a food and drink establishment.

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

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

LDP Policy Tra 7 (Public Transport Proposals and Safeguards) prevents development which would prejudice the implementation of the public transport proposals and safeguards 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.

Relevant Non-Statutory Guidelines

Appendix 1

Application for Planning Permission in Principle 18/01557/PPP

**At 1 And 4 Gilmerton Station Road, Edinburgh, EH17 8RZ
Mixed Use Development comprising - Class 1 retail, class 2
professional services, class 3 (inc Sui Generis) Food and
Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class
11 Assembly and Leisure, Access, Car Parking, Servicing,
Bridge, Demolition and Associated Works, 1 and 4 Gilmerton
Station Road, Edinburgh EH17 8RZ**

Consultations

Archaeology

Further to your consultation request, I would like to make the following comments and recommendations in response to this application for mixed use development comprising - Class 1 retail, Class 2 professional services, Class 3 (including Sui Generis) food and drink, Class 4-6 business / industrial, Class 7 hotel, Class 11 assembly and leisure plus access, car-parking, servicing, bridge, demolition and associated works.

As outlined in the accompanying Cultural Heritage Impact assessment the site is bisected by a Victorian Railway line with a 19th century sandstone quarry across the north of the site and evidence for 19th -20th century mining associated with the adjacent Gilmerton Colliery situated across the western and southern parts of the site. The current paddock in the centre of the site from map evidence has remained free from development. Earlier remains are also possible with the A772 thought to follow the line of the Roman Road Dere Street.

As such the site has been identified as containing occurring within and area of archaeological potential. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT) and Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) (2016) and Archaeology Strategy and also CEC's Edinburgh Local Development Plan (2016) Policy ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Buried Archaeology

Although parts of the site have been affected by the construction of the current commercial premises and service yards, the proposals will require significant ground breaking works in regards to the construction and demolitions. Such works will have significant impacts upon any surviving archaeological remains, expected to range from those associated with the 19th/20th century Gilmerton Colliery through to potentially Roman and prehistoric.

Given the potential for significant archaeological resources to occur across the proposed area, it is essential that, if consent is granted for this scheme that an archaeological mitigation strategy is undertaken prior to submission of any further detailed (FUL/AMC) applications or demolition. In essence this strategy will require the undertaking of phased programme of archaeological investigation, the first phase of which will be the undertaking of archaeological evaluation (min 10%) linked to a comprehensive metal detecting survey.

The results from this initial phase of work will allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains during each phase of development.

In consented it is essential therefore that a condition be applied to any consent if granted to secure this programme of archaeological works based upon the following CEC condition.

'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis, reporting, publication, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

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

Coal Authority

Mixed Use Development comprising - Class 1 retail, class 2 professional services, class 3 (inc Sui Generis) Food and Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class 11 Assembly and Leisure, Access, Car Parking, Servicing, Bridge, Demolition and Associated Works; 1 And 4 Gilmerton Station Road, Edinburgh, EH17 8RZ

Thank you for your consultation letter of 25 April 2018 seeking the views of The Coal Authority on the above planning application.

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

The Coal Authority Response: Material Consideration

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

The Coal Authority records indicate that three mine entries (shafts) are within, or within 20m of the application site. Our records also indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth and that the sites potentially affected by thick coal seam outcrops.

The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site; including a Coal Mining Report, OS historical mapping and BGS geological mapping. This information has been used to inform the Desk Study Report (January 2018, prepared by NPL Environmental Ltd), which correctly identifies that the application site may have been subject to past coal mining activity.

Based on a review of the existing mining information, the Report discounts any significant risk to the development posed by the recorded mine entries due their location and treatment. Notwithstanding this, the Report does confirm the potential risks to the development posed by potential shallow coal mine workings and concludes by making appropriate recommendations for intrusive site investigation works, to establish any areas where shallow coal mine workings may pose a risk to the development. The findings of these intrusive site investigations should inform any mitigation measures which may be required in order to ensure the safety and stability of the proposed development.

The applicant should ensure that the exact form of any intrusive site investigations are agreed with The Coal Authority's Licensing and Permitting Department as part of their permit application. The findings of these intrusive site investigations should inform any mitigation measures which may be required in order to ensure the safety and stability of the proposed development.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Desk Study Report (January 2018, prepared by NPL Environmental Ltd); that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development. In the event that the site investigations confirm the need for remedial works to treat areas of shallow mine workings to ensure the safety and stability of the proposed development, these should also be conditioned to be undertaken prior to commencement of the development.

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

** The undertaking of an appropriate scheme of intrusive site investigations;*

- * *The submission of a report of findings arising from the intrusive site investigations,*
- * *The submission of a scheme of remedial works for the shallow coal workings for approval;*
- * *The implementation of those remedial works.*

The Coal Authority considers that the content and conclusions of the Desk Study Report (January 2018, prepared by NPL Environmental Ltd) are sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development subject to the imposition of a condition or conditions to secure the above.

Please do not hesitate to contact me if you would like to discuss this matter further.

General Information for the Applicant

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available coal mining data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

In formulating this response The Coal Authority has taken full account of the professional conclusions reached by the competent person who has prepared the Coal Mining Risk Assessment or other similar report. In the event that any future claim for liability arises in relation to this development The Coal Authority will take full account of the views, conclusions and mitigation previously expressed by the professional advisers for this development in relation to ground conditions and the acceptability of development.

Economic Development

The following are comments from the City of Edinburgh Council's Economic Development service relating to planning application 18/01557/PPP for the development of 5,520 sqm of class 1/2/3 space, 1,486 sqm of class 4/5/6 space, and a 60-bedroom hotel at 1, 3 Gilmerton Station Road, Edinburgh.

Commentary on existing use

The application relates to a 5.08-hectare brownfield site. To the northwest of the site is the Gilmerton Station Road housing site allocated by the Local Development Plan (LDP), on which development has now commenced. To the northeast and southeast of the site is agricultural land designated as green-belt in the LDP. To the southwest of the site are a small number of residential units and a depot. The site is bifurcated by the now-closed line of the Edinburgh, Loanhead and Roslin Railway. There is another housing site as allocated by the LDP, The Drum, a short distance to the northwest.

The LDP designates the site as urban area. There is a safeguarded Orbital Bus Route running along the former railway line with a strip of land designated as a Local Nature Conservation Site on either side. The Gilmerton & South East Site Brief identifies the site in question as a 'long term redevelopment opportunity' and proposes the planting of new woodland along the eastern edge of the site.

The site in question was originally a sandstone quarry, later becoming a colliery. In the late-19th century the Edinburgh, Loanhead and Roslin Railway was built through the site and Gilmerton Station was opened to service the colliery. The station closed in 1959 and the line in 1989. Since 1961, the site has been owned and occupied by the scrap merchant and plant hire firm Bernard Hunter, which intends to continue trading on land to the south of the application site.

There are two properties on the site: 1 Gilmerton Station Road, a 487 sqm depot complex, and 4 Gilmerton Station Road, a 628 sqm workshop, along with a yard and a paddock. Based on a median employment density for light industrial units of one employee per 47 sqm (net), this 1,115 sqm of space could, if fully occupied, be expected to directly support approximately 24 full-time equivalent (FTE) jobs ($1,115 \div 47$). Based on a median GVA per worker for employees in the manufacturing sector in Edinburgh of £93,000 per annum, this could be expected to directly add approximately £2.23m of GVA (2015 prices) to the economy of Edinburgh per annum ($24 \times £93,000$). Multiplier effects could be expected to support a further 22 FTE jobs and £1.80m of GVA (2015 prices) per annum for a total impact of 46 FTE jobs and £4.03m of GVA (2015 prices) per annum. This does not take into account economic impacts associated with the yard and paddock but these are not anticipated to be substantial.

As the site is an employment site is over one hectare, policy EMP 9 of the LDP will apply; this policy requires, among other things, the inclusion of "floorspace designed to provide for a range of business users" within any new development.

Commentary on proposed uses

The application proposes the "Gilmerton Gateway": a mixed-use development comprising 5,520 sqm of class 1/2/3 space; 1,486 sqm of class 4/5/6 space; and a 60-bedroom hotel.

- Class 1/2/3/11 - Shops / financial, professional and other services / food and drink / assembly & leisure.

The development as proposed would deliver 5,520 sqm of class 1/2/3/7 space comprising a terrace of six small units (four of 140 sqm and two of 250 sqm); two larger standalone hot food units of 279 sqm and 465 sqm each; and two large units of 1,858 sqm each, one of which is proposed to be either class 1 or class 11. Based on an indicative ratio of gross-to-net internal area for units of this nature of 90%, it is estimated that this would represent a total net internal area of approximately 4,968 sqm. Based on a median employment density for retail/food and drink units of one employee per 17.5 sqm (net), this could, if fully occupied, be expected to directly support approximately 284 full-time equivalent (FTE) jobs ($4,968 \div 17.5$). Based on a median GVA per worker for employees in the retail and food and beverage service sectors in Edinburgh of £31,176 per annum, this could be expected to directly add approximately £8.85m of GVA (2015 prices) to the economy of Edinburgh per annum ($284 \times £31,176$). Multiplier effects could be expected to support a further 69 FTE jobs and £3.98m of GVA (2015 prices) per annum for a total impact of 353 FTE jobs and £12.83m of GVA (2015 prices) per annum.

The Planning Statement submitted by the applicant indicates that the six small retail units and the two hot food units would provide "neighbourhood type retail and service uses", while the two large units would comprise a food-store and another retail units or a leisure/gym complex.

It is noted that there is an existing local centre in Gilmerton a short distance to the northwest. The 15 class 1/2/3 units making up the local centre have a net internal area of approximately 3,167 sqm, making the proposed development at Gilmerton Gateway approximately 75% larger than the existing local centre at Gilmerton. It is recognised however that there is major variation in size between local centres with (for example) the 8,496 sqm supermarket at Waterfront Broadway being designated a local centre.

It is noted from the LDP that local centres are intended to serve "a local retail function" within walking distance of residents. The application's Transport Statement, however, indicates that 86% of journeys to the development are predicted to be made by car. The class 1/2/3/11 units within the development would have a total of 301 parking bays. The development as proposed does not appear to meet the definition of a local centre.

It is noted that detailed planning consent has been granted (16/04382/AMC) for the development of 600 sqm of retail/commercial space at Drum Street as part of the wider Gilmerton Station Road development in line with the Gilmerton & South East Site Brief. These units could be expected to absorb an element of any additional demand arising from the housing development at Gilmerton Station Road.

It is suggested that there is a risk that a larger, more modern retail hub with superior parking could divert patronage away from the existing Gilmerton local centre. The applicant's Retail Impact Assessment shows Gilmerton local centre and other local centres as being within the development's catchment and projects that the development would reduce the annual turnover of Gilmerton local centre by £1.23m (10%), with a further loss of custom to retail units in Gilmerton outwith the designated local centre (i.e. Morrisons and Aldi) of £4.27m. The applicant's position is that Gilmerton local centre is currently overtrading, i.e. receiving more custom than the retail offer warrants, by £1.66m per annum and that there is therefore surplus demand.

Based on the average turnover per employee of workers in the retail sector of Edinburgh - £109,956 (2015 prices) - a fall in the annual turnover of Gilmerton local centre of £1.23m could be expected to result in 11 job losses, while a fall in the annual turnover of the out-of-centre retail units of £4.27m could be expected to result in a further 39 job losses, giving a total projected loss of 50 jobs. Based on a mean GVA per worker for employees in the retail sector of Edinburgh of £30,116 per annum, this could be expected to reduce the GVA of Edinburgh associated with the local centre and out-of-centre retail units in Gilmerton by £1.51m (2015 prices) (50 × £30,116).

- Class 4/5/6 - Business / general industrial / storage or distribution

The development as proposed would deliver up to 1,486 sqm of class 4/5/6 space (gross) in the form of two terraces of eight units of 93 sqm. Based on an indicative ratio of gross-to-net internal area for units of this nature of 95%, it is estimated that this would represent a net internal area of approximately 1,412 sqm. Based on a typical employment density for light industrial units of one employee per 47 sqm (net), this could, if fully occupied, be expected to directly support approximately 32 full-time equivalent (FTE) jobs (1,486 ÷ 47). Based on a median GVA per worker for employees in the manufacturing sector in Edinburgh of £93,000 per annum, this could be expected to directly add approximately £2.98m of GVA (2015 prices) to the economy of Edinburgh per annum (32 × £93,000). Multiplier effects could be expected to support a further 30 FTE jobs and £2.41m of GVA (2015 prices) per annum for a total impact of 62 FTE jobs and £5.39m of GVA (2015 prices) per annum.

There is a growing shortage of light industrial space in Edinburgh due to a combination of limited new development and ongoing loss of existing space to redevelopment. The development of 1,486 sqm of new space would help address this shortage. Units of the scale being proposed are in high demand as evidenced by the success of the recently developed East Hermiston Business Park. This area of Edinburgh is not an established industrial area in the sense of areas such as Bankhead or Bonnington, but it benefits from proximity to the City Bypass which would be attractive to occupiers requiring access to the trunk road network. Industrial units here would complement the Bernard Hunter operation to the south which is proposed to remain in place.

- Class 7 - Hotels and hostels

The development as proposed would deliver 1,846 sqm of class 7 space (gross) in the form of a 60-bedroom hotel. Based on an average employment density for mid-scale hotels of one employee per three bedrooms, this could, if fully occupied, be expected to directly support approximately 20 full-time equivalent (FTE) jobs (60 ÷ 3). Based on the average GVA per worker for employees in the accommodation sector in Edinburgh of £27,033 per annum, this could be expected to directly add approximately £0.54m of GVA (2015 prices) to the economy of Edinburgh per annum (20 × £27,033). Multiplier effects could be expected to support a further 5 FTE jobs and £0.22m of GVA (2015 prices) per annum for a total impact of 25 FTE jobs and £0.76m of GVA (2015 prices) per annum.

These figures do not include the impact of expenditure by visitors to Edinburgh staying in the hotel on items other than accommodation (for example, transport, recreation, and shopping) due to a lack of the raw data required to model this impact robustly.

This area of the city is not an established visitor area. However, it is less than 100m walk from the Gilmerton Terminus, where between Service 3 and Service 29 there are at peak times eight buses per hour offering a 20 minute bus ride into the city centre, and therefore offers good access to the amenities of the city centre. The hotel is also well-located to serve motorists moving north or south who are opting to break their journey in Edinburgh. The development of a hotel in this location could help relieve pressure on the city centre. The Gilmerton Cove visitor destination is located a short walk to the northwest and could potentially benefit from increased visitor numbers due to the hotel.

Overall economic impact

As set out above, it is estimated that the existing buildings on the site could, if fully occupied, directly support 24 FTE jobs and £2.23m of GVA (2015 prices) per annum. By comparison, it is projected that the proposed development could directly support 336 FTE jobs and £12.37m of GVA (2015 prices). This represents a projected increase of 312 FTE jobs and £10.14m of GVA. However, it is estimated that 50 jobs and £1.51m of GVA (2015 prices) could be lost within Gilmerton local centre and out-of-centre retail units in Gilmerton.

MKA Economics has prepared a socio-economic report on the proposed development on behalf of the applicant. The report suggests that the development would directly support 218 to 297 jobs, falling to 100 and 142 jobs when the impact of displacement and multipliers are accounted for. MKA Economics also suggests that the development would safeguard 58 jobs at Bernard Hunter.

SUMMARY RESPONSE TO CONSULTATION

It is estimated that the development as proposed could, if fully occupied, directly support 336 FTE jobs and £12.37m of GVA (2015 prices) - a projected increase of 312 FTE jobs and £10.14m of GVA on the existing uses. These are gross figures and do not account for multiplier effects or for displacement - the loss of economic activity elsewhere in Edinburgh due to competition from the development.

The development of new retail units in this location may divert expenditure from the existing Gilmerton local centre, as acknowledged by the applicant's Retail Impact Assessment. The development as proposed is considerably larger than the existing Gilmerton local centre and will have far greater parking. Based on data from the Retail Impact Assessment, it is estimated that 50 jobs and £1.151m of GVA could be lost from Gilmerton local centre and out-of-centre retail units in Gilmerton.

The development of 16 new industrial units would address the growing shortage of industrial space in Edinburgh. While the site is not an established industrial area, it has good proximity to the City Bypass and, by extension, the national trunk road network. Units of the scale proposed are in especially high demand in Edinburgh. An industrial development here could complement the Bernard Hunter depot to the south.

The site is not an established visitor area but benefits from regular, rapid public transport links to the city centre and good proximity to the City Bypass. The development of a hotel in this location could relieve pressure on the city centre where demand for visitor accommodation is concentrated. The Gilmerton Cove visitor attraction could potentially benefit from the development of a hotel in this location.

This response is made on behalf of Economic Development.

Environmental Protection

The application is for Planning Permission in Principle; however, the application does include very detailed plans of what is proposed. The proposal is to include a number of different uses including a mix of commercial, retail and leisure uses comprising Food and Non-food Supermarkets, Fast Food Outlets, a Hotel and a new transport hub, as well as a Start-up Business park.

The site is located at land off Gilmerton Station Road which forms the western boundary, with Gilmerton Road to the north. This is a triangular, brownfield parcel of land which is substantially within industrial use with existing businesses.

To the north west there is the new build development South Gilmerton Brae currently under construction by Miller Homes, this will see 1000 new families to the area. Gilmerton Station Road runs the length of this aspect. Gilmerton Road and agricultural fields make the north-east boundary. The Gilmerton bus terminus is also on this edge. Tree lined agricultural land runs the length of the south-east boundary along with the existing site entrance to the Bernard Hunter Offices and yard. There is a residential unit located to the south of the development site which is accessed from Gilmerton Station Road.

The applicant has submitted various supporting materials including a noise and local air quality impact assessment. The applicant has submitted a site investigation report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Assessment recommends that a condition is attached to ensure that contaminated land is fully addressed.

A supporting Noise Impact Assessment has been submitted in support of the application. The objectives of the assessment were to identify and describe any likely significant noise effects on key receptors during the operational phase of the proposed development.

The applicants noise impact assessment identifies the current baseline characteristics of the application site and the surrounding area, as well as the predicted impacts. This allows for the identification of potential noise impacts and recommendation of mitigation measures. Mitigation measures have been proposed in the form of a 2m high acoustic barrier to the south of the retail food store to protect the amenity of the existing residential property.

Plant details have not yet been determined and, consequently, it was not possible to have a specific assessment of plant noise impact submitted at this stage. Environmental Protection will recommend a condition and informative is attached to ensure this is addressed at the detailed planning stage.

Furthermore, at the detailed design stage, a new noise impact assessment will be required to demonstrate that the development can meet the limit sound level outlined in submitted noise impact assessment and confirm that the proposal is compliant with all the required noise criteria stipulated by Environmental Protection. Environmental Protection will recommend planning conditions to ensure a noise impact assessment is submitted at the detail planning stage to address noise breakout from the specific uses proposed.

It is noted that if developed out the development will include the removal of the scaffolding company and the Flo Gas building. This is likely to reduce the existing baseline levels slightly; however, it is noted that the dominant noise in the area is from the road.

Odour

The PPP aspect of the application may propose Use Class 3, 7 & 11 premises which are likely to include cooking operations. Ventilation is likely to be required to adequately deal with kitchen effluvia from these premises and ensure that they reach an appropriate height. Therefore, the siting of such premises will require to be fully assessed at the AMC stage to ensure that odours from food operations do not impact upon residential amenity.

Local Air Quality

Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation 3 sets out the Scottish Executive's core policies and principles with respect to environmental aspects of land use planning, including air quality. PAN 51 states that air quality is capable of being a material planning consideration for the following situations where development is proposed inside or adjacent to an Air Quality Management Area (AQMA):

- o Large scale proposals.*
- o If they are to be occupied by sensitive groups such as the elderly or young children.*
- o If there is the potential for cumulative effects.*

The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in AQMAs or, by cumulative impacts, lead to the creation of further AQMAs (areas where air quality standards are not being met, and for which remedial measures should therefore be taken.

AQMAs have been declared at five areas in Edinburgh - City Centre, St John's Road (Corstorphine), Great Junction Street (Leith) Glasgow Road (A8) at Ratho Station and Inverleith Row/Ferry Road. Poor air quality in the AQMAs is largely due to traffic congestion and the Council's Air Quality Action Plan contains measures to help reduce vehicle emissions in these areas. The Council monitors air quality in other locations and may require declaring further AQMAs where AQS are being exceeded., It is noted that a significant amount of development is already planned / committed in the area and additional development will further increase pressure on the local road network.

The applicants air quality impact assessment considered the potential adverse impacts on local air quality as consequence of vehicle exhaust emissions from road traffic generated by the proposed development. The applicant has prepared an Air Quality Impact Assessment for the proposed development and this is submitted as part of the application. Predicted increases in traffic flows are detailed within the report however it is not clear what level of committed development has been included.

The main increase in road traffic generated by the scheme has been identified as being on Drum Street, between Gilmerton Station Road and the Newtofts/ Ferniehill Drive junction. The results from Planning's air quality monitoring indicate that air quality currently complies with the EC annual mean Limit Value within that study area. The applicants air quality impact assessment predicts contribution to the annual mean nitrogen dioxide measurements is of slight adverse significance, or less, at all sensitive receptors considered within the study area. The predicted contribution from the proposed development to the annual mean particulate measurements is of slight adverse significance, or less, at all sensitive receptors considered within the study area.

Reducing the need to travel and promoting the use of sustainable modes of transport are key principles as identified in the second Proposed Edinburgh Local Development Plan (LPD). The LDP also states growth of the city based on car dependency for travel would have serious consequences in terms of congestion and air quality. An improved transport system, based on sustainable alternatives to the car is therefore a high priority for the Council and continued investment in public transport, walking and cycling is a central tenet of the Council's revised Local Transport Strategy 2014-19.

The applicant should be encouraged to keep car parking number to a minimum, support car club with electric charging, provide rapid electric vehicle charging throughout the development site, provide public transport incentives for residents, improve cycle/pedestrian facilities and links and contribute towards expanding the electric charging facilities at the Straiton Park and Ride.

Environmental Protection have concerns with the cumulative impacts developments especially large proposals on the green belt may have on local air quality. It is noted that this specific proposal is identified in the local development plan as suitable for development. However, local roads in the area are already congested during peak hours and a development of this size will only exacerbate this.

The proposal includes a considerable number of car parking spaces and Environmental Protection had recommended previously that electric vehicle charging points should be incorporated into the car park. The applicant has confirmed car parking spaces will have electric vehicle charging points installed to serve them.

The Scottish Government in the 'Government's Programme for Scotland 2017-18 has a new ambition on ultra-low emission vehicles, including electric cars and vans, with a target to phase out the need for petrol and diesel vehicles by 2032. A range of actions underpins this to expand the charging network, support innovative approaches, and encourage the public sector to lead the way, with developers incorporating charging points in new developments.

The applicant is aware that there are now requirements stipulated in the Edinburgh Design Guidance must be achieved. Edinburgh has made progress in encouraging the adoption of electric/hybrid plug-in vehicles, through deployment of extensive charging infrastructure. As plug-in vehicles make up an increasing percentage of the vehicles on our roads, their lack of emissions will contribute to improving air quality, furthermore their quieter operation will mean that a major source of noise will decrease.

The Sustainable Energy Action Plan is the main policy supporting the Council's Electric Vehicle Framework. Increasing the number of plug-in vehicles and charging infrastructure in Edinburgh will provide substantial reductions in road transport emissions.

Environmental Protection recommend that 7Kw (type 2 sockets) charging provision will be required for all spaces with a number rapid 50Kw electric vehicle charging points installed to charge taxis, service vehicles and possibly buses. Information on chargers is detailed in the Edinburgh Design Standards -Technical Information Design Standards.

Environmental Protection are satisfied that the impacts of this proposed development on it own will be limited. The applicant must keep the numbers of car parking spaces to a minimum, commit to providing good cycle provisions, electric vehicle charging facilities and supported with an up to date travel pack. Environmental Protection supports the applicant's proposal that the electric vehicle charging points will be fully installed and operational prior to occupation serving 100% of the spaces. Environmental Protection shall recommend that this is attached as a Planning Condition with specific details to be provided at the detailed planning stage.

Environmental Protection also advised the applicant that any energy centres must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.

Environmental Protection would not object to this application with regards to local air quality subject to conditions on EV Infrastructure being included to serve all the car parking spaces proposed as a condition.

Contaminated Land

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

Therefore, Environmental Protection on balance offer no objection subject to the following conditions.

Conditions

Site in General

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

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

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

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.

2. A minimum of 3 Electric vehicle (50 Kw rapid) chargers shall be installed throughout the development site serving Unit 9, Units 1-6 and Unit 10 and 11 parking areas must be operational prior to occupation.

3. All car parking spaces not served with a rapid charger must have a 7Kw (Type 2 socket) electric vehicle charging point serving them and fully operational prior to occupation.

4. The following noise protection measures to the proposed development, as defined in the Neo Environmental 'Noise Impact Assessment' dated 29/03/2018:

A 2m acoustic fence with a minimum surface density in of 10kg/m² shall be erect as per drawing number NEO00492/0081/A dated 01/02/2018. The acoustic fence will have a closed surface without large gaps or cracks including at the ground.

shall be carried out in full and completed prior to the development being occupied.

Foodstore (20,000sq.ft.) Class 3, 7 and 11 uses proposed as per PPP application

5. Development shall not commence until a scheme for protecting the occupiers of the committed development and existing residential units from operational noise (including plant and delivery noise) has been submitted to and approved in writing by the Head of Planning; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning, before any part of the development is occupied.

6. The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to a suitable exhaust point as agreed with the Planning Authority to ensure that no cooking odours escape or are exhausted into any neighbouring premises.

7. The ventilation system shall be installed, tested and operational prior to the use hereby approved being taken up.

8. Hours of deliveries and collections, including waste collections, will require to be agreed at the Approval of Matters in Conditions (AMC) stage.

Informative

Environmental Protection also advised the applicant that any energy centres must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.

Prior to occupation of the development, details demonstrating that noise from all plant complies with NR25 within the nearest existing and committed residential property (with window partially open for ventilation purposes) shall be submitted for written approval by the Head of planning and Building Standards.

Should you wish to discuss the above, please do not hesitate to contact me on 0131 5160.

Flood Prevention

No objections

Gilmerton/Inch Community Council

GICC objections to the following Application for Mixed Use Development 1 and 4 Gilmerton Station Road. Application 18/01557/PPP.

Transport issues are a huge concern. GICC wishes to express huge doubts re the reference to the 'excellent' transport service in this area. The number 3 and the number 29 are the only services running into the centre of Edinburgh - including the express versions of the 2 buses which only run at peak times. The other PRIVATE bus service only goes as far as the Royal Infirmary. So the public transport for this size of development - Mixed Use Development comprising - Class 1 retail, class 2 professional services, class 3 (inc Sui Generis) Food and Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class 11 Assembly and Leisure, Access, Car Parking, Servicing, Bridge, Demolition and Associated Works, 1 and 4 Gilmerton Station Road - is woefully inadequate given that there will be a Morrison's sized supermarket + another similarly sized retail unit as well as a hotel and workshop units. Access from other areas in Edinburgh will have to be by car and the Transport Assessment given by Bernard Hunter's is based on an average of an extra 1,000 cars per day. Given the widely acknowledged traffic issues on Drum Street and its feeder routes, the existing extremely difficult situation will be exacerbated not only by the addition of 1,000 aprox cars from this development but also from the 900 aprox residential units being currently built on the opposite side of Gilmerton Station Road + the 200 + residential units also currently being built beside Candlemaker's Park. This amount of additional traffic will clearly have a detrimental effect on the Air Quality and Noise Impacts in this area, especially on Drum Street. If the decision goes in favour of this development, GICC strongly advises that these particular areas are monitored closely. Also, GICC doubts the need for further large retail units in this area, given that Gilmerton is surrounded by Morrisons, Lidl, ALDI, Iceland with other smaller retail units in addition.

Infrastructure issues are a huge concern in this area, given the aforementioned addition of well over a 1,000 new residential units. Could this development offer a Doctor's Surgery and a Dentist? GICC recommends that this is taken into account if the CEC agrees to this proposal.

GICC recommends that this development incorporates more landscaping in the form of trees and shrubs into the development particularly on Gilmerton Station Road and on the roundabout, should the CEC agree to this proposal.

GICC objects strongly to the inclusion of Hot Food Units in this proposal. This will encourage car use. Gilmerton already has significant Hot Food outlets, some unfortunately within Gilmerton Conservation Village. The rubbish which ensues has an extremely negative effect on the environment.

GICC would like to emphasise that, should this proposal go ahead, Bernard Hunter's family retain this development as a family business as part of the local Gilmerton Community.

GICC asks the City of Edinburgh Council to object to this proposal.

Midlothian Council

Thank you for consulting Midlothian Council on this application by Bernard Hunter Ltd. for Gilmerton Station Road.

Midlothian Council has concerns in respect of the scale and nature of the retail provision proposed, expecting it would trade over a wide area and provide essentially for car-borne shopping. Given the proximity to the Edinburgh City Bypass and main routes out of Edinburgh and the strong journey to work flows from Midlothian to Edinburgh, this Council would expect significant passing trade from Midlothian residents to be attracted to the development, to the detriment of Midlothian's town centres.

It is noted that Table 3 in the Retail Impact Assessment appears twice and there does not seem to be a table setting out convenience floorspace and turnover of the existing stock in the catchment. If the City Council is content to accept quoted diversion figures, it will wish to make a judgement as to whether these are acceptable, which would need consideration of the current health of local centres. Midlothian Council is in a position to submit further evidence in respect of the health of Bonnyrigg and Dalkeith town centres.

Workload pressures have not allowed a consideration of the Transport Assessment, however Midlothian Council would invite you to ensure that consideration is given to committed development in the Midlothian Council local authority area.

All development within the 'catchment' of Gilmerton junction on the City Bypass could have an impact of the capacity of the junction. Midlothian Council suggests that developer contributions are sought towards improvement of the junction.

Roads Authority Issues

The application should be refused.

Reasons:

- 1. The proposal is considered to be contrary to Policy Tra 1 Location of Major Travel Generating Development which states that for non-city centre sites, the suitability of a proposal will be assessed having regard to:
 - a. The accessibility of the site by modes other than the car;*
 - b. The contribution the proposal makes to Local Transport Strategy objectives and the effect on targets in respect of overall travel patterns and car use.**

The proposal is considered to be contrary to a. above as it is estimated to lead to 86% of trips being by car (73% driver, 13% passenger) with 243 car trips in the AM peak and 439 in the PM peak (Transport Assessment dated March 2018). Subsequent clarification of the likely level of pass-by trips indicates that over 70% of trips would already be on the network, rather than being 'generated' by the development. Notwithstanding this, the development is not considered to have demonstrated that the location is sufficiently accessible by walking, cycling and public transport nor that there are opportunities to bring non-car accessibility up to acceptable levels. It is noted that, despite the site being served by regular and frequent bus services, car-based trips are expected to account for 86% of all trips.

LDP Policy Tra 1 also sets out that out-of-centre development will only be acceptable where it can be demonstrated that the development "will be no more reliant on car use than a town centre location";

2. The proposal is considered to be contrary to b. above in that it does not contribute to the following objectives set out in the Local Transport Strategy:

- Be green, reducing the impacts of transport on the environment, in particular playing its full part in reducing greenhouse gas emissions.*
- Be healthy, promoting Active Travel, with streets appropriately designed for their functions, and with an emphasis on encouraging walking, cycling and public transport use and a high quality public realm; improving local air quality.*
- Be part of a well planned, physically accessible, sustainable city that reduces dependency on car travel, with a public transport system, walking and cycling conditions to be proud of;*

3. In addition, the proposed layout is considered to not support the following LTS objectives:

- Be, and be perceived to be, safe, secure and comfortable, so that people feel able move around by which ever mode they choose, whenever they wish.*
- Be inclusive and integrated. Everyone should be able to get around the city regardless of income or disability;*

4. The proposal is also considered to be contrary to Policy Tra 2 Private Car Parking which states that planning permission will be granted for development where it has "been demonstrated through a travel plan that practical measures can be undertaken to significantly reduce the use of private cars to travel to and from the site". Whilst it is accepted that the submitted Travel Plan (Transport Assessment dated March 2018) is only draft, it is considered that there is little scope to make those significant reductions. It is noted that the proposed level of car parking has been reduced from the original level of 490 spaces to 315 which is within the 380 maximum permitted under the Council's 2017 standards;

5. The Council's LDP Action Programme includes work to improve the capacity of junctions affected by development in the area and it is anticipated that the traffic impact of the proposed development will be accommodated within the proposed works.

SEPA

We ask that the planning condition in Section 1 be attached to the consent. If this will not be applied, then please consider this representation as an objection. Please also note the advice provided below.

1. Summary

1.1 We request that the following condition is attached to the consent requiring an Energy Statement to be submitted as part of any Application for Matters Subject to Conditions. If this is not attached, then please consider this representation as an objection. Please see Section 2 below for details.

2. Energy Statement

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

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

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

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

2.5 Heat Maps clearly show where there are areas of heat use and heat generation, and can therefore be used as locational criteria for new heat providers, or for new development sites which could utilise the heat being generated. Heat maps are intended for a number of uses, including in planning new developments, and identifying heat network feasibility. They also identify existing heat providers, particularly those that produce heat as "excess" or "waste" who can connect to heat networks, utilising heat that was previously "wasted".

2.6 A Design and Access statement which demonstrates how the findings of the Energy Statement have been incorporated into the design and layout of the proposed development should be provided. Where new developments are located adjacent to existing heat networks or district heating, the connection should be an integral part of the design to enable connection to take place at time of construction, unless it would not be viable or feasible to do so (the burden of proof is placed on the developer). Ensuring users can be connected to district heating networks is an essential part of delivering the Government's targets towards renewable and low-carbon heat. There are also significant opportunities within Scotland to make use of heat that is currently waste or excess, in particular from industrial facilities.

2.7 Where connections are intended to be made to proposed heat sources in the future, the design of new developments should incorporate space to 'safeguard' the future provision of pipework, energy hubs or other associated heat infrastructure to ensure that the subsequent connection to a proposed district heating network can be undertaken (if not already proposed within the original design) without causing disturbance to buildings or infrastructure. This applies to all new significant/anchor development (i.e. developments with a significant heat load or demand). Consideration should be given to potential barriers or restrictions on making district heating connections, for example when planning new key infrastructure such as bypass roads which may interrupt the route of district heating pipeworks.

2.8 Creating links between heat producers and heat users is essential to create heat networks and accords with guidance in SPP. In order to deliver the Scottish Government's targets for 40,000 homes to be heated through heat networks, new developments need to be designed to incorporate district heating. Where substantial new developments are planned, the opportunity arises for providing a heat network within the site and for this to be required and designed in at the earliest stages.

New developments have a role to play in not only establishing and creating these networks, but also in connecting to networks to make use of heat that is being captured.

2.9 We therefore require that a condition be attached for an Energy Statement to be submitted as part of any Application for Matters Subject to Conditions.

3. Flood risk

3.1 Having reviewed the information provided (Site Masterplan; Drainage Strategy Plan (Goodsons Associates, 5th March 2018), we have no objection to the proposed development on flood risk grounds. Notwithstanding this we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.

3.2 Review of the SEPA Flood Map indicates that the site, or parts thereof, lies within the 0.5% annual probability (or 1 in 200-year) flood extent and may therefore be at medium to high risk of flooding. The source of flooding identified at this location is from surface water only and we hold no further details on the flooding at this location. A small watercourse lies to the southeast of the site and appears to be at a higher elevation than the site. However, LiDAR information would indicate that should any flows exceed the capacity of the channel they would likely flow toward the existing depot they are adjacent to rather than to the site.

3.3 Given the only source of flood risk identified is from surface water, we have no objection to this application. Surface water is a matter for Edinburgh Council to consider and they should determine how surface water will be managed on site and whether any mitigation measures are appropriate. We do note however that the development site is proposed around 4m higher than the disused railway line where much of the surface water flooding is identified.

4. Water environment

4.1 Planning authorities have been designated responsible authorities under the Water Environment and Water Services (Designation of Responsible Authorities and Functions) Order 2006. As such authorities are required to carry out their statutory functions in a manner that secures compliance with the objectives of the Water Framework Directive (i) preventing deterioration and (ii) promoting improvements in the water environment in order that all water bodies achieve "good" ecological status by 2015 and there is no further deterioration in status. This will require water quality, quantity and morphology (physical form) to be considered.

Surface water

4.2 We expect surface water from all developments to be treated by SUDS in line with Scottish Planning Policy (Paragraph 268) and, in developments of this scale, the requirements of the Water Environment Controlled Activities Regulations (CAR). SUDS help to protect water quality and reduce potential for flood risk. Guidance on the design and procedures for an effective drainage system can be found in Scotland's Water Assessment and Drainage Assessment Guide.

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

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

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

Waste water

4.6 The waste water to be connected to public sewer is acceptable. The applicant should consult with Scottish Water (SW) to ensure a connection to the public sewer is available and whether restrictions at the local sewage treatment works will constrain the development.

4.7 We recommend that the applicant keeps in regular contact with SW to ensure such a connection is available at the time of development of the site, as SW facilities may have accepted discharge from other developments before construction commences at this site.

4.8 It should be noted that should a connection to the public sewer not be achievable then we would be required to be re-consulted as any private waste water discharge would require authorisation under Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). Given the size of the development SEPA would have concerns over such an authorisation, which could in turn potentially constrain development at the site.

5. Sustainable waste management

5.1 Scottish Planning Policy Paragraph 190 states that "All new development including residential, commercial and industrial properties should include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations." In accordance with this policy, the relevant Local Development Plan and the Scottish Government Planning and Waste Management Advice, space should be designated within the planning application site layout to allow for the separation and collection of waste, consistent with the type of development proposed. This includes provision to separate and store different types of waste, kerbside collection and centralised facilities for the public to deposit waste for recycling or recovery ("bring systems"). Please consult the council's waste management team to determine what space requirements are required within the application site layout.

Scottish Planning Policy (Paragraph 192) states that planning authorities should consider requiring the preparation of sites management plans for construction sites. In the interests of seeking best practice and meeting the requirements of Scottish Planning Policy, we recommend that a site waste management plan (SWMP) is submitted, showing which waste materials are going to be generated and how they are going to be treated and disposed.

5.2 All wastes should be handled in accordance with the "waste management duty of care" - residual contamination should be dealt with through the local authority planning and contaminated land departments.

6. Contaminated land

6.1 Advice on land contamination issues should be sought from the local authority contaminated land specialists because the local authority is the lead authority on these matters under Part IIA of the Environmental Protection Act 1990 except for matters relating to radioactively contaminated land or special sites.

7. Air quality

7.1 The local authority is the responsible authority for local air quality management under the Environment Act 1995, however as an air quality impact assessment is available for this application, we have provided the following comments.

7.2 The City of Edinburgh Council (CEC) currently have six Air Quality Management Areas (AQMA's) due to exceedances of NO₂ and PM₁₀ objectives. Five of these AQMA's are due to transport emissions. CEC's air quality monitoring indicates that NO₂ levels within the vicinity of the proposed development are compliant with the air quality objectives, however, according to dispersion modelling some areas (Gilmerton Rd and Drum St) could be considered close to the objective concentrations.

7.3 The air quality impact assessment submitted in support of this application follows best practice principals including the use of 5 years of Met data to ascertain the worst case reporting year (2014). The model also assumed no improvements in vehicle technology for the 2023 scenario. In doing this a sufficient level of confidence can be placed within the predicted pollution concentrations, as no assumption has been made regarding future improvement in vehicle emissions. We support this approach to the assessment.

7.4 The assessment concluded that the predicted contribution to the annual mean NO₂ as a consequence of the proposed development is of slight adverse significance or less at all sensitive receptors, however, concentrations of NO₂ and particulates are predicted to remain below the relevant air quality objectives with the development in place.

7.5 The design and access statement suggests that the site is accessible via public transport and active travel (cycling and walking). The provision of secure cycle storage should be considered to encourage users to access the site via the cycle path. The provision of electric vehicle charging points is also highly recommended to encourage low emission vehicle use, offsetting the impact of the predicted increase traffic on local roads. Studies have shown that 88% of all NO_x in Edinburgh originates from road vehicles.

7.6 We strongly recommend that good practice to reduce emissions and exposure is incorporated into the proposed development. EPUK and IAQM guidance; Land Use Planning and Development Control Planning for Air Quality provides a section on 'Principles of Good Practice'. The section outlines examples of good practice for air quality mitigation in the design and operational phases of development.

7.7 The required improvements in air quality in the City of Edinburgh Council's area will only be achieved through the promotion of more sustainable modes of transport, for example walking, cycling and public transport which will help reduce the number of private car journeys associated with development.

Detailed advice for the applicant

8. Flood risk

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

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

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

9. Energy Statement

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

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

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

9.4 Through Stratego, Scottish Futures Trust have been providing information on funding models for developing district heating networks. Information on the relevant presentation can be found here.

9.5 Scottish Enterprise may also have useful information or contacts on this matter which can be viewed here and here.

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

10. Other

10.1 Please note the other advice provided in the sections for the Planning Authority.

Regulatory advice for the applicant

11. Regulatory requirements

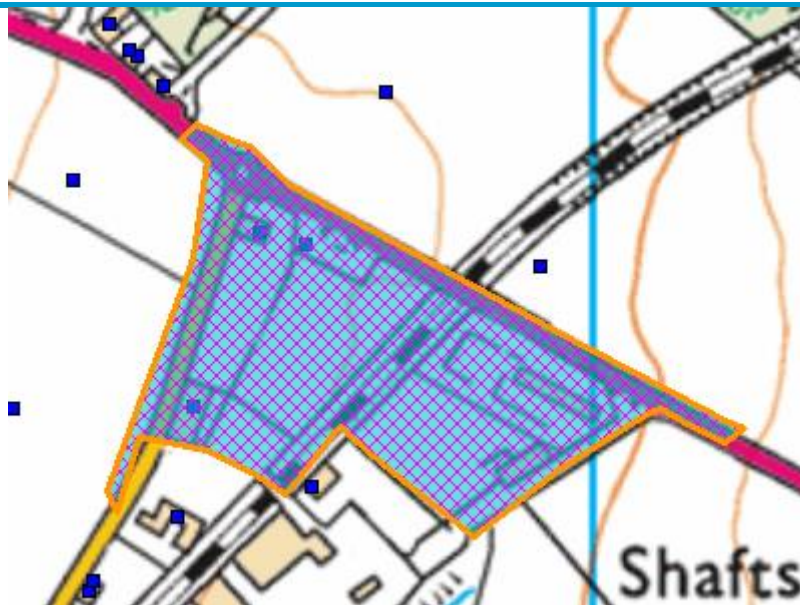
11.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the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

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

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

11.4 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in your local SEPA office at:
Edinburgh Office Silvan House SEPA 3rd Floor 231 Corstorphine Road Edinburgh EH12 7AT.

Location Plan



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Development Management Sub Committee

Wednesday 6 March 2019

Application for Approval of Matters Specified in Conditions 18/02833/AMC

At Granton Harbour, West Harbour Road, Edinburgh
Proposed marina office with associated retail, cafe space
and community boat yard (as amended)

Item number	4.7
Report number	
Wards	B04 - Forth

Summary

The proposed development will contribute to the wider regeneration of Granton Waterfront by bringing forward retail, office and leisure development on a vacant urban site. The proposal is acceptable in terms of scale, layout, design and materials. There would be no adverse effect on the amenity of other developments in the area (both existing and proposed). The setting of listed buildings within the vicinity of the site will be protected. The area will be served by suitable cycle and pedestrian links and an acceptable level of car parking and cycle parking is provided. There will be no risk from flooding at the site as a result of the proposed development.

Links

Policies and guidance for this application	NSESBB, NSP, NSLBCA, NSGD02, LDPP, LDEL01, LDEL03, LDES01, LDES02, LDES06, LDES05, LDES07, LDES08, LEN16, LEN20, LEN21, LEN22, LTRA02, LTRA09, OTH,
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Report

Application for Approval of Matters Specified in Conditions 18/02833/AMC

At Granton Harbour, West Harbour Road, Edinburgh Proposed marina office with associated retail, cafe space and community boat yard (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 lies to the north of Granton Harbour and comprises plots 8A and 8B of the Granton Masterplan. It has an area of 7385sqmetres (reduced from 9320sqm following removal of infilling/ quay works to the east of the site). To the north/north east the site is bound by Granton Harbour. A small section of Hesperus Broadway to the northwest is included within the site.

The site is relatively level and currently undeveloped; there has been recent import of infill material onto the site.

The plots directly surrounding the site are currently vacant. A residential flatted block is built to the south west at plot 28, together with a canal feature to the west.

Directly to the east of the site, the harbour is edged by a concrete quay wall with railings.

There are no listed buildings within the site. There are a number in the vicinity of the site including the Western Breakwater/ Esparto Wharf which was constructed between 1842 and 1863 and is category B listed (item number: 30219, listed on 28 November 1989).

Middle Pier to the east of the site is a category A listed structure (item number: 30216, listed on 28 November 1989). The pier contains a stone warehouse (formerly a gunpowder store) that is listed category B (item number: 30217 listed on 28 November 1989), and Harbour Light, also listed category B (item number: 30218, listed on 28 November 1989).

2.2 Site History

20 June 2003 - Outline planning permission was granted for the Granton Harbour Village, a 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).

14 March 2009 - Approval of reserved matters to discharge the following reserved matters as attached to outline permission 01/00802/OUT (under condition 2): siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes; existing and finished ground levels in relation to ordnance datum. This was the first approved Master Plan for Granton Harbour and allocated retail on plot 8A and housing on plot 8B. A promenade was to be provided adjacent to the site fronting the harbour (application number: 06/03636/REM).

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 space; access, road layouts; footpaths and cycle routes. This related to a revised Master Plan for Granton Harbour which allocated a retail unit on plot 8A and housing on plot 8B. A 4m wide foot/cycleway was approved along the north and east boundaries of the site adjacent to the harbour. (application number: 13/04320/AMC).

17 August 2016 - 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 approved subject to a number of conditions and informatives. These included conditions 1 and 2 which indicated that the reserved matters applied for are not approved in respect of plots 12, 14, 15, 15A, 16 and 17 and S1 and S2. An informative sets out the Council's expectations in relation to the provision of affordable housing as detailed applications come forward on a plot by plot basis. This was a revised version of a Master Plan for the whole of Granton Harbour. The plan replaced housing on plot 8B with a community boatyard, allocated a retail, leisure, commercial building on plot 8A and relocated the foot/cycleway to the west of the site along Hesperus Broadway (application number: 14/05305/AMC).

9 December 2016 - Approval given for matters specified in condition 2 of application 01/00802/OUT for plot 3 (application reference: 16/04342/AMC).

2 February 2017 - Application was approved for 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 with the exception of plots 12, 14, 15, 15A, 16 and 17, and plots S1 and S2, and plot 8C and plot 35. This is a further revised version of the Masterplan for Granton Harbour, with the community boatyard allocated on plot 8B, an oval shaped retail, leisure, commercial building on plot 8B and a foot/cycleway provided to the west of the site along Hesperus Broadway (application reference: 16/05618/AMC).

21 April 2017 - Application approved for new marine office with associated retail and café space, dry stack storage and community boatyard (as amended) (application reference: 16/04409/AMC).

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 reference:17/02484/AMC). This is a further revised masterplan. Under consideration.

22 June 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, 2, and 3 use (as amended)(application reference: 17/01080/AMC).

3 August 2017 - Application approved for matters specified in condition 2 of application 01/00802/OUT for plots S1 and S2. Erection of 3/7 storey residential development of 302 units plus roads, parking and landscaping etc. (application reference: 17/01481/AMC).

15 November 2017 - Application submitted for plots 29 and 35 for housing, hotel and serviced flats, roads, open space etc. (as amended) Under consideration. (application reference: 17/05306/AMC).

27 November 2017 - Application approved for erection of buildings with 104 retirement flats and ancillary accommodation, access roads, underground parking, private open space and public space etc. (as amended)(application reference: 17/01219/AMC).

15 December 2017 - Application refused for the proposed approval of Matters Specified in conditions in outline application 01/00802/OUT regarding the erection of a healthcare superhub and five units in Class 1, Class 2 and Class 3 use submitted on Plot 19B.(application reference: 17/02865/AMC).

13 March 2018 - Application granted 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 east of the site (application reference: 17/03297/FUL).

8 November 2018 - Appeal submitted against non determination of an application for extension of time to existing outline planning permission by 5 years to 20th June 2023. (application reference: 18/01428/PPP).

13 June 2018 - Application for approval of matters regarding the erection of buildings containing 18 houses and 144 flats, roads, open space etc. at plots K, O, P, Q, U and T). Under consideration. (application reference: 18/02721/AMC).

18 June 2018 - Application for approval of matters conditioned for plots 7b and 8c under application 01/00802/OUT, regarding erection of buildings containing perimeter block residential flats, formation of road access, basement parking and open space. This application site lies directly to the south of the proposed boatyard. Under consideration. (application reference: 18/02812/AMC).

20 December 2018 - Planning application submitted for formation of access roads and footways to serve plots 7B and 8C on land to east of 59 Hesperus Broadway. Under consideration (18/10481/FUL).

12 February 2019 - Application for a non-material variation for plot 3 approved. (application reference: 16/04342/VARY).

Main report

3.1 Description Of The Proposal

The application is to discharge reserved matters for plots 8A and 8B which are attached to the outline planning permission (application number 01/00802/OUT). The proposal is for a new marina building with office space, and associated retail area and cafe, together with a community boat yard, landscaping and car parking.

Part of the application proposal involves building up areas of land to the east with infill material. The applicant has confirmed the infill material is already at the site. This will be retained by a new quay wall and rock revetment.

A slipway is proposed from the boatyard.

The marina building will be located in the north west area of the site. It will be of a contemporary, oval design. It would have a total floor area of 781sqm. The building has two floors; on the ground floor is a shop of 94sqm, a café/bistro of 151sqm with 84 covers, together with kitchen of 72sqm and other ancillary rooms. The café will have seating area outside. The upper level will have two meeting rooms with a total floorspace of 116sqm, an office with a floor area of 30sqm, and other ancillary rooms. The upper level will have an external terrace around the entire building.

A car park is proposed to the south of the marina building which has 21 car parking spaces. This is accessed off Hesperus Broadway. Cycle parking is proposed to the south of the marina building with five cycle racks.

A 1.8m high metal chain link fence is proposed around the boatyard.

A landscape plan has been submitted which shows an area of planting/ grassed areas to the east of the site; this includes a proposed grassed mounded area. Some tree planting is also proposed along the frontage to Hesperus Broadway and Hesperus Place on the boundaries of the proposed boatyard. Benches are proposed in the vicinity of the marina building. A pedestrian path to link the building/ site to the marina will be provided over the rock revetment to the east.

Materials

Marina building: Glazing to be curtain walling system with charcoal mullions; vertical cedar wood cladding to walls, and a metal roof.

Surface materials will comprise monoblock to car park, large paving slabs and modular granite paving around the marina building and concrete slab within the boatyard.

Previous schemes

The first and second schemes proposed a separate service access road directly to the north of the proposed marina building, different layout/ proposals to the quay wall and a larger area of infill to the east, different slipway/ pontoon facilities location, refuelling area, different proportions of floor areas per use within the building and 24 car parking spaces.

Supporting Statement

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

- Design and Access Statement (revised);
- An outline SUDS, Surface Water Management Plan and Drainage Design Statement;
- A Flood Risk Assessment and checklist;
- Details of Stormtech System Approved treatment Technology;
- A Noise Impact Assessment;
- A Sustainability Statement;
- Feasibility Inception report; this outlines work to extend the north revetment;
- Preliminary Marine Engineering Desk Study Assessment; this sets out marine knowledge and conditions at the site, and sets out preliminary conclusions.
- Middle Pier report; this shows cross sections of proposed remedial measures for quay wall/ revetment proposals;
- Ground investigation reports; and
- Letter from Paragon Building and Project Consultants which outlines environmental issues associated with the site and outcomes following investigation.

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.

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The principle of development is acceptable;
- b) The proposal is acceptable in terms of impact on listed buildings;
- c) The siting, design, layout and materials are acceptable;
- d) Residential amenity issues are addressed;
- e) Transport issues are addressed;
- f) Flood risk and drainage are to an acceptable level;
- g) The proposal meets sustainability criteria;
- h) There are any equalities or human rights impacts;
- i) Other material planning considerations have been addressed; and
- j) Matters raised in representations have been addressed.

a) Principle of development

The site is located within the Granton Harbour Area at Granton Waterfront, as identified in the adopted Edinburgh Local Development Plan (LDP). It is covered by Proposal EW2c for a housing led mixed use development across Granton Harbour.

The application accords with LDP policy Del 3 as the proposals will contribute towards the creation of new urban quarters at Granton Waterfront. 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 proposals for a mix of house types, sizes and affordability.

The outline planning permission for Granton Harbour (01/00802/OUT) supports mixed use development including restaurant/ cafes, general business, leisure facilities and a marina. It allows up to a total gross floorspace of commercial/business uses of 23,190sqm, the gross floor area of public amenity and leisure uses not exceeding 7,650sqm and the gross floor area of each retail unit not exceeding 250sqm. This current application for a new community boatyard, marina office, cafe and retail use accords with the principle of development set out in the original outline permission. The most recent approved masterplan allocated plot 8A for retail, leisure and commercial use, and a community boatyard on plot 8B. The approval of this revised masterplan is a material consideration in the determination of this planning application; the proposed uses for this current planning application accord with this latter approved masterplan. Planning approval was given in April 2017 for a new marine building and boatyard at this site.

The principle of the development is acceptable and accords with the LDP and the most recently approved masterplan.

b) Setting of Listed Buildings

The site does not contain any listed structures. The proposals are modest in size and will not harm the setting of listed structures which are located in the surrounding area of the site. Historic Environment Scotland has no objections to the proposals.

c) The proposed siting, design, layout and materials are acceptable

The development principles for Granton Harbour are set out in Table 11 of the LDP. As part of these principles, proposals will be expected to complete the approved street layout and perimeter block urban form, complete the relevant section of the Waterside Edinburgh Promenade, provide for retained and improved mooring facilities and boat storage, and include tourism and waterfront-related leisure and entertainment uses.

LDP policies Des 1, Des 4 and Des 7 and the Edinburgh Design Guidance set out the design and layout criteria against which this application is assessed.

The latest approved masterplan 16/05618/AMC approved a two storey oval shaped building on plot 8A and a boat storage facility on plot 8B. This masterplan approval is a material consideration in the determination of this application proposal. In addition, planning approval was given for a new marine building and boatyard etc. of a similar design in April 2017 at this site.

The design is bespoke to this building, combining a unique roof form and the use of materials to reflect a wave form. The design will create a recognisable structure within this part of the masterplan making a positive contribution to the sense of place.

The provision of the community boat storage area would create a sense of place focused on adjacent water activities.

The Edinburgh Design Guidance indicates that materials should normally harmonise with materials used on surrounding buildings. It also advises that where alternative materials are used, these should either harmonise with or provide striking contrast. The materials proposed are acceptable and provide a striking contrast with those within the area of the site.

In terms of car parking and landscape proposals, the proposal includes planting and grassed areas which soften the development, and the provision of reed beds on the proposed quay wall which will provide an attractive landscaped edge to the development.

The improvement of roads etc. outwith the application site boundary cannot be considered under this application. The provision of a cycle/ pedestrian route is covered in section 3.3e).

The proposals comply with LDP policies Des1, Des 4 and Des7, the design principles set out in LDP table 11, and the recent AMC planning masterplan approval. They also accord, on the whole, with the Edinburgh Design Guidance.

In terms of layout, design and materials the proposals are acceptable.

d) Residential amenity

The outline planning permission to which this proposal relates included a condition requiring a noise assessment and noise protection measures based on an open windows scenario to be submitted to protect future/existing residential development. A noise assessment has been submitted with the application. It predicts that noise from the proposed Marina will meet the required noise criteria at the nearest noise sensitive receiver with the windows open during the daytime.

The revised masterplan approvals 14/05305/AMC and 16/05618/AMC show a boatyard on plot 8B and commercial/ leisure uses on plot 8A; the use of these plots for boat storage and marina building/ café etc are therefore in accordance with these latest approved masterplans.

Environmental Protection has no objections to the proposals in terms of noise.

Informatives are recommended relating to electric vehicle charging point provision and detail of proposed boilers to be submitted.

The effect of the proposal on the amenity of nearby existing and proposed residential properties is acceptable.

e) Transport

The outline planning permission 01/00829/OUT (and the later approvals of matters specified in condition 2 of the original outline (14/05305/AMC and 16/05618/AMC)) reserved car parking for further approval; this application seeks approval of car and cycle parking for both plots 8A and 8B. The masterplan approval included the provision of the marina for approximately 300 berths and the supporting boat storage yard and ancillary buildings which are proposed as part of this AMC application.

The current parking standards require a maximum of 24 car parking spaces at the site. The 21 car parking spaces proposed would be in accordance with the current standards; three of these are designated as accessible, and three are to be equipped for electrical vehicle charging. Ten cycle parking spaces are proposed which is above the minimum requirement of eight spaces. The level of proposed car and cycle parking is acceptable. The proposed vehicular access to the car parking area and for servicing of the building is acceptable. It will be accessed directly from the existing road, Hesperus Broadway.

Condition 6 of the revised masterplans under 14/05305/AMC and 16/05618/AMC require details of a suitable Waterfront cycle/ pedestrian route to be submitted to an approved and implemented to complete the Waterside Edinburgh Promenade. These masterplans show a cycle/ pedestrian route outwith the site to the west along Hesperus Broadway. The previous planning approval for the marina building and boatyard (16/04409/AMC) did not include a pedestrian/ cycle route, but also indicated a cycle/ pedestrian route along Hesperus Broadway. This would reduce potential conflict with boat yard users. The current application proposal similarly indicates a cycle/pedestrian route along Hesperus Broadway, and not within the site itself. The proposal will not prejudice the delivery of a suitable Waterfront cycle/ pedestrian route in the masterplan area.

f) Flood risk and drainage

Table 11 of the LDP includes in its Design Principles for the Granton Harbour area provision of a strategic flood risk assessment.

Conditions on the outline planning permission 01/00802/OUT and subsequent masterplan AMC approvals require a revised flood risk assessment and surface water management plan to be submitted to and approved to inform the detailed planning applications on individual plots. The applicant has submitted in support of their application a Flood Risk Assessment and Surface Water Management Plan.

Parts of the site lie within the 0.5% annual probability (1 in 200-year) flood extent and may therefore be at medium to high risk of coastal flooding. As noted within the FRA, the predicted 1 in 200-year still water level in this area is 3.98m AOD (+/- 0.3m) as calculated using the Coastal Flood Boundary Methodology.

SEPA state that 'a marina development is non-residential and as such we have no objection to the proposals provided it is designed in accordance with the FRA and the finished floor levels are a minimum of 4.85m AOD' and SEPA would support higher finished floor levels if required by CEC Flood Prevention.

Flood Planning raise no objections to the proposal and find the information submitted in relation to potential flood risk, drainage and surface water management to be acceptable.

g) Sustainability

The applicant has submitted a sustainability statement in support of the application. The proposed development meets the essential requirements.

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

The statement also indicates a further 35 points to be made in relation to the provision of desirable requirements. These includes measures such as the use of sustainable timber, provision of electric charging points for vehicles, and use of low and zero carbon technologies.

h) Equalities and Human Rights Impacts

This application was assessed in terms of equalities and human rights. No adverse impacts were identified. An Equality and Rights Impacts Assessment Summary is available to view on the Planning and Building Standards Online Services.

i) Other material planning considerations

Land contamination

Environmental Protection recommend a condition to assess and deal with contaminated land issues. A condition is attached.

Ecology/Natural Heritage

The Firth of Forth Special Protection Area (SPA), Ramsar and Site of Scientific Special Interest lie to the east and west of Granton Harbour, but do not include or are not directly adjacent to the site. These sensitive ecological areas are protected from development by LDP policies Env 13 Sites of European Importance and Env 14 Sites of Special Scientific Interest.

Special Protection Areas are protected under the Conservation (Natural Habitats) Regulations 1994, as amended (the "Habitat Regulations"). The legislation requires an appropriate assessment to be undertaken by the Council (as competent authority) where the effects of development are likely to have a significant effect on the qualifying interest of the site. The Firth of Forth SPA is designated for a variety of wintering and passage bird species. This designation includes the area of land outwith the site to the east of Granton Harbour.

An appropriate assessment was carried out as part of the original Outline application, with conditions attached to the consent relating to timing of dredging works, storage of materials, the requirement to submit an Ecological Watching Brief etc. These conditions will still apply, should the current development proposal be approved.

The application is not expected to have any additional impact on ecological interests or the natural environment.

Marine Scotland act as the authority responsible for the integrated management of sea areas which may be affected by development. The applicant is likely to require a Marine Scotland Licence and the applicant is aware of this.

In summary, there are no overriding ecological or natural heritage concerns as a result of this application.

Structural matters relating to the new quay wall

Building Standards has confirmed that a Geo-environmental Phase I & II reports would be required for the Building warrant application for this site as it is part of the Granton Harbour infill.

j) Material representations - objection:

- Cycle route provision - The proposed 5m wide cycle route and walkways would be entirely cut off as a result of the proposed development, and the proposal does not comply with the original masterplan. Uniform shoreline landscape not provided for the city - assessed in section 3.3c) and 3.3e).
- a boat slipway should be provided - a slipway is proposed directly from the proposed boatyard.
- Lack of public realm and landscape management - assessed in 3.3c).
- Lot of residential properties being built in the area with no recreational space - assessed in 3.3a) and c).
- Lack of community facilities - assessed in 3.3a).
- Need to improve adjacent roads for cars, cyclists and pedestrians - assessed in 3.3c).
- Lack of biodiversity - assessed in 3.3i).
Lack of Sustainable Urban Drainage - a SUDS scheme is proposed as part of this development proposal.
- Poor public consultation - the application has been advertised and neighbouring property notified.
- Misleading information provided to house purchasers as masterplans and detailed plots keep changing - neighbouring property is notified of new planning applications in the area.
- Traffic and parking - Number of new births is unclear and together with the 300 plus more properties will increase traffic and parking in the area - assessed in section 3.3e).

Material Representation - support

- Contribution to area - development will add a lot to the area & assessed in 3.3a).

Non-material Representations:

- residents may have to pay for additional costs for example for new quay wall and its maintenance.
- fencing has been erected without permission to south, west, north and some of south of Granton Harbour; this is not part of this planning application.

Conclusion

The proposed development will contribute to the wider regeneration of Granton waterfront by bringing forward retail, office and leisure development on a vacant urban site. The proposal is acceptable in terms of scale, layout, design, landscaping and materials. There would be no unacceptable adverse effect on the amenity of other developments in the area (both existing and proposed). The setting of listed buildings within the vicinity of the site will be protected. The area will be served by suitable cycle and pedestrian links and an acceptable level of car parking and cycle parking is provided. There will be no risk of flooding at the site as a result of the proposed development.

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

3.4 Conditions/reasons/informatives

Conditions:-

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.
2. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
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. Full details of the proposed pedestrian link path proposed over the rock revetment shall be submitted to the Planning Authority for consideration and approval prior to its implementation.

Reasons:-

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. To enable the Planning Authority to consider this matter in detail.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details.
5. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent.
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.
9. 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.

One rapid electric vehicle charging outlet shall be installed and operational prior to occupation of the development and be of the following standard:

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.

Four 7kw (type 2) electric vehicle charging points shall be installed and operational prior to occupation of the development.
10. It is understood that a Sustainable Urban Drainage System is proposed underneath the car park area, it is expected that this area will not come forward for adoption and will remain private, meaning the City of Edinburgh Council would have no responsibility relating to the maintenance of this system.
11. The development shall be carried out in accordance with the measures identified in the approved Sustainability Statement Form. The applicant should submit a Self Declaration Form to the Head of Planning and Building Standards on completion and prior to occupation unless otherwise agreed.
12. When available the applicant shall provide details of all the boilers to Environmental Assessment to ensure compliance with the Clean Air Act 1993.
13. The incorporation of swift nesting sites/swift bricks into the scheme is recommended. Further details on swift bricks can be found at www.edinburgh.gov.uk/biodiversity
14. The developer will need to prove that Hesperus Broadway is to an adoptable standard prior to it being used as a road to serve development(s).
15. Approval is given for only those works shown within the application site boundary.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Letters have been received from four representators; three object (from same representator) and one is in support.

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 Local Development Plan identifies the site as being within the Edinburgh Waterfront. Granton Harbour development principles are set out in EW 2c. This part of the Waterfront regeneration area is allocated for housing led mixed development. A safeguarded cycle/footpath is shown along the Edinburgh Promenade.

Date registered

18 June 2018

Drawing numbers/Scheme

1, 4c, 5a, 6-7, 8b, 9b, 10, 11b, 12c, 13a, 14-15, 16b, 17,

Scheme 3

David R. Leslie
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PLACE
The City of Edinburgh Council

Contact: Karen Robertson, Senior Planning Officer
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Links - Policies

Relevant Policies:

NSESBB Non-statutory guidelines Part B of 'The Edinburgh Standards for Sustainable Building' sets principles to assess the sustainability of major planning applications in Edinburgh.

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

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

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

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

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

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

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

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

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

Other Relevant policy guidance

Appendix 1

Application for Approval of Matters Specified in Conditions 18/02833/AMC

At Granton Harbour, West Harbour Road, Edinburgh Proposed marina office with associated retail, cafe space and community boat yard (as amended)

Consultations

Historic Environment Scotland response dated 6 July 2018

We have assessed it for our historic environment interests and do not have any comments to make on the proposals.

Waste Management response - dated 7 August 2018

I have been asked to provide the comments to the application 18/02833/AMC on behalf of Waste and Cleansing Services.

The Waste and Cleansing Services will be responsible for managing the waste from households and any Council premises only. I am assuming it does not include this development.

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

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

We wouldn't provide specific comments about how a private waste collector would collect commercial waste, since they have different systems. As long as they provide details of how they will comply with the law that would be fine.

RSPB response - dated 9 August 2018

Thank you for consulting RSPB Scotland in regard to the above application.

A scoping opinion under the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended) was requested from RSPB Scotland earlier this year as part of the overall development masterplan for Granton Harbour. In our reply of 11 May 2018 to Scottish Government, we noted that while we were of the opinion that the proposed development would not have a significant impact on birds, the proximity of the development to the Firth of Forth Special Protection Area (SPA) would require a Habitats Regulation Appraisal (HRA) to be undertaken as required under the Conservation of Natural Habitats Conservation (Natural Habitats, &c.) Regulations 1994. An appropriate assessment (AA) should also be undertaken by the City of Edinburgh Council, as the competent authority, to determine if the proposed development is likely to have a significant impact on the designated features of the SPA. We noted from the scoping report that an HRA was in progress and that an AA will be undertaken.

The present component of the Granton Harbour development is located on previously reclaimed, post-industrial ground that has little or no nature conservation value and no works will be undertaken in the marine or intertidal habitat. On this basis we are satisfied that this proposal will have no significant impact on biodiversity and nature conservation interests.

Furthermore, we have discussed the issue with your planning department and have been advised that, having consulted SNH, it has been deemed that because of its specific nature and location, this component of the development does not represent a threat to the integrity of the SPA and would not require a separate HRA/AA or be required to await the results of these for the overall development masterplan before being progressed. On this basis, we can advise your council that RSPB Scotland does not object to the present application.

We note the design and layout of the proposed marina office and associated facilities (design and Access Statement, Section 4.1 refers). The applicant should be aware that the buildings roof may attract Lesser Black-backed and Herring Gulls for roosting and, possibly, nesting (Edinburgh has an increasing population of roof-nesting gulls). The developer should, therefore, incorporate measures that will deter the gulls from roosting communally or nesting on the buildings roof. Such pre-emptive steps should preclude the need for any deterrent or control of the birds or their nests later on.

Environmental Protection response - dated 26 October 2018

Environmental Protection has commented on similar applications/schemes for the development of this site.

As the current application is an AMC application relating to the outline planning permission, there is already consent for an acceptable quantum of development on the site. This specific proposal is for a new marina office with associated retail and cafe space with new community boat yard with associated dry stack.

Environmental Protection understands that plot-specific issues will be addressed through detailed development processes (assuming the Masterplan delivers no major shift in the content or context of the outline approval, including development phasing). This proposal follows what has been agreed in the masterplan. No detailed plans or existing sensitive receptors are located in close proximity to the application site.

Again this AMC application does not propose a major shift from what has been previously consented. Many of our issues have been addressed in the form of conditions and legal agreements for the outline application (01/00802/OUT). However due to the period of time pasted from when the outline application was consented to this AMC Environmental Protection would like to make further comment. This latest scheme does is not a big cause concern but we must stress that the applicant keeps proposed parking numbers down.

Noise

Environmental Protection had raised issues with the some of the proposed uses in the masterplan site including requesting details of how noise will be controlled on the proposed marina, for example will there be a noise management plan for users. Environmental Protection had recommended a condition is attached to ensure noise from the marina is address in the form of an updated noise impact assessment. The applicant has submitted a support noise impact assessment which has assessed all the potential noise impacts this use may have on currently undeveloped future residential developments. It should be noted that when the neighbouring site developments apply for detailed planning permission they will need to consider noise from the marina if consented.

Land contamination

Environmental Protection has received information regarding the outline consent for Granton Harbour (01/00802/OUT). The applicant has submitted an updated 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.

Air Quality

Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation sets out the Scottish Governments core policies and principles with respect to the environmental aspects of land use planning, including air quality. PAN 51 states that air quality is capable of being a material consideration in land use planning in or adjacent to Air Quality Management Areas (AQMAs) for:

- * Large scale proposals, or
- * If they are to be occupied by sensitive groups such as the elderly or young children, or
- * If there are likely to be cumulative effects.

The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in AQMAs or by cumulative impacts lead to the creation of further AQMAs, for which remedial measures would require to be taken.

Six AQMAs have been declared by the City of Edinburgh Council, all but one have been declared for NO₂. Those which are closest to the development site include Bernard Street, Central, Inverleith and Great Junction Street AQMAs all of which have been declared due to NO₂ exceedances which are principally due to road vehicle emissions. This development along with other proposed/committed development in the area will increase pressure on the local road network and may further impact on existing AQMAs or require the declaration of new ones. Salamander Street has also been declared a AQMA for Particulate Matter primarily due to the industrial operations in the area.

The applicants original assessment used the Design Manual for Roads and Bridges (DMRB) air quality dispersion model. Environmental Protection would not support the use of this model. Use of the ADMS-Roads model with the most up to date emission factors would however be considered appropriate nowadays.

Reducing the need to travel and promoting the use of sustainable modes of transport are key principles as identified in the second Proposed Local Development Plan (LDP). The LDP also states that the growth of the city based in car dependency for travel would have serious consequences in terms of congestion and air quality. An improved transport system based on suitable alternatives to the car is therefore a high priority for the Council and continued investment in public transport walking and cycling is a central tenet of the Councils revised Local Transport Strategy 2014-2019.

The development should be encouraged to keep car parking numbers to a minimum, support car club membership, provide one rapid electric vehicle charging point in the car park, provide public transport incentives for staff and customers, improve cycle/pedestrian facilities and links. Environmental Protection would be looking for the developer to support further air quality mitigation measures at this early stage and commit to installing one rapid electric vehicle charging point in the car park. Four 7Kw (type 2 connectors) charging points is the minimum requirement in the Edinburgh Design Standards (2017), however at least one charger should be of the following standard (rapid).

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.

It should be noted that the taxi trade in Edinburgh is making a shift towards electrification of its fleet. It is likely that if this use is built out then it will be well served by taxis therefore providing a charging point will futureproof the building.

With regards to air quality Environmental Protection do not object to this development. However, we encourage the developer to work with this department to produce a Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts:

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

Environmental Protection also advise the applicant that all energy systems must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass. It is likely that the building will be served with a boiler in excess of 366Kw which is the threshold for the requirement of a chimney height calculation under the Clean Air Act 1993. This must be submitted to Environmental Protection when available.

General

Planning conditions were recommended in the outline application (01/00802/OUT). These issues will still be required to be addressed at the detailed planning stages for each future application. Information in the form of a noise impact assessment may be required upfront on issues such as noise as some of these conditions are now not enforceable. This will ensure that an acceptable level of amenity in relation to noise/vibration (operational, entertainment, plant and machinery), hours of operation, odour (cooking) and light pollution can be achieved.

On balance Environmental Protection offers no objection for this application. However; if consented it must be subject to the conditions and legal agreement recommendations from 01/00802/FUL planning application. Specifically, regarding this plot, the following conditions must be attached to any consent.

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

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

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

Local Air Quality

2. One rapid electric vehicle charging outlet shall be installed and operational prior to occupation of the development and be of the following standard:

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.

3. Four 7kw (type 2) electric vehicle charging points shall be installed and operational prior to occupation of the development.

Informative

1. When available the applicant shall provide details of all the boilers to Environmental Assessment to ensure compliance with the Clean Air Act 1993.

Transport response - dated 23 January 2019

Further to the memorandum sent on the 26th of July 2018 there is no objections to the application subject to the following being included as conditions or informatives as appropriate:

1. All accesses must be open for use by the public in terms of the statutory definition of road and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council-s waste management team to agree details.

2. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent.

3. 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.

4. 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.

5. 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;

6. 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.

Note:

1. The application has been assessed under the 2017 parking standards. These permit the following:

a. A maximum of 24 car parking spaces, 21 car parking spaces are proposed.

- b. A minimum of 8 cycle parking spaces, 10 cycle parking spaces are proposed.
- c. A minimum of 8% of the car parking needs to be designated as accessible, the 3 proposed meets this requirement.
- d. A minimum of 1 in 6 of the car parking spaces needs to be equipped for electrical vehicle charging, 3 spaces are required to meet this requirement.
- e. Development does not meet minimum requirement for motorcycle parking.

II. The proposed level of car parking is considered acceptable, whilst no formal justification for this level of car parking was provided within the application, through discussions with the applicant it was clear that this level was being provided to minimise any impact of parked vehicles associated with the proposed boat yard use on the surrounding road network and streetscape.

III. It is understood that a Sustainable Urban Drainage System is proposed underneath the car park area, it is expected that this area will not come forward for adoption and will remain private, meaning the City of Edinburgh Council would have no responsibility relating to the maintenance of this system.

Location Plan



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END

Development Management Sub Committee

Wednesday 6 March 2019

**Application for Planning Permission 18/10040/FUL
At GF, 11 Learmonth Terrace, Edinburgh
Proposed subdivision of a ground and basement floor flat
to form two separate properties along with internal
alterations required.**

Item number	4.8(a)
Report number	
Wards	B05 - Inverleith

Summary

The proposed sub-division of the current flat into two units is acceptable in terms of density and the level of amenity of the future occupants, but the resultant damage to the listed building would have a seriously adverse impact on the character of the listed building. The proposals do not comply with the Local Development Plan and non-statutory guidance.

Links

<u>Policies and guidance for this application</u>	LDPP, LDES12, LEN04, LEN06, LHOU02, LHOU03, LHOU04, NSG, NSLBCA, NSGD02, OTH, CRPNEW,
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Report

Application for Planning Permission 18/10040/FUL At GF, 11 Learmonth Terrace, Edinburgh Proposed subdivision of a ground and basement floor flat to form two separate properties along with internal alterations required.

Recommendations

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

Background

2.1 Site description

The application relates to the ground floor and basement of a terraced former townhouse, now sub-divided into flats.

The building was B listed on 12 August 1965 (ref. no. 29247).

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

2.2 Site History

06 August 2018 - Planning permission and listed building consent refused for internal alterations to subdivide property to form two separate flats. (application nos: 18/02232/FUL & 18/02232/LBC).

Main report

3.1 Description Of The Proposal

The application is for the sub-division of a ground floor and basement flat to form two separate flats, one to be at ground floor level and one to be at basement level. This would be done by forming a partition within the stair, putting the kitchen in the principal front room and subdividing the principal rear room to create bathroom facilities.

3.2 Determining Issues

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

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

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The principle of the development is acceptable in this location;
- b) the proposals will have no adverse impact on the character of the listed building;
- c) the proposals will preserve or enhance the character or appearance of the conservation area;
- d) an adequate level of amenity can be achieved for the future occupiers of the flats;
- e) any impacts of equalities and human rights have been addressed; and
- f) any comments have been addressed.

a) Principle of the Development

Policy Hou 4 of the Local Development Plan (LDP) relates to the density of development. Policy Hou 2 relates to housing mix and size.

The proposals relate to a former townhouse that has already been subdivided. The area in question is characterised by subdivided houses and the proposed subdivision of one flat into two would be in character with the prevailing density of the area and would comply with Policy Hou 4. The proposal would create an appropriate provision of flat sizes and would therefore comply with Policy Hou 2. The principle of the subdivision is therefore acceptable in this context subject to compliance with points addressed below.

b) Listed Building

Policy Env 4 Listed buildings- Alterations and Extensions in the LDP states that proposals to alter or to extend listed buildings will be permitted where those alterations are justified; would not result unnecessary damage to historic structures or diminution of its interests; and where any additions would be in keeping with other parts of the building.

The internal proposed alterations are assessed within the concurrent Listed Building Consent application (18/10039/LBC). The sub-division of the flat would necessitate changes to the ground floor in terms of an accessible bathroom and a kitchen that would cause an unacceptable degree of damage to the character of the listed building. It is therefore contrary to Policy Env 4. The subdivision would adversely impact on the character of the listed building.

c) Conservation Areas

Policy Env 6 relates to development in conservation areas.

The New Town Conservation Area Character Appraisal notes that *the overwhelming retention of buildings in their original design form, allied to the standard format of residential buildings, strongly contributes to the character of the area.*

No external alterations are proposed, so the character and appearance of the conservation area will be preserved.

d) Residential Amenity for Future Occupiers of the Flats

Policy Hou 4 relates to housing density and the need to provide a satisfactory residential environment for the future occupiers of the development.

The two proposed flats will have adequate daylighting and will meet minimum space standards as set out in the Design Guidance. Policy Hou 3 sets out minimum green space requirements and the upper flat will have no garden ground. However, the application site is within a dense urban fabric where a number of townhouses have been flatted and not all flats have gardens. In this context, the amenity of the occupiers of both flats is acceptable.

e) Equalities and Human Rights

The applicants have submitted this application because, as they get older, they expect to be less able to negotiate the stairs to the basement that currently houses the kitchen. The proposals would create a more accessible flat at ground floor, although the steps to the front would inhibit wheel chair access.

However, considering that the New Town already contains a number of subdivided townhouses with self-contained ground floor flats, the argument that an accessible flat in the particular property is required, is not considered of sufficient merit to justify the damage to the listed building that would be caused by the proposed works.

Although the proposals will have a positive impact on equalities, these benefits are outweighed by the dis-benefit to the special interest of the listed building.

There will be a neutral impact on human rights.

f) Representations

Material objections:

Objections made by the AHSS on the impact of the proposals on the character of the listed building are addressed in section 3.3.c).

Material letters of support

Material letters of support relate to:

- the principle of creating two dwellings out of one (addressed in section 3.3.a).
- the impact on the listed building (addressed in section 3.3.c).
- the impact of the works on the exterior of the building (addressed in section 3.3.b).
- the residential environment of the future flats (addressed in section 3.3.d).
- the changes will enable the owners to continue to live in this flat (addressed in section 3.3.e).

Non-material letters of support

One letter is non-material as it gave no reasons for supporting the proposals.

In conclusion, the proposed sub-division of the current flat into two units is acceptable in terms of density and the level of amenity of the future occupants, but the resultant damage to the listed building would have a seriously adverse impact on the character of the listed building. The proposals do not comply with the Local Development Plan and non-statutory guidance.

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

3.4 Conditions/reasons/informatives

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on the 14 December 2018 and then re-advertised on 18 January 2019. There have been 12 letters of representation. There has been one material letter of objection from the Architectural Heritage Society of Scotland and eight material letters of support from neighbours and members of the public. Three letters of support are non-material as no reasons for supporting the scheme are cited.

Background reading/external references

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

Statutory Development

Plan Provision

The application site is located within the urban area as defined in the Local Development Plan.

Date registered

7 December 2018

Drawing numbers/Scheme

1-4,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Barbara Stuart, Senior Planning Officer

E-mail: barbara.stuart@edinburgh.gov.uk Tel: 0131 529 3927

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

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

Other Relevant policy guidance

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

Other Guidance

Historic Environment Scotland Managing Change: Interiors sets the principles to be applied when assessing interior alterations.

Appendix 1

Application for Planning Permission 18/10040/FUL

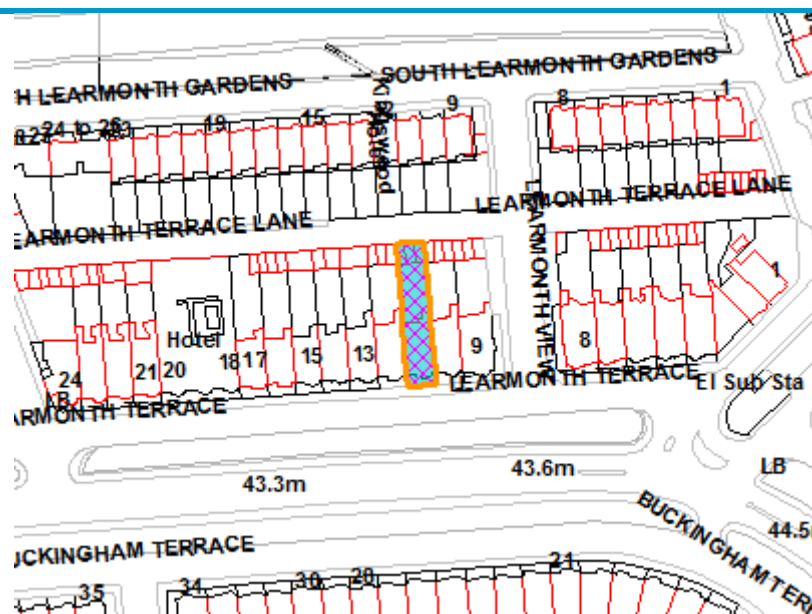
At GF, 11 Learmonth Terrace, Edinburgh

Proposed subdivision of a ground and basement floor flat to form two separate properties along with internal alterations required.

Consultations

No consultations undertaken.

Location Plan



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END

Development Management Sub Committee

Wednesday 6 March 2019

**Application for Listed Building Consent 18/10039/LBC
At GF, 11 Learmonth Terrace, Edinburgh
Proposed subdivision of a ground and basement floor flat
to form two separate properties along with internal
alterations required.**

Item number	4.8(b)
Report number	
Wards	B05 - Inverleith

Summary

The proposals do not have regards to the desirability of preserving the building and will adversely affect its features of special and historic interest. However the proposals will not harm the character and appearance of the conservation area.

Links

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

Report

Application for Listed Building Consent 18/10039/LBC At GF, 11 Learmonth Terrace, Edinburgh Proposed subdivision of a ground and basement floor flat to form two separate properties along with internal alterations required.

Recommendations

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

Background

2.1 Site description

The application relates to the ground floor and basement of a terraced former townhouse, now sub-divided into flats.

The building was B listed on 12 August 1965 (Listed building reference number 29247).

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

2.2 Site History

06 August 2018 - Planning permission and listed building consent refused for internal alterations to subdivide property to form two separate flats. (application nos: 18/02232/FUL & 18/02232/LBC).

Main report

3.1 Description Of The Proposal

The application is for the sub-division of a ground floor and basement flat to form two separate flats, one to be at ground floor level and one to be at basement level. This would be done by forming a partition within the stair.

Apart from the stair, the basement will be largely unaltered. A stud partition that is between a store and a bedroom will be removed.

Alterations proposed to the ground floor are as follows:

- The principal front room will become kitchen/living/dining with units in the buffet recess and an island that would extend almost to the wall adjacent to the fireplace;

- The rear principal room would be subdivided to form an en-suite bathroom unit to the rear of the room. A shower that is currently housed in the small bathroom adjacent to the bedroom, would be accommodated in a pop-out that will extend into the bedroom but that would be incorporated within a set of wardrobes; and
- The living room and bedroom doors from the hall will be rehung to swing the opposite way.

As a new dwelling unit, the layout would need to be compliant with building regulations in terms of accessibility.

3.2 Determining Issues

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

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

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

3.3 Assessment

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

- a) the proposals will harm the architectural or historic interest of the listed building;
- b) the proposals will harm the special character or appearance of the conservation area;
- c) any impacts of equalities and human rights have been addressed; and
- d) the representations raise any issues to be addressed.

a) Listed Building

The application relates to the bottom two floors of a subdivided townhouse that has been flatted. The two principal rooms on the ground floor are of very good quality and are intact. Both rooms display elaborate decorative cornices, plasterwork and fire places. The front room has a dado rail.

HES's guidance on Managing Change on Interiors sets out the principles that apply and states that *in general, the principal spaces in a building are more sensitive to change as are the spaces that normally make the most significant contribution to its character. and where the original plan form or a later plan form of special interest survives, particularly in regard to the entrance hall, stair, common spaces and principal rooms or spaces, these spaces should normally be retained without subdivision, because of their inherent significance.*

Policy Env 4 Listed buildings - Alterations and Extensions, in the Local Development Plan (LDP), states that proposals to alter or to extend listed buildings will be permitted where those alterations are justified; would not result unnecessary damage to historic structures or diminution of its interests; and where any additions would be in keeping with other parts of the building.

The Non-statutory Guidance on Listed Buildings and Conservation Areas relates to alterations to listed buildings. It presumes against kitchens in principal rooms and stresses the importance of buffet recesses. The Guidance states that *new kitchens will generally not be acceptable in principal rooms and must not obscure any architectural detailing.* It also says that *buffet recesses are an important feature in the dining rooms of listed buildings, particularly in the New Town, and should be retained.* The Guidance also states that with respect to the subdivision of principal rooms that *all major works of alteration should be limited to areas of secondary importance. There will be a particular requirement not to sub-divide, either vertically or horizontally, principal rooms and entrance/stair halls.*

The front room, which is currently used as a living room, would have been the dining room when it was designed as a town house. This room is of very good quality, is intact and has elaborate plaster work and other original architectural features such as the dado rail. The buffet recess is a unique feature, and the installation of kitchen units within the buffet recess would cut across the dado rail and would diminish the interest of the buffet recess and the room as a whole. The other kitchen units would be located in an island. Although the applicant argues that it is reversible, the fitting and plumbing in of kitchen units will involve a certain level of intervention. The introduction of a kitchen in this room would be contrary to the guidance and would compromise the architectural integrity of the room and diminish its interest.

It is proposed to form an en-suite bathroom in the rear principal room by subdividing it and building the bathroom to the rear of the room. The existing toilet will be enlarged by forming a shower that would project into this rear principal room. The Guidance on Listed Buildings and Conservation Areas states that *podded kitchens and bathrooms will rarely be permitted in principal rooms and that en-suite bathrooms will not be acceptable in principal rooms. They should ideally be located within existing boxrooms or cupboards.* Although it is intended that the new insertions would not reach the ceiling, and therefore would not interfere with the cornices, the subdivision of the room would erode the designed proportions of the room and substantially diminish its interest. This would be contrary to the guidance. This room is of good quality and its subdivision would seriously detract from the special character of the listed building.

The two principal rooms on the ground floor where these alterations are proposed, contribute significantly to the character of the listed building and the proposed changes in these rooms would diminish its interest.

The applicant has made this application in response to a desire to downsize as they get older. Living on one level would eliminate the need for stairs. Although the principle of accessible accommodation is supported, the proposals would cause an unacceptably high level of damage to the listed building and the benefits to the applicant do not outweigh the adverse impact on the character of the listed building and are not justified.

The applicant also has cited a number of instances where kitchens and en-suites bathrooms have been allowed in principal rooms. It is not possible to comment on every listed building consent that has been issued or cite other applications that have either been amended to comply with guidance or refused. Each application must be assessed on its own merits. Other applications, such as conversions from offices to residential, where character has already been substantially compromised and where there are other conservation gains, are individually assessed with each application.

The proposed rehang of doors to swing the other way would be contrary to the traditional arrangement for the rooms as they were originally designed.

However, the partition within the stair to subdivide the basement from ground floor is acceptable as it retains the stairs in situ and will not impact on any architectural features. Other alterations to the basement are minor and are acceptable.

Overall, the proposals would adversely impact on the character of the listed building and would not preserve its special interest.

b) Conservation Area

Policy Env 6 relates to development within the conservation area.

The proposals relate to the interior of the building and therefore the character and appearance of the conservation area will be preserved.

c) Equalities and Human Rights

The applicants have submitted this application because, as they get older, they expect to be less able to negotiate the stairs to the basement that currently houses the kitchen. The proposals would create a more accessible flat at ground floor, although the steps to the front would inhibit wheel chair access.

However, considering that the New Town already contains a number of subdivided townhouses with self-contained ground floor flats, the argument that an accessible flat in the particular property is required, is not considered of sufficient merit to justify the damage to the listed building that would be caused by the proposed works.

Although the proposals will have a positive impact on equalities, these benefits are outweighed by the dis-benefit to the special interest of the listed building.

There will be a neutral impact on human rights.

d) Representations

Material objections:

- Objections made by the AHSS on the impact of the proposals on the character of the listed building are addressed in section 3.3.a).

Material letters of support

- Material letters of support relate to the impact on the building (addressed in section 3.3.a) and the changes to enable the owners to continue to live in this flat (addressed in section 3.3.c).

Non-material letters of support

- One letter is non-material as it gave no reasons for supporting the proposals.

In conclusion, the proposals do not comply with Managing Change guidance, the local development plan and non-statutory guidance and will adversely impact on the character of the listed building and its special interest.

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

3.4 Conditions/reasons/informatives

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on the 14 December 2018. There have been nine letters of representation. There has been one material letter of objection from the Architectural Heritage Society. There have been eight letters of support from neighbours and members of the public, seven of which have raised material points and one of which has been non-material.

Background reading/external references

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

Statutory Development

Plan Provision

The application site is located within the urban area as defined in the Local Development Plan.

Date registered

23 November 2018

Drawing numbers/Scheme

1-4,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Barbara Stuart, Senior Planning Officer

E-mail: barbara.stuart@edinburgh.gov.uk Tel: 0131 529 3927

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

Other Guidance

Historic Environment Scotland Managing Change: Interiors sets the principles to be applied when assessing interior alterations.

Appendix 1

Application for Listed Building Consent 18/10039/LBC At GF, 11 Learmonth Terrace, Edinburgh Proposed subdivision of a ground and basement floor flat to form two separate properties along with internal alterations required.

Consultations

Historic Environment Scotland

Our Advice

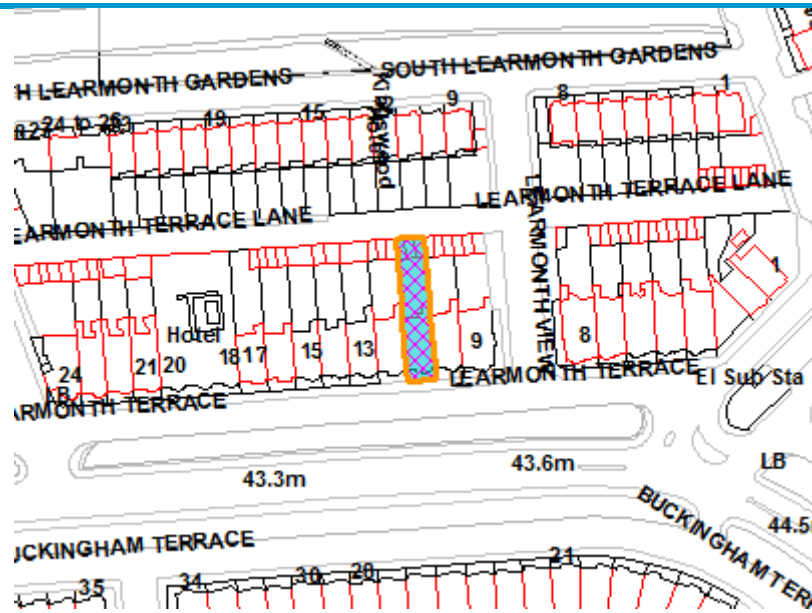
We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building consent,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

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. Technical advice is available on our Technical Conservation website at <https://www.engineshed.org/>.

Location Plan



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Development Management Sub Committee

Wednesday 6 March 2019

Application for Listed Building Consent 18/09901/LBC

At 20, 22 & 24 Windsor Street, Edinburgh, EH7 5JR

The proposal is to link the 3 properties of 20, 22 and 24 Windsor Street to the adjoining hotel. This will be achieved by forming a new door opening at basement level in the party wall between number 18 and 20 Windsor Street.

Replacement of 3 no. doors are also proposed.

Reinstatement of original staircases from ground floor to basement level. Internal alterations to non-original partitions at ground and first floor level to help reinstate principal rooms to original proportions and insertion of bathroom pods (as amended).

Item number	4.9
Report number	
Wards	B12 - Leith Walk

Summary

The works will not result in adverse loss of the buildings' historic fabric and they will not result in unreasonable harm to the special interest of the listed buildings. The proposed alterations as a whole will result in gains in terms of the character of the listed buildings and an exception to the non-statutory Guidance to allow podded bathrooms within principal rooms is justified. The works will not have a detrimental impact on the character and appearance of the conservation area.

Links

[Policies and guidance for this application](#)

LDPP, LEN04, LEN06, NSG, NSLBCA, OTH, CRPNEW,

Report

Application for Listed Building Consent 18/09901/LBC At 20, 22 & 24 Windsor Street, Edinburgh, EH7 5JR

The proposal is to link the 3 properties of 20, 22 and 24 Windsor Street to the adjoining hotel. This will be achieved by forming a new door opening at basement level in the party wall between number 18 and 20 Windsor Street.

Replacement of 3 no. doors are also proposed.

Reinstatement of original staircases from ground floor to basement level. Internal alterations to non-original partitions at ground and first floor level to help reinstate principal rooms to original proportions and insertion of bathroom pods (as amended).

Recommendations

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

Background

2.1 Site description

The site lies on the west side of Windsor Street and relates to three individual former townhouses designed in 1822 by William H Playfair. The buildings are part of a classical range of terraced houses with Greek Doric doorpieces of fluted engaged columns supporting an entablature. They are 2-storey with a basement.

Properties No. 6 - 28 Windsor Street are category A listed (date of listing: 16 December 1965, Reference: LB29944).

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

2.2 Site History

Applications relating to 20 - 24 Windsor Street

30 January 2004 - Planning permission granted for a change of use, subdivision to form 3 original townhouses (as amended to omit the 2 mews flats to rear and reduce parking provision) (Application reference 03/04116/FUL).

9 February 2004 - Listed building consent granted for alterations to re-instate to three town houses (as amended to omit the proposed 2 mews flats to rear and reduce parking provision) (Application reference 03/04116/LBC).

2 February 2006 - Planning permission refused for change of use from office to a bed and breakfast hotel (with internal alterations) (Application reference 05/03145/FUL).

9 February 2006 - Mixed decision issued for Listed building consent for the conversion of former offices to bed and breakfast hotel (internal alterations only). The refusal related to the window vents (Application reference 05/03145/LBC).

17 August 2010 - Listed building consent granted for alterations to form lower ground floor flat and two storey house (No. 24) (Application reference 10/01092/LBC).

10 September 2010 - Planning permission granted for the subdivision of town house to form basement flat and two storey house (works only apply to No.24) (Application reference 10/01092/FUL).

13 May 2011 - Planning permission granted to sub divide dwelling to form a lower ground floor flat and a two storey townhouse (no.20) (as amended) (Application reference 11/00953/FUL).

13 May 2011 - Planning permission granted for the sub-division of residential property to form lower ground floor flat and a two storey townhouse (No.22) (as amended) (Application reference 11/00956/FUL).

30 May 2011 - Listed building consent granted for alterations to sub divide dwelling to form a lower ground floor flat and a 2 storey townhouse (no.20) (as amended) (Application reference 11/00954/LBC).

3 June 2011 - Listed building consent granted for alterations to sub-divide residential property to form lower ground floor flat and a two storey townhouse (No.22) (as amended) (Application reference 11/00957/LBC).

16 July 2018 - Enforcement enquiry into an alleged unauthorised change of use - short term commercial visitor accommodation closed (Enforcement reference 12/00306/ECOU).

9 April 2018 - Listed building consent refused for internal alterations to link the three properties of 20, 22 and 24 Windsor Street to the adjoining main hotel by forming a new door opening at ground floor level in the party wall between number 18 and 20 Windsor Street (Application reference 17/04738/LBC).

Main report

3.1 Description Of The Proposal

The application seeks to link the three townhouses of 20, 22, and 24 Windsor Street to the adjoining hotel at 10 - 18 Windsor Street. In doing so, 9 new openings on the basement level will be created to link the party wall between number 18 and 20 Windsor Street. A number of internal alterations are proposed, including the following:

- the reinstatement of the original staircases from the basement to the ground level;
- reinstatement of primary rooms to the rear to their original proportions;

- original doors/architraves are to be retained and locked shut where no longer required;
- replace non-original front basement doors to 20 and 24 Windsor Street with 'in character' doors;
- alterations to non-original partitions at ground and first floor level; and
- reconfigure the location of bathrooms and install en-suites within principal rooms on the ground floor.

No external front or rear elevation drawings of the existing townhouses were submitted. Repair works that match the original materials and methods and not affecting the character of the building do not require an application for listed building consent. This relates to the proposed preservation works, including ornate stonework details, original windows and roofing.

Scheme One

The original drawings were amended to address concerns raised by Historic Environment Scotland, with the size of the en-suites on the ground floor principal rooms reduced and retaining a number of walls and the reconfiguration of bathrooms on the first floor.

3.2 Determining Issues

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

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

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

3.3 Assessment

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

- a) the proposals will harm the architectural or historic interest of the listed building;
- b) the proposals will adversely affect the special character or appearance of the conservation area; and
- c) any issues raised in representations have been addressed.

a) Listed Building

Policy Env 4 Listed buildings - Alterations and Extensions states that proposals to alter or to extend listed buildings will be permitted where those alterations are justified; would not result unnecessary damage to historic structures or diminution of its interests; and where any additions would be in keeping with other parts of the building.

Historic Environment Scotland's (HES) guidance note Managing Change in the Historic Environment: Interiors, sets out the principles that apply to altering historic buildings.

The current application differs from the previous refused scheme (application number 17/04738/LBC) in that a link between the three townhouses and the neighbouring hotel is no longer proposed on the ground floor but at basement level instead. The basements of the individual townhouses do not possess significant features of architectural merit. While the proposed horizontal link is an intervention to the historic floor plan of the townhouses, the basement level in terms of the hierarchy of the building is located in a secondary area of importance. HES welcomes the relocation of the proposed link to basement level and potential for reinstatement. The formation of a link will not result in an adverse loss of the buildings historic fabric or cause harm to the character of the listed buildings.

The non-statutory 'Listed Buildings and Conservation Areas' do not support the installation of bathrooms/kitchens within principal rooms. While HES acknowledges that new bathrooms within principal rooms on the ground floor of A listed buildings would not normally be supported, they recognise that improvements are being made to the plan-form of the townhouses elsewhere, including the reinstatement of the rear rooms on the ground floor to their original proportions and reinstatement of the existing staircases vertical circulation. Interventions to the rear rooms, including the removal of non-original partitions relate to secondary areas of importance and the changes as a whole will result in greater net gains on the character of the listed building. The drawings have been amended to introduce smaller pod size bathrooms with lightweight glazed screens, thus allowing the original features and the historic plan form of the principal rooms to be preserved. Therefore, an exception to the guidance is justified to allow podded bathrooms within principal rooms in this instance.

The drawings for the first floor were revised to re-use the existing spaces for the bathrooms in secondary areas of importance and this is in line with HES comments.

The replacement of non-original front basement doors to 20 and 24 Windsor Street with 'in character' doors is welcomed. However, a condition requiring further details of the proposed door replacement is required. This is to ensure that the replacement door is of appropriate detail to the character of the listed building.

The formation of a horizontal link between the three townhouses will not result in adverse loss of the buildings' historic fabric and it will not result in unreasonable harm to the character of the listed buildings. The proposed alterations as a whole will result in greater gains to the character of the listed buildings and an exception to the non-statutory guidance to allow podded bathrooms within principal rooms is justified. The works will not adversely diminish the architectural or historical interest of the buildings possessing special interests.

b) Conservation Area

Policy Env 6 Conservation Areas- Development states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant character appraisal.

The site is located within the New Town Conservation Area. The character appraisal states the following:

The Conservation Area is characterised by Georgian and early Victorian rectilinear development of grand formal streets lined by fine terraced building expressing neo-classical order, regularity, symmetry, rigid geometry, and a hierarchical arrangement of buildings and spaces. They create a regular pattern of stately streets, squares and crescents, interspersed by formal gardens, and containing a series of major classical buildings by architects of the stature of Robert Adam.

The First New Town was planned to be essentially residential - a neighbourhood for elegant living. The majority of buildings were originally residential, non-residential buildings were confined to ancillary uses such as churches and the Assembly Rooms. Shops were planned in Rose Street, Hill Street and Thistle Street'. Throughout the area property has often been rebuilt or extended or converted for office or institutional use. Residential use only remains significant in the western and northern fringes of the First New Town'.

The premises is located near to the city centre with a mix of surrounding uses. The existing Cairn Hotel at No. 10-18 and the Ukrainian Consulate at No. 8 also occupies Windsor Street, alongside residential uses. Therefore, hotel uses are characteristic and are already established on this street. However, it is not the remit of this assessment to assess the acceptability of hotel expansions on this street against the ambience of residential uses.

With the exception of the proposed replacement of the non-original doors to the basement levels of the townhouses, the extent of the alterations are internal where it will not have a direct impact on the external character and appearance of the conservation area. Works to the external façade are intended to be repair works and this would result in conservation gains.

c) Comment

Material Representations- Objection

- Contrary to Policy Env 4 of the Edinburgh Local Development Plan - Addressed in Section 3.3 (a).
- Planning history - consent was previously refused- Addressed in Section 3.3 (a).
- Principle of linking the townhouses will have an adverse impact on the character and historic interests of the listed building - Addressed in Section 3.3 (a).
- Will impact on the character and appearance of the conservation area- hotel use will impact on the residential ambience of the area - Addressed in Section 3.3 (b).

Non-Material Representations- Objection

- Amenity (noise and parking) impact as a result of the operational use of the premises as a hotel - these issues cannot be addressed as part of this application for listed building consent. A separate application for planning permission would be required.
- Planning history of the site- the premises is not authorised to operate as a hotel use and listed building consent should not be issued until such lawful use of the premises is established - the assessment of the application for listed building consent is limited to Section 3.3 (a) and (b). A separate application for planning permission would be required to establish the lawful use of the premises. However, this does not preclude assessment of the current application for listed building consent.
- Will impact on a World Heritage site - the premises are not part of a World Heritage site as designated in the Edinburgh Local Development Plan Map.

Conclusion

In conclusion, the works will not result in adverse loss of the buildings' historic fabric and it will not result in unreasonable harm to the character of the listed building. The proposed alterations as a whole will result in greater gains on the character of the listed building and exception to the non-statutory guidance to allow podded bathrooms within principle rooms is justified. The works will not have a detrimental impact on the character and appearance of the conservation area. The proposal accords with policy Env 4 and Env 6 of the LDP. It is recommended that Committee approves this application.

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

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. This consent is for listed building consent only. Work must not begin until other necessary consents, eg planning permission, have been obtained.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was first advertised on 14 December 2018 and then re-advertised on the 18 January 2019. The proposal attracted 9 letters of objections. Only seven of the comments were relevant to this application for listed building consent.

The comments made are addressed in the Assessment section of the report.

Background reading/external references

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

Statutory Development

Plan Provision

Date registered 29 November 2018

Drawing numbers/Scheme 01-05, 06A - 07A and 08.,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Laura Marshall, Planning Officer

E-mail:laura.marshall@edinburgh.gov.uk Tel:

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

Other Relevant policy guidance

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

Appendix 1

Application for Listed Building Consent 18/09901/LBC

At 20, 22 & 24 Windsor Street, Edinburgh, EH7 5JR

The proposal is to link the 3 properties of 20, 22 and 24 Windsor Street to the adjoining hotel. This will be achieved by forming a new door opening at basement level in the party wall between number 18 and 20 Windsor Street.

Replacement of 3 no. doors are also proposed.

Reinstatement of original staircases from ground floor to basement level. Internal alterations to non-original partitions at ground and first floor level to help reinstate principal rooms to original proportions and insertion of bathroom pods (as amended).

Consultations

Historic Environment Scotland

Our Advice

The application relates to three individual former townhouses, forming part of a fine Category A listed early 19th century classical terrace by the noted architect William Henry Playfair. The terrace formed part of Playfair's Calton scheme, originally planned to proceed towards Leith.

Overall

We welcome these revisions to the previous application that sought to link the three townhouses at ground floor level through the principal rooms. It is now proposed to link the individual houses at basement level, with new staircases replacing the original provision.

We have the following detailed comments;

Ground floor

We would normally not support the introduction of bathrooms within principal rooms on the ground floor of A listed buildings, but we note improvements to the plan-form elsewhere, notably the removal of later partitions in the rear ground floor rooms. Having said this, we have concerns with the size and design of these elements; put simply they are far too big. Normally, we would be looking for a 'pod' unit of limited size. Here the bathroom area contains a bath, large bath-sized shower tray, two sinks and a separate w.c.! The bathroom is set behind a partition taken from the wall at the edge of the chimneybreast/area and would be a substantial intrusion within the room.

We would suggest, instead, a combined shower and WC within a pod set centrally against the rear wall of the front room. It could be veneered or otherwise faced (obscured glass) to resemble a piece of furniture.

With the ground floor rear rooms we would suggest that the new links proposed to access the ante-room (room behind the stair) are taken towards the rear of the rear room - placed symmetrically on the wall with the entrance door to the rear room.

First floor

The first floor principal room is linked in No.22 to its ante-room with an arched opening. However, it is unlikely that this was an original feature throughout the terrace. We would suggest a single door opening for No.20 and 24, again placed symmetrically on the wall with the entrance door to the room, would be preferable.

In the front room a free-standing pod or partition would be preferable, although reusing the existing spaces for bathrooms would be the best option.

To the rear, similar comments to the ground floor rear rooms would apply - new doorways should be symmetrically placed on the walls.

Conclusion

We welcome the revisions, but would suggest further revisions, or conditions are applied to address the above comments.

Additionally, we note no specific works are proposed for the external elevations, besides essential repairs. We would suggest any repair works are outlined and could include the removal of paint from the stonework, specifically from the Doric columned doorpieces. Other conservation benefits that could be achieved include the reinstatement of chimneypieces in principal rooms (they appear to have been removed without LBC) and the reinstatement of a part-glazed door to No.18.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

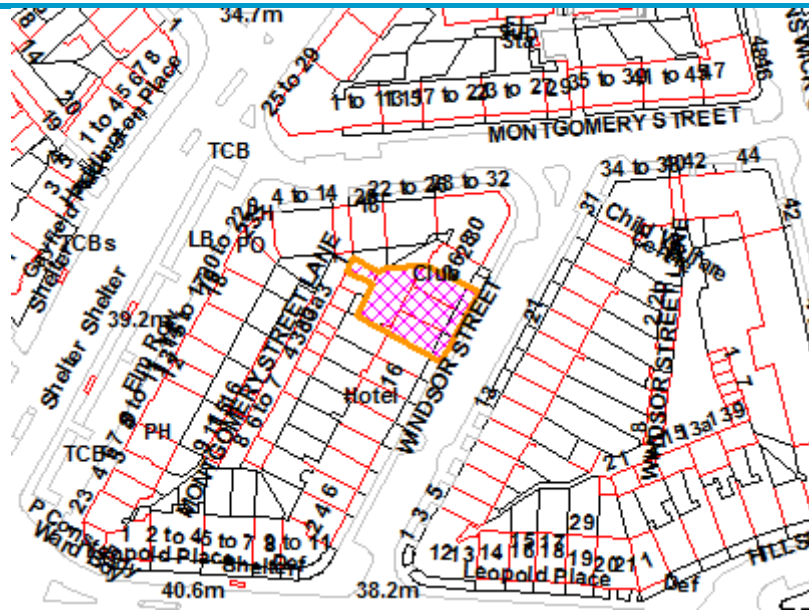
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Please contact us if you have any questions about this response. The officer managing this case is Steven Robb who can be contacted by phone on 0131 668 8089 or by email on Steven.Robb@hes.scot.

Location Plan



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Development Management Sub Committee

Wednesday 6 March 2019

**Application for Planning Permission 18/02172/FUL
At Site 117 Metres Northeast Of 3, Burdiehouse Crescent,
Edinburgh
Erection of a new school including associated hard and
soft landscaping, land regrading, sprinkler tank enclosure,
bin store, cycle shelter, substation, drop-off and car
parking.**

Item number	7.1
Report number	
Wards	B16 - Liberton/Gilmerton

Summary

The proposal is acceptable in principle and the school has been designed to a high standard to take into account the nature of the site and the end users. The main issue with regards to this site is the fact that it lies within an area of importance for flood management, and the fact that the footprint of the building was within the 1 in 1000 year flood event. However, the land under the footprint of the school will be raised to mean that the school building will be outwith this flood risk, and can remain operational in the event of a 1 in 1000 year flood. The compensatory land lowering at the ends of the site will mean that there is no additional flood risk downstream. The tree removals on site are compensated by replacement native species, and there will be no detrimental impact on the local nature conservation site.

Overall, the proposal complies with the development plan and there are no material considerations which indicate otherwise.

The application requires to be referred to the Scottish Ministers prior to determination due to the outstanding objection from SEPA.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES02, LDES03, LDES04, LDES06, LDES07, LDES10, LEN12, LEN15, LEN21, LTRA03, LTRA09, OTH, NSGD02,

Report

Application for Planning Permission 18/02172/FUL At Site 117 Metres Northeast Of 3, Burdiehouse Crescent, Edinburgh Erection of a new school including associated hard and soft landscaping, land regrading, sprinkler tank enclosure, bin store, cycle shelter, substation, drop-off and car parking.

Recommendations

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

Background

2.1 Site description

The site is located in the Southhouse area, which lies in the south east of Edinburgh and was previously the location of Burdiehouse Primary School, which was demolished in 2010. Southhouse is a residential area with some local shops and amenities such as the Valley Park Community Centre. It is predominantly low rise housing from the 1930s to 1980s, with some areas of more recent housing, built within the last two decades.

The southern edge of the site is defined by the Burdiehouse Burn. The shrub and grassland surrounding the burn forms the local nature reserve of Burdiehouse Valley Park. The site lies within a natural valley where the topography forms a natural amphitheatre, sloping down to the former school site with a 1.2m high retaining wall around the curved northern boundary. The site then falls gradually towards to the Burdiehouse Burn that runs along the south eastern boundary of the site.

The Southhouse area is accessed via two main roads - Captains Road to the north and Burdiehouse Road to the west, which provides direct links to the city bypass southwards and a main arterial route into the city northwards.

Currently there is only one vehicular access to the application site, from Burdiehouse Crescent, which connected to the car parking area of the former school. Additionally, there are two pedestrian stepped paths leading down to the site area from Burdiehouse Crescent and Southhouse Crescent.

According to SEPA flood maps, the site is at moderate risk from fluvial (river) flooding with some moderate risk of ground water flooding. River flooding would be from the Burdiehouse burn that runs across the south eastern boundary. The indicative flood plain contour occurs approximately across half of the site area and in locations that were previously occupied by the old school building.

2.2 Site History

There is no relevant planning history, although the site was previously used as Burdiehouse Primary School. The site has been cleared of all buildings and only the concrete hardstanding remains.

Main report

3.1 Description Of The Proposal

This is an application for full planning permission for the erection of a new school for around 72 children with additional support needs arising from severe and complex learning difficulties including autistic spectrum disorder. The application also includes all associated hard and soft landscaping, external stores, car parking, improvements to the existing access road, and land raising at the southern section with land lowering along the eastern and western edges.

The building is proposed to be organised along a linear curved axis that responds to the topography of the site. This means that the vehicle circulation and public pedestrian routes are in the northern part of the site, and the playground is to the south of the building with a south-facing aspect. The building has a central principal entrance and two ancillary entrances for the senior and junior wings. Each entrance is served by a drop-off bay which will allow for queuing of taxis and minibus. Projecting canopies will also provide shelter and express entrances to building users.

The massing of the building gradually reduces in scale from the two storey central hub block down to the single storey teaching wings. The gym hall and swimming pool blocks are 1.5 storeys in height.

Access to the site is via the existing access road which leads down to the principal site circulation road. It is proposed that the existing stepped paths into the site will be removed and there will be only a single point of access into the site for vehicles, cyclists and pedestrians. Turning circles and drop-off bays will allow for vehicle circulation around the site for parking and drop-off.

A secure cycle store accommodating 20 bicycles will be located at the site entrance in close proximity to the main entrance. In addition, Sheffield stands will be located underneath canopies at the main, junior and senior entrances. A total of 45 car parking spaces are provided within the site, and eight of these include electric car charging points. There are also five motorcycle parking spaces and six accessible spaces.

Also proposed is an upgraded cycleway/walkway around the perimeter of the south of the site, connecting to the existing paths within the Burdiehouse Burn Valley Park.

The proposed external materials include a buff blend facing brick. Window reveals and other features within the brickwork will be emphasised with soldier coursing and canted brick cills. Unfinished larch will generally be used as cladding or soffits to clearly defined protected cut backs and sheltered areas. Additional areas of timber will be focused predominantly to the playground elevations. Zinc is proposed as the primary roof finish, although the classroom roofs in close proximity to the Burdiehouse Burn Valley Park will be finished with wildflower extensive roof.

The classrooms and the behavioural support unit will have dedicated play spaces accessed directly from the internal space and secured from the rest of the playground with a combination of fencing and hedging. The communal play areas will be segregated into distinct zones of activity, which relate directly to the building operation. In addition to the secure play spaces, each school wing will have a growing area and common play area. A communal public play area is located in close proximity to the central hub and is intended for use by shared teaching facilities (including music, art rooms etc) and for community use such as the after school club. Each play ground zone will be secured with boundary fencing or hedging.

The site lies within a flood plain and the applicant is proposing to alter the ground levels in order to lift the building above the areas of the 1 in 200 and 1 in 1000 flood events. This means that the land below the school building is proposed to be raised by between 1.2 and 1.5 metres. This results in compensatory ground lowering at the opposite ends of the site.

A total of 25 trees are proposed to be felled within the site. This includes ash, silverbirch, rowan and cherry. Compensatory planting is proposed with a range of species including Scots pine, oak, birch and black alder. The number of individual trees being planted is 84 and the woodland areas amount to 3116 square metres.

Previous Schemes

Previously, the building was arranged slightly differently and the roof was all finished with zinc.

Supporting Statements

The following documents were submitted in support of the application:

- Pre-Application Consultation Report;
- Tree Survey;
- Transport Statement;
- Noise Impact Assessment;
- Habitat and Protected Species Survey;
- Landscape/Townscape Visual Appraisal;
- Surface Water Management Plan; and
- Flood Risk Assessment.

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the development is acceptable in this location;
- b) the flooding and drainage arrangements are acceptable;
- c) the layout design, scale, layout and materials are acceptable;
- d) the impact on the local nature conservation site is acceptable;
- e) access arrangements are acceptable in terms of road safety and accessibility;
- f) the proposal meets the sustainable standards in the Edinburgh Design Guidance;
- g) there are other technical constraints; and
- h) material representations have been addressed.

a) The Principle of the Development

The site is within the urban area, where development is generally acceptable in principle where it is in accordance with other policies in the plan. Where a school was previously situated on the site, this area is covered by general urban area policies. However, there are a number of other policy designations on the other parts of the site, including a local nature reserve, open space and area of importance for flood management. These issues are discussed separately below, however at this stage, it should be noted that the proposed school building is within the site which is not covered by other open space or local nature reserve designations.

The principle of the development in this location is therefore acceptable.

b) Flood Risk and Drainage

As the site lies within an area of importance for flood management, LDP Policy Env 21 is relevant. LDP Policy Env 21 states that planning permission will not be granted for development that would increase a flood risk or be at risk from flooding itself. The supporting text accompanying this policy states that proposals will only be favourably considered if accompanied by a flood risk assessment, demonstrating how compensatory measures are to be carried out, and that any loss of flood storage capacity is mitigated.

Also relevant is Scottish Planning Policy (SPP), particularly paragraph 254 onwards, which relates to managing flood risk and drainage.

SEPA has stated that it objects in principle to the proposal. SEPA considers that, given the proposed building (which is classed as civil infrastructure) lies within the 0.01% annual probability (1 in 1000-year) flood extent, and that the development requires landraising within the functional floodplain (0.5% annual probability or 1 in 200-year flood extent), the proposals do not meet with the requirements of SPP.

(For clarity, the definition of 'civil infrastructure' in SPP in relation to flood risk includes hospitals, fire stations, emergency depots, schools, care homes, ground-based electrical and telecommunications equipment).

The Flood Risk Assessment (FRA) indicates that the footprint of the building is outwith, but immediately adjacent to, the 1 in 200-year flood extent. The footprint is almost entirely within the 1 in 1000-year flood extent. However, the proposals are to raise the finished floor levels of the building above the 1 in 1000-year flood level, including 30% climate change allowance. Given the proximity of the building to the 1 in 200-year flood extent, the platform will require land raising within the functional floodplain. Mitigation is provided for the site by way of raised finished floor levels and also compensatory storage is provided for the landraising.

However, SEPA considers that this development does not accord with the principle of avoidance and does not believe that this site is exceptional in terms of SPP, and hence does not meet the policy principles of SPP.

SPP states that a precautionary approach to flood risk from all sources, including coastal, water course (fluvial) should be taken. It further states that the planning system should promote flood avoidance by safeguarding flood storage and conveying capacity, and locating development away from functional flood plains and medium to high risk areas. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity, and land raising should only be considered in exceptional circumstances, where it is shown to have a neutral or better impact on flood risk outside the raised area. Compensatory storage may be required.

In terms of this proposal, although the volume calculations for the compensatory storage indicate there will be a net gain of 3516 cubic metres at the site, the results of the modelling of the post-development scenario indicates some localised areas of small increased flood risk. Downstream of the development, the maximum increase in flood level is 7mm. Upstream of the site, the FRA indicates that the maximum increase in flood levels is 6mm although the hydraulic modelling report (Appendix 4 of FRA) states that flood levels increase by 30mm. These areas are in parkland and away from any residential development.

CEC Flood Prevention is satisfied that the applicant has demonstrated that the proposed development complies with CEC guidance in terms of flood risk, and that appropriate drainage measures have been included in the outline design to address surface water quality and surface water attenuation. The applicant has demonstrated that the proposed alterations to the existing floodplain to provide compensatory storage affect only the development site and the site design takes account of this with regards to the position and elevation of the building. Flood Prevention is also satisfied that there is no increased flood risk upstream or downstream of the development as a result of the floodplain alterations.

Taking all these issues into account, the applicant is proposing to raise the ground levels so that the building will be above the 1 in 1000 (plus climate change) flood level. The FRA flood modelling shows that in the event of a 1 in 1000 year flood, the playground will become flooded, but the school building can still continue to be operational, as required by SPP. The modelling also shows no additional impact of flooding downstream as a result of the floodplain alterations.

Therefore, it can be concluded that these measures are sufficient in order for the development to conform to LDP policy Env 21, SPP and CEC guidance in terms of flood risk.

c) The Layout, Design, Scale and Materials

LDP Policies Des 1 - Des 9 set the design framework for assessing proposals.

Layout

LDP Policy Des 1 (Design Quality and Context) states that design should be based on an overall design concept that draws upon positive characteristics of the surrounding area.

Due to the openness of the location, the site is widely exposed to south western winds which will be used as part of the natural ventilation strategy. In addition, the absence of any large built forms in close proximity to the site and the southerly aspect provides good solar access. This means that the layout of the site maximises the natural resources available.

The playground is proposed to be located at the centre of the site with a south facing aspect. Vehicle circulation and public pedestrian routes will be focused to the northern area of the site. This maximises the potential for the playground to be used and for growing space to be successful.

The upgraded cycleway/footway around the southern part of the site will help to connect the site to the wider area, as well as providing an improved path within the Burdiehouse Burn Valley Park. This is in accordance with LDP Policy Des 7 (Layout Design) which states that layouts should encourage walking and cycling and provide an integrated approach to providing cycle paths.

Police Scotland was consulted and commented that the site should incorporate Secured by Design (SBD) principles. The applicant has confirmed that Police Scotland has been involved in the design evolution of the site and that it has been developed with the aim of achieving SBD certification.

The layout is therefore acceptable.

Design, Scale and Materials

LDP Policy Des 4 (Development Design - Impact on Setting) states that developments should have a positive impact on their surroundings by virtue of the height, scale, materials and detailing.

The building has been designed in order to be simple and legible. A hierarchy of larger communal spaces to encourage pupil interaction contrasted with smaller spaces allows the building to be relatively low in scale and height. It also allows the building to respond to the varied and specialist needs of the pupils and the wider community group that will use the school.

The buildings materials have been selected to respond to the location of the site at the edge of the city as one which transitions between the urban built form and the rural landscape. Harder materials such as zinc cladding and facing brick will be contrasted with natural finishes and textures including timber and the wildflower roof. The material palette is simple and robust but high in quality and includes brick and timber. These materials will help the building sit comfortably on the site and will provide a high quality finish.

These are acceptable and in accordance with the design policies of the LDP.

d) Local Nature Conservation Site

LDP Policy Env 15 relates to sites of local importance. LDP Policy Des 10 (Waterside Development) states that for developments on sites adjoining a watercourse, proposals should provide an attractive frontage to the water, improve public access along the water's edge, and maintain and enhance the water environment, its nature conservation and landscape interest.

An extended Phase 1 habitat survey was undertaken to identify the habitats present within the survey area and included a search for protected species and habitat suitability for protected species within an appropriate survey area. The protected species survey included a search for bat roost potential, badger, otter, water vole, birds and any other signs of notable species (e.g. Local Biodiversity Action Plan (LBAP) priority species such as hedgehog).

The development site comprises areas of grassland, scrub and trees, open ground and areas of ephemeral and permanent standing water. Burdiehouse Burn and associated vegetation runs close to the south-east boundary of the site. Many of the habitats recorded on site are relatively species-rich and of site ecological value. The flood strategy area largely comprises semi-improved neutral grassland, with areas of scrub and woodland.

No evidence of protected species was recorded during the surveys. Badgers may occasionally pass through and forage within the survey area, but no field signs were noted. An embankment, with several active fox dens, was noted along the west bank of the burn, to the south of the development site. This bank offers potential sett-building habitat for badgers, and badgers could utilise the fox dens.

Otters are reported to be present on Burdiehouse Burn. A single possible otter print was recorded in March 2018. Resting-up potential was noted along the burn adjacent to the flood strategy area. In addition, otters could utilise the fox dens within the flood strategy area.

There are a number of mature trees present within the survey area. The majority of these were assessed to have negligible bat roost potential. Two cherry trees within the development site were assessed to have low bat roost potential. Three trees on the east bank of the burn, outwith the flood strategy area, were noted to have low to moderate bat roost potential; a brick structure was noted on the east bank which was assessed to hold low/moderate bat roost potential.

LDP Policy Env 12 (Trees) states that trees should not be removed where they are worthy of retention, and that replacement planting will be required of appropriate species and numbers. The habitats within the survey area provide foraging and nesting potential for a variety of bird species. A total of 25 trees are proposed to be removed from the site, to be replaced by 84 new trees, as well as new woodland areas and ground cover. The trees to be removed do not offer any amenity value or contribute to the local nature conservation site, whereas the new trees are native species and will provide greater opportunities for wildlife and foraging. The proposal is therefore in accordance with policy Env 12.

Clearance of vegetation should take place outside the nesting season; however, if clearance takes place within the nesting season, an experienced ecologist should check all areas of vegetation for nesting birds before works begin. This is recommended as an informative.

Surface water management and flood prevention measures have necessitated ground remodelling both within and out with the site boundary. The applicant has sought to minimise impacts wherever possible for species present in the wider Local Nature Reserve (LNR) and Local Nature Conservation Site (LNCS). Compensatory planting is shown as native tree planting which reflects species in the wider LNR and LNCS. Green roofs have been incorporated on the wings of the building with Scottish provenance wildflower seed mix proposed to strengthen visual connections with the wider burn corridor. The Urban Pollinators seed mix (as highlighted within the EBAP) is proposed within the school boundary ground level areas with meadow mix used within the wider LNR.

Surface water management proposals will see the creation of an attenuation basin allowing the extension of the existing wet meadow species and allowing wetter areas outwith the fenced boundary to further support additional species. Proposed compensatory woodland accommodates a traditional shrub layer and native woodland whips augmented with light standard and feathered trees. Hedging proposals within playground spaces establish a mixed native provision whilst mindful of the need to ensure that no thorny or toxic berrying plants are used, these are under-planted with shade tolerant seeding. Low timber fences surrounding the Growing spaces include native climbers whilst shrub & ornamental grass beds provide foraging sites for wildlife and encourage specific insects which are a food source for bats and birds.

These proposals are acceptable within the context of the LNR and LNCS and are in accordance with LDP Policy Env 15. The improved footpath/cyclepath connections along the southern boundary, coupled with the additional native planting along the water, also demonstrates that the proposal is in accordance with LDP Policy Des 10.

e) Transport and Access

Given the nature of the school facility, pupils and building users will arrive predominately by vehicle and the additional pedestrian routes that exist to serve the site would be redundant. A single point of access is proposed for pupil safety and site security purposes.

The Roads Authority has made several comments in relation to the application relating to cycle parking, motorcycle parking and electric car charging points. The applicant has submitted plans which ensure that the requirements of the Roads Authority are satisfied.

The Roads Authority has also advised that contributions are required in order to progress a suitable order to stop up sections of road and to allow the enforcement of disabled parking spaces within the site. These are recommended as an informative.

The Roads Authority are satisfied that there is no impact on the wider network.

Further to the Roads Authority comments, the applicant has proposed improvements to the cyclepath/footway around the southern part of the site. This will improve connectivity to the valley and the wider area through the park, and therefore is in accordance with LDP Policy Tra 9 (Cycle and Footpath Network).

Overall, the transport measures are acceptable and in accordance with LDP policy and guidance.

f) Sustainability

The applicant has completed a sustainability form in support of the application, which confirms that the following sustainability criteria have been achieved:

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

In addition to the essential criteria, the applicant has provided a commitment to further sustainability measures, including the use of a green roof, and achieving a minimum BREEAM standard of very good. The applicant is also proposing to upgrade the existing cyclepath/footpath along the southern boundary of the site, which will promote better accessibility to the valley by walking and cycling.

The sustainability measures meet the requirements of policy Des 6 of the LDP and the Edinburgh Urban Design Guidance and are acceptable.

g) Other Technical issues

Archaeology

The site lies on the northern bank of the Burdiehouse Burn, downstream from the medieval settlement of Burdiehouse and the historic farm and mill site of Burdiehouse Mains. Given the significant landscaping works and development history of the site it is unlikely that significant archaeological deposits and remains will have survived on site. Accordingly, there are no archaeological implications in regards to this application.

h) Representations

Following neighbour notification and press advertisement on 8 June 2018, three letters of representation were received. Two of these were general comments and one was a letter of objection.

Material Objections

- Road safety due to increase in buses and other traffic (addressed in 3.3(e).
- Lack of parking (addressed in 3.3(e).
- Poor access (addressed in 3.3(e).
- Impact on the environment (addressed in 3.3(d).

Non-Material Comments

- Lack of access to the facility by the wider community.
- Lack of community consultation.

Other Comments

Comments were received in relation to the path along the southern part of the site, and additional transport improvements that could be made to the wider area to improve transport and permeability. Amended plans were received which show various improvements to transport measures during the assessment of the application.

Conclusion

The proposal is acceptable in principle and the school has been designed to a high standard to take into account the nature of the site and the end users. The main issue with regards to this site is the fact that it lies within an area of importance for flood management, and the fact that the footprint of the building was within the 1 in 1000 year flood event. However, the land under the footprint of the school will be raised to mean that the school building will be outwith this flood risk, and can remain operational in the event of a 1 in 1000 year flood. The compensatory land lowering at the ends of the site will mean that there is no additional flood risk downstream. The tree removals on site are compensated by replacement native species, and there will be no detrimental impact on the local nature conservation site.

Overall, the proposal complies with the development plan and there are no material considerations which indicate otherwise.

The application requires to be referred to the Scottish Ministers prior to determination due to the outstanding objection from SEPA.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the occupation of the building, the works to upgrade the footway/cycleway along the southern boundary of the site shall be fully carried out.
2. Prior to the occupation of the building, all works associated with alleviating flood risk as outlined in the Will Rudd Davidson Burdiehouse Crescent Flood Risk Assessment October 2018 and Will Rudd Davidson Surface Water Management Plan (Revision A - October 2018) shall be carried out.
3. For the avoidance of doubt, the landscaping scheme for the playground area shall be carried out as per the approved landscape masterplan (50041_601 revision F).

Reasons:-

1. In order to secure the upgrades along this path timeously.
2. To ensure that all works to reduce flood risk are carried out prior to the occupation of the building, in the interests of flood protection.

3. In the interests of flood protection.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. Prior to the commencement of works on site, a financial contribution of £2,000 to progress a suitable order to stop up sections of road under Section 207 of the Town and Country Planning (Scotland) Act 1997.

The applicant should note that a number of 'roads' exist which will require stopping up, including the existing access, which will not require to be a 'road' (as defined in the Roads (Scotland) Act 1984).

In addition, all disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The applicant should therefore advise the Council if the bays are to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

5. Clearance of vegetation should take place outside the nesting season; however, if clearance takes place within the nesting season, an experienced ecologist should check all areas of vegetation for nesting birds before works begin.
6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is a Council development.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

A Proposal of Application Notice was submitted and registered on 17 January 2018.

Copies of the Notice were also issued to:

- Gilmerton Community Council.
- All ward councillors.
- Friends of Burdiehouse Burn Valley Park Nature Reserve.
- The Yard, Scotland.

Community consultation events were held in March 2018. Full details can be found in the Pre-Application Consultation report, which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards Online Service.

8.2 Publicity summary of representations and Community Council comments

Following a press advert and neighbour notification, three letters of representation were submitted. This comprised two letters of general comment and one letter of objection.

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

Background reading/external references

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

Statutory Development

Plan Provision

The site is within the urban area, although there are other policy designations which apply to the site. These are open space, a local nature reserve and an area of importance for flood management.

Date registered

1 June 2018

Drawing numbers/Scheme

01, 02, 03A-14A, 15, 16A, 17B, 18, 19,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lesley Carus, Senior Planning Officer

E-mail:lesley.carus@edinburgh.gov.uk Tel:0131 529 3770

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

LDP Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

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

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

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.

Other Relevant policy guidance

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 Planning Permission 18/02172/FUL At Site 117 Metres Northeast Of 3, Burdiehouse Crescent, Edinburgh Erection of a new school including associated hard and soft landscaping, land regrading, sprinkler tank enclosure, bin store, cycle shelter, substation, drop-off and car parking.

Consultations

Waste Services - 6 June 2018

As this is a School then it is classed as a trade commercial property, there should be a Waste Strategy with our Trade section. It would be the responsibility of the School to arrange trade waste uplifts through the Council Facilities management.

Architects must however note the requirement for trade waste producers to fully comply with legislation and regulation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling (paper, card, metals, plastics, glass and food). This means there would need to be storage space off street for all segregated waste streams (general waste and recycling) arising from commercial activities. Depending on the size and use of the property it may also be that they are able (or required) to segregate other streams such as fluorescent lamps, batteries and electrical equipment also, internal storage must be factored in. Any waste collection, will be expected to have similar requirements to the Council in terms of their need to be able to safely access waste from bin store and access to the site.

Scottish Water - 6 June 2018

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

There is currently sufficient capacity in the Glencorse Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

I can confirm that I have made our Asset Impact Team aware of this proposed development however the applicant will be required to contact them directly at service.relocation@scottishwater.co.uk.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

Scottish Water Disclaimer

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Surface Water

For reasons of sustainability and to protect our customers from potential future sewerflooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection.

We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

*Please find all of our application forms on our website at the following link
<https://www.scottishwater.co.uk/business/connections/connecting-yourproperty/new-development-process-and-applications-forms>*

Next Steps:

Single Property/Less than 10 dwellings For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required. 10 or more domestic dwellings: For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for nondomestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

Trade Effluent Discharge from Non Dom Property:

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off. For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team

Police - 20 June 2018

I write on behalf of Police Scotland regarding the above planning application. We would welcome the opportunity for one of our Police Architectural Liaison Officers to meet with the architect to discuss Secured by Design principles and crime prevention through environmental design in relation to this development.

Active Travel – 21 June 2018

This site is ideally located on an existing suburban footway network, and with much more development planned in the walking/cycling catchment area, this has huge potential to promote active travel to school. Note vehicular access is to be taken from Burdiehouse Road as specified in the LDP below - therefore it's essential to focus on supplementing public transport with exceptional active travel provision.

Contribute to widening the link into the Burdiehouse Burn Path and Southside Crescent for walking and cycling from the Murrays/Lasswade Road - 3.5m minimum width with potential white line segregation. Additionally, provide signage and dropped kerbs where paths meet the road for these to be effective as shared use footways.

Proposed 3m wide shared pedestrian/cycle route from Burdiehouse Crescent on the south side of the access road is inadequate for a number of reasons. It would ideally be wider to cater more generously to those who will be using wheelchairs on the footway, as well as those on bikes. It narrows down significantly back to <3m on Burdiehouse Cresc, which undermines its effectiveness and continuity. Reduce splays at the junction of the entrance road to reduce speeds of vehicles turning into site, and provide a raised crossing for pedestrians to get to this proposed widened footway.

Dropped kerbs and appropriate tactiles are essential on all surrounding crossings and junctions, particularly due to the nature of the school. A raised junction, tightened corner radii/build outs and either a toucan or zebra at the intersection of Burdiehouse Cresc and Southhouse Cresc would ease pedestrians crossing to the school, and is deemed essential. Raised crossings and tightened entrance splays along the whole of the north side of Burdiehouse St and Southhouse Cresc, or a widened shared footway along the entirety of the southern side of these access roads are recommended.

20 cycle parking spaces should be provided. With opportunities for bikeability or other bike skills courses, the new school should anticipate increased cycle use from visitors to the school, students, and teachers. 10 spaces is far too few, particularly if the facilities will be used for other groups out of school hours. At a minimum there should be adequate space to cater for 90 staff (13 + 2 spaces as per ESDG). Sheffield cycle parking can also accommodate scooters which are becoming more popular for journeys to school. I would like to highlight concern over the statement 'As advised by staff, pupils will not arrive to school by bicycle.' P38, and propose that provision of safe, convenient, and direct infrastructure, removed from traffic, should allow schoolchildren to claim a level of independence by cycling to school, even if they require accompaniment by an adult. St Crispin's School is ideally located and serviced by off road paths to contradict this statement.

Transport Statement Figure 4.2 shows pedestrian crossings at odds from the pedestrian desire lines. Please refer to the ESDG factsheet G5 - 'Crossings at or Near Junctions' and relocate accordingly. Provide build outs to really emphasise pedestrian priority.

Good to see proposed provision of shower and locker facilities for staff, although this isn't evident on the ground floor plan apart from those associated with the pool.

Recommend provision of an entrance to the east of the site to encourage a link to the school from Burdiehouse Burn Path from the east, and reducing the need to double back on oneself and avoiding the fairly steep gradient up to the road, which may cause difficulties for those with mobility limitations.

Roads Authority - 4 July 2018

The application should be continued.

Reasons:

- 1. The development proposes to narrow the existing pedestrian / cycle route to the south of the development. This is not considered acceptable. However, it is understood that the applicant is reviewing this proposal with a view to enhancing the existing provision;*
- 2. The proposed cycle parking does not appear to be in a secure and undercover location;*
- 3. It is unclear as to the proposed style of cycle parking. This should be 'Sheffield' style or similar, and in particular must support the frame and not require the cycle to be lifted;*
- 4. Motorcycle parking is required to be provided at a rate of 1 per 25 staff plus 1 additional space, i.e. 4 spaces for 90 staff;*
- 5. Electric vehicle charging points are required at a rate of 1 per 6 spaces, i.e. 4 spaces (based on 45 car parking spaces).*

Note:

The applicant should note that the following are likely to be required as part of the final response to this application:

- 1. the sum of the sum of £2,000 to progress a suitable order to stop up sections of road under Section 207 of the Town and Country Planning (Scotland) Act 1997. The applicant should note that a number of 'roads' exist which will require stopping up, including the existing access which will not require to be a 'road' (as defined in the Roads (Scotland) Act 1984);*

2. *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;*
3. *The developer should submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.*

Archaeology - 4 July 2018

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the Erection of a new school including associated hard and soft landscaping, sprinkler tank enclosure, bin store, cycle shelter, substation, drop-off and car parking.

The site lies on the northern bank of the Burdiehouse Burn, downstream from the medieval settlement of Burdiehouse and the historic farm and mill site of Burdiehouse Mains. Given the significant landscaping works and development history of the site it is considered unlikely that significant archaeological deposits and remains will have survived on site. Accordingly I have concluded that there are no archaeological implications in regards to this application.

Edinburgh Access Panel - 29 June 2018

COMMENTS -

1. *- Parking: there are 5 no. accessible parking spaces on the Junior entrance side, with 30 staff spaces. There are (0) accessible spaces near the Senior entrance, with 10 no. Visitor spaces. Accessible spaces should be more evenly distributed and always the nearest spaces to the entrances.*
2. *- Some internal rooms such as 'Quiet' and 'Resource' don't have Windows. Natural light would be desirable, especially where pupils are involved.*
3. *- The accessible WC at the Junior entrance seems small (2.2m x 1.5m min) and the door should open outwards.*
4. *- The accessible WC at the Senior entrance is suitable as an assisted facility, but is almost 60m from the next accessible WC going southwards, which is itself more than 60m from the most southern classroom. These seem excessive travel distances compared to the standard WCs.*
5. *- There is no accessible WC in the Behavioural Support Unit, but there is an assisted WC/shower off the swimming pool.*
6. *- We note that there is one accessible WC on the first floor, accessible by lift.*

7. - *There seem to be no accessible changing facilities at the pool or gym. If so, provisions should be made.*

8. - *A comprehensive hearing telecom loop system should be incorporated.*

9. - *In a new school, presumably intended to be an exemplar of its type, the opportunity should be seized to incorporate access space standards per the latest BS 8300 (2018), to provide best standards rather than basic BC standards.*

SEPA - 8 February 2019

We object in principle to this planning application on the grounds of flood risk. Please note the advice provided below.

1. Flood Risk

1.1 We object in principle to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy.

1.2 Given the proposed building, which is classed as civil infrastructure, lies within the 0.01% annual probability (1 in 1000-year) flood extent and the development requires landraising within the functional floodplain (0.5% annual probability or 1 in 200-year flood extent) we do not consider that it meets with the requirements of Scottish Planning Policy and our position is unlikely to change. We have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk in the first instance. We recommend that alternative locations be considered.

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

1.4 Notwithstanding this position we have included our review of the information supplied. Provision of this review does not imply that we consider there to be a technical solution to managing flood risk at this site which meets with Scottish Planning Policy.

Technical Review

1.5 Since September 2017, SEPA has provided a number of responses to this application and we have outlined that a Flood Risk Assessment (FRA) was required to demonstrate that the development accords with the principles of Scottish Planning Policy (SPP). We have outlined that we are unable to support the location of a new school building within the 1 in 1000-year flood extent as this is contrary to SPP and our position for civil infrastructure. We have also outlined that we are unable to support any development or landraising within the functional floodplain (1 in 200-year flood extent).

1.6 During extensive correspondence, reference has been made to our letter of 14 December 2017 (our reference PCS/156492) to Will Rudd Davidson. I attach a copy of this letter for ease of reference. At meetings, this letter has been identified by the applicants as a "letter of comfort", but there was further correspondence with the applicants' consultants when we understood the advice in our letter of 14 December 2017 was not based on full details of the site or the footprint of the proposed school. Also, we had considered this application to represent a re-development of an existing or recently vacated school and, and was therefore "exceptional" in terms of Scottish Planning Policy, but we subsequently learned the previous school fell into disuse and the site had been cleared. In an email of 04 June 2016, I referred to our email of 03 May 2018 (which is also attached as 'Flood Strategy Sketch - St Crispins School Edinburgh') as the most "relevant and up-to-date". The full correspondence was forwarded to you and the applicants on 29 June 2018.

1.7 The FRA which has now been provided indicates that the footprint of the building is outwith, but immediately adjacent to, the 1 in 200-year flood extent. The footprint is almost entirely within the 1 in 1000-year flood extent. The proposals are to raise the finished floor levels of the building above the 1 in 1000-year, including 30% climate change allowance, flood level. Given the proximity of the building to the 1 in 200-year flood extent the raised platform will require land raising within the functional floodplain. We note that mitigation is provided for the site by way of raised finished floor levels and also compensatory storage is provided for the landraising, however, this development does not accord with the principle of avoidance and we do not believe that this site is "exceptional" and does not meet this principle.

1.8 Although we object in principle to the development, the following are comments on our review of the FRA. This technical review does not imply that we consider modifications of the current scheme would allow us to remove our objection.

1.9 We have previously been consulted on the hydrological modelling of the Burdiehouse Burn and we accepted that there was a great deal of uncertainty associated with deriving these estimates. The flows derived for this site are lower than those previously agreed on downstream sites and our own estimates. However, given the uncertainty and that the methods used within the FRA followed correct methodology, we agreed that the 'best' estimate derived by WHS could be used within the FRA to define the areas of avoidance in terms of the 1 in 200-year and 1 in 1000-year flood extent, but that the 'upper' estimate as derived using reviewed QMED and growth curves would be used to determine any mitigation required such as raised floor levels or compensatory storage requirements. No mention of this 'upper' estimate or this requirement has been mentioned within the FRA. However, we do note that an allowance for climate change has been included within the calculations for finished floor level (a 600mm freeboard allowance has also been provided in excess of this) and compensatory storage.

1.10 Throughout the consultation for this site it has been indicated that the footprint of the building lies within the functional floodplain. We have not been provided with a FRA previously and so we are unable to determine what, if any, changes have been made to the modelling or site layout, such that the footprint is now shown to be located outwith the functional floodplain.

1.11 The FRA notes that there are no historic records of flooding in the area, however it was mentioned by City of Edinburgh Council at a meeting that the reports of flooding at the site were that flood water was at the doorstep of the previous school but did not enter the building. We do not hold any further information on this and can only provide comments based on the information provided.

1.12 In the justification for development, the FRA notes that as an allowance for climate change of 30% has been applied and current SEPA guidance is for an allowance is 20% that the modelled results are conservative. However, we would note that our guidance is currently being updated to reflect more up-to-date scientific evidence and this will result in a recommended climate change allowance for flows of 40% in the Forth catchment. This is currently a recommendation and we do not object to the use of lower climate change figures.

1.13 Although the volume calculations for the compensatory storage indicate there will be a net gain of 3516m³ at the site, the results of the modelling of the post-development scenario does indicate some localised areas of small increased flood risk. Downstream of the development the maximum increase in flood level is 7mm. Upstream of the site the FRA indicates that the maximum increase in flood levels is 6mm although the hydraulic modelling report (Appendix 4 of FRA) states that flood levels increase by 30mm. These areas are described to be in parkland and away from any residential development.

1.14 While we do not object to the location of the school playing areas being within the functional floodplain we would highlight that there is a risk of pollution and associated health risks with this. We have only been provided with flood extents and depths for the 1 in 200-year flood event and above so it is unclear how frequently this area may flood. Significant clear up is likely to be required following a flood event to ensure there are no health risks associated with polluted land.

Caveats & Additional Information for Applicant

1.15 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/>.

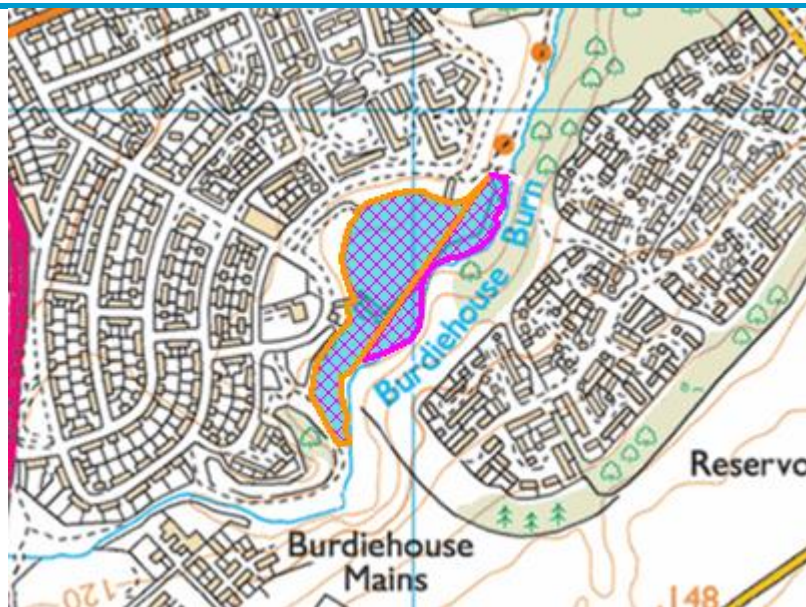
1.16 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

1.17 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).

CEC Flood Prevention - 1 February 2019

CEC are happy that the applicant has demonstrated that the proposed development complies with CEC guidance in terms of flood risk and that appropriate drainage measures have been included in the outline design to address surface water quality and surface water quantity (attenuation). The applicant has demonstrated that the proposed alterations to the existing floodplain to provide compensatory storage affect only the development site and the site design takes account of this in terms position and elevation of the building. They have also confirmed that there is no increased flood risk upstream or downstream of the development as a result of the floodplain alterations.

Location Plan



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END

Development Management Sub Committee

Wednesday 6 March 2019

Application for Approval of Matters Specified in Conditions 18/02812/AMC

At Granton Harbour (Plots 7B & 8C), West Harbour Road,
Edinburgh

**Granton Harbour plots 7B and 8C: Application for approval
of matters conditioned regarding the erection of buildings
containing perimeter block residential flats; formation of
road access, basement parking, and open space.**

Item number	7.2
Report number	
Wards	B04 - Forth

Summary

The principle of housing has been established on the site through the outline planning permission and the design, materials, height and density of the proposal is acceptable. The impact on the amenity of future occupiers and neighbours will be acceptable. Whilst there is a minor infringement on overshadowing of external spaces, this is acceptable in the context of the site and the requirement to provide perimeter block development that responds to the established road network. 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](#)

LDEL01, LDEL03, LDES01, LDES02, LDES05, LDES06, LDES07, LDES10, LDES11, LEN20, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, NSP, NSGD02, NSMDV,

Report

Application for Approval of Matters Specified in Conditions 18/02812/AMC

At Granton Harbour (Plots 7B & 8C), West Harbour Road, Edinburgh

Granton Harbour plots 7B and 8C: Application for approval of matters conditioned regarding the erection of buildings containing perimeter block residential flats; formation of road access, basement parking, and open space.

Recommendations

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

Background

2.1 Site description

The application site is located to the south of Granton Harbour. It is currently unused, reclaimed land. The site covers 0.89 hectares and is generally flat.

The site is bounded to the west by Hesperus Broadway and eight storey flats beyond. To the south, the land is vacant. On this vacant land there is detailed permission for 104 flats on part of the site to the east and detailed permission for a nursing home on the land to the west. The land to the east of the site is vacant and to the north is West Granton Harbour.

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 and road layouts; footpaths and cycle routes. This was subject to a number of conditions (application number: 13/04320/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).

31 May 2017 -Application submitted for approval of reserved 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 01/00802/OUT regarding the erection of a healthcare superhub and five units in Class 1, Class 2 and Class 3 use submitted on Plot 19B to the east of the refused (application number 17/02865/AMC).

Other recent applications on nearby plots within Granton Harbour:

9 December 2016- Approval of Matters specified in condition 2 of application 01/00802/OUT for erection of 104 flats on plot 3, 65 West Harbour Road (application number 16/04342/AMC).

15 November 2017 - Application submitted for approval of matters specified in condition 2 of outline application 01/00802/OUT for the erection of buildings containing residential flats, hotel and serviced apartments; formation of road access, parking and open space on plots 29 and 35 located at the north of Granton Harbour (application number: 17/05306/AMC). Not yet determined.

27 November 2017 -Approval of Matters Specified in Condition 2 of outline 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 (as amended) on plots 9A and 9B. (application number 17/01219/AMC).

15 December 2017- Approval of Matters Specified in Conditions on outline 01/00802/OUT regarding the erection of a healthcare superhub and five units in Class 1, Class 2 and Class 3 use submitted on Plot 19B. (Application number 17/02865/AMC). Application refused

18 June 2018 - Approval of Matters specified in Conditions on outline 01/00802/OUR regarding a proposed marina office with associated retail, cafe space and community boatyard on Plot 8B (application number: 18/02833/AMC). Not yet determined.

Main report

3.1 Description Of The Proposal

The proposal seeks to deal with the matters listed in condition 2 of planning permission 01/00802/OUT in relation to Plots 7B and 8C. The matters specified in condition 2 include detail of the siting, design and height of development including external features; design and configuration of open spaces; external lighting; floor levels external finishes and materials; car and cycle parking, access, road layouts and service areas; footpaths and cycle routes; boundary treatments; and hard and soft landscaping details.

As well as these matters, the application also seeks to satisfy conditions 3 and 14 of the 01/00802/OUT application. In summary, these are:

- 3a) Noise Assessment;
- 3b) Site survey and measures relating to landfill gases and any required remedial/protective measures;
- 3c) Site survey relating to contamination and any required remedial/protective measures; and
- 14) Drainage.

The proposal is for the construction of 100 new residential units. The development provides a mix of 17 one bedrooms, 56 two bedrooms and 27 three bedrooms. The form of the development is a 'C' shaped perimeter block around a landscaped courtyard. There is a break in the block at the north east corner. The north edge is five storeys high increasing to six storeys at the north east corner. The southern edge and south western corner is five storeys. The west edge fronting Hesperus Broadway is four storeys. There is a pend on each elevation providing pedestrian access through the development into the internal courtyard. The communal entrances of the flats are accessed both from the front and rear of the buildings.

Vehicular access will be provided at the southern edge of the site leading to an underground car park. One hundred car parking spaces are proposed for the development, including eight accessible spaces. Cycle storage for 200 cycles is provided. Cycle storage comprises double height racks and are located at different points throughout the underground car park. Four motorcycle spaces are provided at the west end of the car park adjacent to an entrance point.

The design of the flats is contemporary. The predominant material proposed for the external elevations is a grey facing brick. The brick is broken up by vertical sections of zinc metal cladding. The sections of cladding are recessed at intervals along the elevations. There are glazed balconies on all elevations. Larger windows on the upper floors are recessed. All window frames are aluminium framed triple glazing.

The ground floor flats have private gardens to the front and rear. The internal landscaped courtyard comprises raised beds, with native plant species and buff paving. The courtyard area includes a range of useable green spaces. The public spaces are lawns turfed with low growing wild flowers and species-rich herbs and grasses. Planting in raised beds includes a mix of shrubs. Two shelters are integrated within the raised beds to provide shelter from wind and rain, create a space for informal socialising and allow climbing plants to establish. The shelters are constructed in steel with a timber roof and floor. Hedging will divide private gardens from public amenity space within the courtyard.

Bin stores will be provided adjacent to the pedestrian pends. Details of the waste type and volumes are provided on the waste management drawing.

Supporting Statements

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

- Design and Access Statement;
- Daylight and Sunlight Report;
- Flood Risk Assessment and Surface Water Management Plan;
- Energy Statement;
- Sustainability Form;
- Noise Assessment; and
- Environmental Risk Assessment.

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 principle of development is acceptable;
- b) the proposed layout, design, materials, height and density are acceptable;

- c) the proposals are detrimental to the amenity of occupiers and neighbours;
- d) access, car and cycle parking arrangements are acceptable;
- e) the proposals have any equalities or human rights impacts;
- f) there are other material planning considerations; and
- g) the representations raised have been addressed.

a) Principle of development

The outline planning permission for Granton Harbour (01/00802/OUT) supports residential use on the site as part of a wider mixed use development. This application for 100 residential units accords with the outline permission in terms of land use.

The site is located within the Granton Harbour Area at Granton Waterfront, as identified in the Edinburgh Local Development Plan (LDP). It is covered by Proposal EW2c for housing led mixed use development across Granton Harbour. 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 proposals for a mix of house types, sizes and affordability.

The most recent approved masterplans for plot 7B (application number 16/05618/AMC) and plot 8C (application number 14/05305/AMC) show residential development in the form of family housing on both sites. The Llewelyn Davies Masterplan was prepared in early 2000 and has been superseded by these masterplans. The masterplans have in turn been superseded by the LDP which identifies a need for a range of housing including family housing which meets the proportion (20%) as set out in the Edinburgh Design Guidance.

The legal agreement attached to the outline permission requires 15% affordable housing provision across Granton Harbour. Some 2,235 residential units are proposed in the most up-to-date masterplan for the Granton Harbour area. Of this total, 335 affordable units have already been secured on other sites within Granton Harbour. Consequently, the 15% provision has already been met and no affordable housing is required in this proposal.

The principle of development is acceptable.

b) Layout, Design, Materials, Height and Density

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 and materials.

Layout:

The development provides a perimeter block style layout. It is an elongated 'C' shaped block centred around a landscaped courtyard with a break at the east side. This is consistent with the LDP development principles for Granton Harbour (Proposal EW2c) and reflects similar blocks which have been completed or are proposed on nearby plots.

LDP Des 2 allows for development which will not compromise the comprehensive development and regeneration of a wider area in a masterplan, strategy or development brief approved by the Council. The proposal is being assessed against the most recently approved masterplan. The masterplan shows plots 7B and 8C as two separate blocks separated by a road. The diagram illustrated at Proposal EW2c of the LDP also shows two separate plots. The proposed perimeter block extending over the two plots is acceptable as it continues the general street form which is approved in the masterplan, presents opportunities to cycle and walk through the site from north to south, and achieves development of both plots in a comprehensive form whilst delivering a substantial landscaped courtyard area. An objection has been received about the views of the boatyard and harbour being restricted. Private views are not protected. The proposal is co-ordinated development.

Design and Materials:

The proposal is tenemental in form and modern in appearance. The introduction of zinc cladding and larger windows on the upper floors provide interest. Vertical sections of the building are recessed to provide variation to the elevational treatment.

Brick is proposed as the main material in the development and as noted in the Edinburgh Design Guidance, has good weathering characteristics. Recent approvals for residential developments adjacent to the site have also used brick as the main material. Some render and metal cladding is also proposed in the development. The design and palette of materials is appropriate for the location. A condition is attached for sample materials to be provided.

Height:

The proposed four to six storeys correspond with those in the general area, both proposed and developed. Eight storeys has been completed to the west. Six storeys are proposed immediately to the south west and four to six storeys on a proposed flatted development to the south east. The height corresponds with the emerging developments in the area and helps to provide a strong urban form in this regeneration area.

Earlier masterplans for the two plots show a massing plan of two, three and four storey heights across the site. The LDP principles set out in EW2c for Granton Harbour expect proposals to maximise housing delivery. An increased height and higher density is acceptable in this location as it is part of a new regenerated urban quarter. Consequently, the four to six storeys and the general scale of the proposed development are acceptable.

Density:

The 100 units on the 0.89 hectare site equates to a density of 112 dwellings per hectare (dph). The density of a traditional tenemental area, such as those found in Marchmont, is 99 dph. The density of the proposal is appropriate for the urban context of the site.

The proposed layout, design, materials, height and density are appropriate, subject to conditions in relation to materials and landscaping.

c) Amenity of occupiers and neighbours

Housing mix and sizes:

A mix of units are provided in the proposal, including flats and duplexes. There are 85 flats and 15 duplexes. Of the 15 duplexes, which are on the third and fourth floors, 14 are two bedroom and one is one bedroom. There are 16 one bedroom flats, 42 two bedroom flats and 27 three bedroom flats.

LPD Policy Hou 2 Housing Mix seeks the provision of a mix of house types and sizes where practical. The Edinburgh Design Guidance expects that 20% of the total units should have three or more bedrooms. The proposal contains 27 three bed units which equates to 27%. The duplexes are one bed and two bed.

The Edinburgh Design Guidance also includes recommended internal floor areas for flat sizes. All the units meet the internal floor standards.

Green space:

Policy Hou 3 sets out the requirements for open space to meet the needs of future residents. This indicates that 10 square metres of open space should be provided per flat. There is one open amenity area in the form of a landscaped courtyard. There are 100 flats and the layout plan shows total useable green space of 1,263 square metres, i.e. more than the required 1,000 square metres. In addition to the useable green space within the courtyard all the flats on the ground floor have a front and rear private garden. There is a wide range of plant species, grasses and wild flowers in the landscaped courtyard which will help the biodiversity of the area. The total amount of private garden space is 1,366 square metres. Some 85 of the flats have a balcony.

Privacy, Daylighting and Overshadowing of open space:

Privacy

Privacy is afforded to all the occupiers of the new development and existing occupiers of the flats on the west side of Hesperus Broadway. The distance between the elevations of those two blocks is 34 metres. This includes the width of Hesperus Broadway incorporating footpaths, private garden space for both blocks and public garden space in front of the proposed block. This is not considered detrimental to the amenity of the occupiers of the flats on the west side of Hesperus Broadway.

Daylighting (for adjacent plots)

A daylighting assessment has been carried out to assess the impact of the proposed development on one existing and four proposed plots that surround the site. Plot 3 is to the south east, plot 7A to the east and plots 9A & 9B to the south west. Plot 28 to the west is an eight storey building which is occupied. Objections have been received from some residents concerned that their daylight will be affected by the proposed development. The standards are set by the minimum BRE compliance criteria and the Edinburgh Design Guidance. Some 30 ground floor and first floor windows of plot 28 were assessed. All the windows comply with the standards except for two at ground floor and one at first floor level. The level of compliance of the BRE standards for plot 28 is over 95%. The level of compliance of all the adjacent plots (not yet completed) when assessed against the standards is over 80%.

The assessment results indicate that the proposed form and massing of the development will enable acceptable daylighting conditions to be maintained to the adjacent plots.

Daylighting (proposed development)

A No Sky Line analysis has been carried out to determine the levels of daylight amenity likely to be received by the habitable rooms at ground and first floor level of the proposed development. Sixty five ground floor rooms and 69 first floor rooms were assessed. The overall level of compliance with the Edinburgh Design Guidance standards will be in excess of 96%. This is acceptable in terms of the effect on amenity of the future occupiers of the development.

Overshadowing of proposed external spaces

The Edinburgh Design Guidance states that at least 50% of new public /private garden space should be capable of receiving potential sunlight during the spring equinox for more than three hours. The courtyard area does not meet the target criteria. The overshadowing study shows that only 29% of the proposed courtyard area would meet these standards. This is caused by the heights of the buildings and the distances between them. However, the courtyard has a mix of public and private space and generally a high level of shelter and privacy. The urban form layout achieves a perimeter block of acceptable height, density, massing and co-ordinated development. On balance, the proposal delivers an acceptable urban form and an infringement of the overshadowing standards is acceptable.

Noise

The applicant has submitted a supporting noise impact assessment. It has predicted that noise from the proposed marina and other industrial/commercial uses will meet the required noise criteria at the nearest proposed noise sensitive receiver with the windows open.

The amenity of the occupiers and neighbours is acceptable. An infringement of the overshadowing of open space is acceptable in this instance as the area has a generally high level of shelter and privacy.

d) Access, car and cycle parking

The proposed vehicular access serving the site is from an unconstructed road on the southern edge of the site. This road is shown in the up-to-date masterplan but requires planning permission. A condition is attached to this consent requiring construction of this road prior to development commencing i.e. a Grampian Condition. Access to the harbour and marina will not be restricted. Hesperus Broadway currently provides access to the harbour and marina and future access will only be improved by the construction of roads serving the proposed development. The number of cars being generated from this development will not have a negative impact on surrounding roads.

The current Council Parking Standards require 100 spaces for this development. The development provides 100 car parking spaces including eight for accessible parking. One in every six car parking spaces should be equipped for electric charging. The 17 proposed charging points meets this requirement. Some 8% of car parking is to be designated as accessible and the eight proposed spaces meets this requirement. A minimum of 227 cycle parking spaces should be provided and a condition is attached requiring this.

e) Equalities and Human Rights

This application raises no adverse impacts in terms of equalities and human rights.

f) Other Material Considerations

Archaeology:

The Archaeology Officer has confirmed that the proposed development is situated on modern reclaimed land. Consequently it is unlikely that significant archaeological remains will be affected.

Contaminated Land:

The applicant has submitted an updated 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.

Education:

The education contributions are to be paid on a plot by plot basis. Communities and Families has advised that, on the basis of the standards recommended in the current Developer Contributions guidance, this application would normally require a total education contribution of £295,065 at Q4 2017 value. However, as there is a legal agreement attached to the outline planning permission (01/00802/OUT), the terms of this agreement are applicable to this AMC application. The relevant clause of the agreement requires payment of £1,366 per residential unit index linked.

At Quarter 4 2017 value, a payment of £216,500 (the exact contribution will be index linked at point of payment) is required towards new infrastructure for the 100 flats. This is £78,565 less than the amount required under current guidance. However, as this level of contribution has already been agreed, there is no mechanism to seek the additional amount requested by Communities and Families.

Sustainability:

The applicant submitted a sustainability statement in support of the application. The proposed development will meet current Building Standards, will be constructed on brownfield land and will meet a 30% carbon reduction. The development will include combined heat and power generators, photovoltaic systems and waste water heat recovery systems. The proposal is classed as a major development and has been assessed against Part B of the sustainability standards. The points achieved against the essential criteria are set out in the table below:

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

The proposal meets the essential criteria. In addition, the applicant has provided a commitment to further sustainability measures as set out in the desirable elements sections.

Infrastructure and Affordable Housing:

Community facilities and the planned five metre promenade cycle and walkway are not relevant to this proposal and are dealt with through other planning applications within Granton Harbour. The affordable housing provision for Granton Harbour has already been secured on other sites, therefore no affordable housing is required in this proposal.

Flooding and Drainage:

The applicant has provided the relevant Flood Risk Assessment and Drainage Strategy Report for this site as part of the self-certification process. The proposals meet the Council's requirements. SEPA does not object to the application. Condition 14, in relation to this site, has therefore been adequately addressed.

g) Matters raised in representations

Material representations - objection

Design:

- Storey heights not reflecting masterplan of 3-4storeys - assessed in section 3.3(b).
- House types not reflecting masterplan of family houses - assessed in section 3.3 (a).
- Increased density not suitable for Granton - assessed in section 3.3 (b).
- The scale of the development is excessive - assessed in section 3.3 (b).
- Does not comply with Adopted Edinburgh Local Plan - assessed in section 3.3 (a).
- Does not comply with Granton Harbour Masterplan - 16/05618/AMC (revision Y 2F 0901 2017) - assessed in 3.3 (a).
- Design is cheap and tacky - assessed in 3.3 (b).
- Does not comply with Llewelyn Davies 2000 masterplan which promotes this area as a public area - assessed in 3.3 (a).

Amenity:

- No privacy or daylight for flats to the west - assessed in 3.3 (c).
- Insufficient open space - assessed in 3.3 (c).
- Would detract from the key marina and hotel developments on nearby plots - assessed in 3.3 (b).
- Views of boatyard/harbour and to the east will be restricted - assessed in 3.3 (b).
- The landscape proposals do not consider biodiversity - assessed in 3.3 (c).
- Not co-ordinated development - assessed in 3.3 (b).
- Effect of increased density on local roads - assessed in 3.3 (b).
- Insufficient parking - assessed in 3.3(b).
- No school facilities - assessed in 3.3 (f).
- Access to the harbour will be restricted - assessed in 3.3 (d).
- Removal of planned 5m cycle and walkway round harbour (promenade) - assessed in 3.3 (f).
- Inadequate provision for sustainable urban drainage in a coastal setting - assessed in 3.3 (f).
- Community facilities are inadequate - assessed in 3.3 (f).

Non-material representations (objections)

- Would not bring an eclectic mix of people to the development.
- Proposed landscaping is difficult to maintain.

Conclusion

The principle of housing is established on the site and the design, materials, height and density of the proposal is acceptable. The impact on the amenity of future occupiers and neighbours will be acceptable. Whilst there is an infringement on overshadowing of external open space, this is acceptable in the context of the site and the requirement to provide perimeter block development that responds to the established road network. 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 roads highlighted on drawing number A-P-DD-G1-003 REv C are constructed and provide access to the site.
2. i) Prior to the commencement of construction works on site:
 - a) A site survey (including initial desk study as a minimum) must be carried out to establish, 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 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. 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 commencement of the construction of the superstructure or above ground works, sample panels, to be no less than 1.5m x 1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for written approval by the Planning Authority.
5. A drawing showing how the minimum level of cycle storage (227 spaces) can be delivered to serve the site must be submitted to and approved in writing by the Planning Authority.

Reasons:-

1. To ensure the safety of future occupiers of the development.
2. In order to ensure the most efficient and effective rehabilitation of the site.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. To ensure the implementation of a high quality design.
5. To ensure the safety of future occupiers of the development.

Informatives

It should be noted that:

1. Developer contributions are required in accordance with the legal agreement attached to application 01/00802/OUT.
2. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. 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.
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.
6. 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 location, design and specification.
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 the Disabled Persons Parking Place (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons vehicles. The applicant should therefore advise the Head of Planning and Transport if he wishes the bays to be enforced under the legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled parking places must comply with the relevant legislation.
9. In support of the Council's Local Transport Strategy Cars 1 policy, City Car Club vehicles could be considered for this development to further promote sustainable travel.
10. The proposed two tier cycle racks to be equipped with gas struts to assist with accessing the higher rack.
11. The proposed cycle hoops to be Sheffield Stands with a tapping rail for smaller bikes, and spaced appropriately to allow for larger non-standard bikes.
12. External cycle parking that is easily accessible, overlooked and close to building entrances should be considered for this development.
13. When available, the applicant shall provide details of all the boilers to Environmental Assessment to ensure compliance with the Clean Air Act 1993.

Financial impact

4.1 The financial impact has been assessed as follows:

Communities and Families has advised that the contribution set in the approved consent will result in a funding shortfall with regard to the delivery of the education infrastructure required in this Education Contribution Zone.

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 29 June 2018 and attracted 60 letters of objection.

The representations are addressed in the Assessment Section of the report.

Granton and District Community Council requested to be a statutory consultee. They objected to the application on the following grounds:

- Non-compliance with the LDP or Waterfront Area Plan in terms of density, design, open space or place - assessed in 3.3 (a) and 3.3 (c).
- Non-compliance with housing and environmental policies - assessed in 3.3 (c).

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 EW2c (Granton Harbour) states that the area is for a housing -led mixed use development.

Date registered

18 June 2018

Drawing numbers/Scheme

01,02,03A,04A,05A,06-17,18A,19A,20-26.,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lesley Porteous, Planning Officer

E-mail:lesley.porteous@edinburgh.gov.uk Tel:0131 529 3203

Links - Policies

Relevant Policies:

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

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

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

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

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

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

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

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

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

LDP Policy 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.

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

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 on 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

Appendix 1

Application for Approval of Matters Specified in Conditions 18/02812/AMC

At Granton Harbour (Plots 7B & 8C), West Harbour Road, Edinburgh

Granton Harbour plots 7B and 8C: Application for approval of matters conditioned regarding the erection of buildings containing perimeter block residential flats; formation of road access, basement parking, and open space.

Consultations

Scottish Water response - dated 25 June 2018

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

There is currently sufficient capacity in the Marchbank Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Infrastructure within boundary:

According to our records, the development proposals impact on existing Scottish Water assets.

I can confirm that I have made our Asset Impact Team aware of this proposed development however the applicant will be required to contact them directly at service.relocation@scottishwater.co.uk.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

Surface Water:

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

Scottish Water asset plans can be obtained from our appointed asset plan providers:

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-yourproperty/new-development-process-and-applications-forms>.

Next Steps:

Single Property/Less than 10 dwellings

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

10 or more domestic dwellings:

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk.

Trade Effluent Discharge from Non Dom Property:

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/ourservices/compliance/trade-effluent/trade-effluent-documents/trade-effluent-noticeform-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For foodservices establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

If the applicant requires any further assistance or information

Active Travel response - dated 25 June 2018

1. This development is of particular interest in light of the wider investment into Active Travel links around Lower Granton Road and connections into the off road North Edinburgh Path Network. These routes add value to the development by providing safe, convenient and attractive links to Haymarket and the City Centre for walking and cycling.

2. It is imperative that this new development supports the design principles of the Local Development Plan (LDP) and Edinburgh Street Guidance (ESDG), to avoid this new neighbourhood being built at odds with the council's active travel agenda. We need to encourage a move away from reliance on the car and support residents to adopt sustainable travel options from the point of occupation through a reduction in car parking provision and clear pedestrian and cycle priority throughout the site and integrated into the wider network, particularly in light of the tram proposals.

3. The road to the south of the development raises a couple of concerns. The pedestrian route deviates around parking laybys ' these bays have potential to dominate the streetscape and detract from the pedestrian experience. Additionally, there is not suitable detail to assure that the access ramp to the podium basement parking will not be a conflict point with pedestrians on an east-west trajectory. Ultimately, appropriate walking and cycling provision should not be compromised by loading bays and car park access overrunning the footways when there are ample suitable alternatives. In an area of new development, outwith the constraints of the historic city centre urban fabric, the Council should expect adherence to the ESDG in every aspect of a planning application.

4. It would be encouraging to see more public realm consideration at the north of the site overlooking the harbour. Presently, the road is in danger of severing the amenity space from the potential value offered by this outlook.

5. Reduce splays/corner radii on the roads both north and south of the site to ensure pedestrians are prioritised over junctions and do not need to deviate from natural desire lines. Ensure dropped kerbs or raised crossings are provided to comply with equalities requirements.

6. More information is needed on internal cycle parking and cycle access to the basement. There must be adequate internal space for non-standard bikes/trailers/bikes with child seat attachments/maintenance. Needs to have sufficient provision of single storey cycle parking rather than relying on two-tiered options to meet the quota. Doorway options must be suitable for manoeuvring a bike in and out without too much effort. Bike stores should lead directly into main stairwells where possible. Ensure there is external bike parking, easily accessible from the road, overlooked, attractive, and located close to building entrances.

Flood response - dated 28 June 2018

Flood Prevention are happy for the application to proceed with no further comment from our department.

Archaeology response - dated 3 July 2018

Further to your consultation request I would like to make the following comments and recommendations concerning this AMC application regarding the erection of buildings containing perimeter block residential flats; formation of road access, basement parking, and open space.

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, the current site is situated on modern reclaimed land. According it is considered unlikely that significant archaeological remains will be affected and therefore it is been concluded that there are no known significant archaeological impacts upon this scheme.

Affordable Housing response - dated 3 July 2018

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

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

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

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

* An equitable and fair share of parking for affordable housing, consistent with the relevant parking guidance, is provided.

2. Affordable Housing Provision

This application is for a residential development consisting of 100 residential homes. The application falls within the remit of the Granton Harbour Master Plan which requires only a 15% affordable housing provision across the entire development area. This 15% will be met by other developments within the wider Master Plan area and therefore there is no duty to provide affordable housing at this individual development in line with the standard AHP.

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

3. Summary

The applicant is exempt from the standard 25% AHP provision requirement as the 15% affordable housing target across the entire Granton Harbour Master Plan has already been achieved.

Children and Families response - dated 5 October 2018

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (August 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2018).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the draft Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery'.

Assessment and Contribution Requirements

Assessment based on:

83 Flats (17 one bedroom flats excluded)

This site falls within Sub-Area CB-1 of the 'Craigroyston Broughton Education Contribution Zone'.

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

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

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

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

Total infrastructure contribution required:
£293,488

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Total land contribution required:
£1,577

Note - no indexation to be applied to land contribution.

Although the above assessment is based on the current approach to determining developer contributions, there is a legal agreement attached to the original outline consent for the Granton Harbour development (01/00802/OUT). The Planning service has advised that the terms of this agreement are applicable to this application. This requires payment of £1,366 (to be indexed from 2002) per residential unit towards education infrastructure. This equates to £2,165 when indexed to Q4 2017.

If 100 units are delivered at Granton Harbour under the terms of the original agreement, the value of the financial contributions that the Council would receive is estimated to be £216,500 (as at Q4 2017).

It is therefore likely that there will be a significant funding gap with regard to the delivery of the infrastructure that is now required to serve the new housing development expected in the Contribution Zone.

The potential for such gaps to arise has previously been identified and reported through LDP Action Programme governance arrangements, including a report to the Council's Finance and Resource Committee (24 January 2018). There is as yet no confirmed source of alternative funding to address the cumulative gap in capital funding arising. There will also be significant additional revenue costs arising from the new education infrastructure for which no revenue budget currently exists within either Communities and Families, or Corporate Property (with whom responsibility for all property related budgets now lies).

Any future capital and revenue budget pressures arising from the infrastructure requirements in this area, and the Local Development Plan as a whole, will need to be considered as part of the on-going budget consultation process. If the funding gap towards the education infrastructure actions identified in the 'Craigroyston Broughton Education Contribution Zone' and the additional revenue costs are not addressed through Council budget processes, there is a significant risk that the Council will not be able to provide local school places for pupils arising from new development in this area.

Waste Services response - dated 5 November 2018

I refer to the consultation that took place in October 2018 regarding the above new development which will consist of 100 flatted properties. This letter is a confirmation that agreement on the waste strategy and requirements for this development have been reached and that the following conditions will apply. The above agreement relates to the drawings attached.

Please also ensure that a copy of this letter is provided to the builder/developer, site manager and the property management company.

Waste strategy for new developments The City of Edinburgh Council actively promotes the provision of recycling facilities in all new developments and throughout the city. The Waste (Scotland) Regulations 2012 make mandatory the provision of specific household waste recycling services and our own waste strategy supports this. Recycling collections are integral to the overall waste collection system, so it is necessary to incorporate recycling facilities within your development.

Provision and collection of waste containers

For flatted developments we normally require that communal wheeled containers are used for household waste and recycling. This would consist of containers for residual waste, mixed recycling, glass and food.

Information showing the dimensions of the communal containers has already been provided for your information in the Architect Instructions.

For this particular development at Granton Harbour plots 7B and 8C we would require the following:

Bin store A -37 units

- 5 x 1280 litre Residual waste
- 3 x 1280 litre Mixed recycling
- 1 x 660 litre Glass
- 1 x 500 litre Food waste

Bin store B - 29 units

- 4 x 1280 litre Residual waste
- 3 x 1280 litre Mixed recycling
- 1 x 660 litre Glass
- 1 x 500 litre Food waste

Bin store C - 34 units
5 x 1280 litre Residual waste
3 x 1280 litre Mixed recycling
1 x 360 litre Glass
1 x 500 litre Food waste

To ensure safe and efficient access for waste collection vehicles to collect waste and recyclable materials, access arrangements to empty bins, turning circles, interactions with pedestrians have been evaluated and agreed as per Architects Instructions.

Summary of the agreement for the development are covered as follow:

All roads requiring access by waste collection vehicles will be built to an adoptable standard

Standard yellow line marking should be provided where vehicle access to bin collection location will be required. It will be the architect's responsibility to contact city development if line markings are required.

The distance for the transportation of communal waste containers from the bin collection location to the vehicle should be kept to a minimum, a straight pull of 10 metres is the maximum acceptable distance.

Drop kerbs should be provided for any route from the bin store to the collection vehicle.

Budget locks should be fitted on all doors to bin stores where access is required by CEC collection crews.

Temporary street signage should be installed if permanent signage will be unavailable at the time of delivery/servicing.

It will be the builder/developer's responsibility to provide the residual and recycling containers in line with our requirements, as outlined in the Architect Instructions. We can assist with this and will recover the costs of doing so at the current prices. We require twelve weeks notice for bin orders, to arrange for the ordering, manufacture and delivery of bins. These should be submitted as a purchase order to the officer responsible for your development.

It will be the builders or developers responsibility to provide unrestricted access to the bin storage areas during the building stage and occupation of the properties. Containers will not be delivered or collections will not be made until adequate vehicle access is provided.

Responsibility for the bin storage areas and bin collection location will lie with the builder / developer until handed over to the property management company.

Property management

On completion of the building or individual block and when handover from the builder/developer has taken place the following requirement will apply:

Property management company responsibility includes:

Ensure that all materials, residual or recyclable, are deposited within the communal bins prior to collection.

Removal of excess waste where residents do not use the containers provided.

Removal of any dumped items e.g. furniture, carpets, white goods etc.

General cleaning of the bin storage areas.

Ongoing provision and maintenance of associated infrastructure, e.g. bin lifts, bin stores etc.

The City of Edinburgh Council responsibility includes:

Provide initial guidance documentation for residents in using the recycling facilities.

Servicing of residual and recycling waste containers as scheduled.

It is appreciated that new occupiers may initially have quantities of cardboard and other recyclable material generated from new appliances. We request that householders flatten cardboard boxes and deposit them in the mixed recycling bins provided. Large cardboard boxes should be flattened and placed alongside the containers for collection. Excess waste can be taken to the local Community Recycling Centres, which are open 7 days a week. More information about these is on our website.

Transport response - dated 12 December 2018

Further to the memorandum sent on the 11th of July 2018 there is no objections to the application subject to the following being included as conditions or informatives as appropriate:

1. No construction to take place until the proposed planning application for the surrounding road network is approved.
2. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details.
3. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent. Street and road designs should be in-line with the Edinburgh Street Design Guidance Fact Sheets, a particular focus on pedestrian and cyclist priority should be applied.

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. In support of the Council's LTS Cars1 policy, City Car Club vehicles could be considered for this development to further promote sustainable travel.

8. External cycle parking that is easily accessible, overlooked and close to building entrances should be considered for this development.

9. The proposed two tier cycle racks to be equipped with gas struts to assist with accessing the higher rack.

10. The proposed bike hoops to be Sheffield Stands with a tapping rail for smaller bikes, and spaced appropriately to allow for larger non-standard bikes.

Note:

1. The application has been assessed under the 2017 parking standards. These permit the following:

- a. A maximum 100 car parking spaces, 100 car parking spaces are proposed.
- b. 1 of every 6 car parking spaces should be equipped for electric charging, the 17 proposed meets this requirement.
- c. 8% of car parking is to be designated as accessible, the 8 spaces proposed meets this requirement.
- d. A minimum of 227 cycle parking spaces, the 200 spaces proposed is deemed acceptable as the cycle parking is located within a communal area.
- e. A minimum of 8 motorcycle parking spaces, there are 4 spaces proposed.

2. Detailed and reasoned justification for the proposed level of car parking provision was not provided with the application, however through dialogue with the applicant it is understood that as an underground car park will be utilised, this will minimise the visual impact of car parking on the surrounding streetscape. This is considered acceptable.

Environmental Protection - 15 February 2019

As the current application is an AMC application relating to the outline planning permission, there is already consent for an acceptable quantum of development on the site. This specific proposal is for residential flats and houses; formation of road access, parking, and open space.

Environmental Protection understands that plot-specific issues will be addressed through detailed development processes (assuming the Masterplan delivers no major shift in the content or context of the outline approval, including development phasing). This proposal follows what has been agreed in the masterplan. The site is bound by Granton Harbour and proposed development Plots 8A & 8B, which are currently proposed as a community boatyard. Forth Corinthian Yacht Club has premises to the East of the site, Forth Industrial Estate lies to the South-West, and several existing commercial/industrial units lie to the South-East. The proposed development comprises 6 storey flats (Block C & D), 5 storey flats (Blocks A & B) and associated infrastructure and landscaping.

Again, this AMC application does not propose a major shift from what has been previously been consented. Many of our issues have been addressed in the form of conditions and legal agreements for the outline application (01/00802/OUT). However, due to the period pasted from when the outline application was consented to this AMC Environmental Protection would like to make further comment. This proposal is not a big cause concern but we must stress that the applicant keeps proposed parking numbers down. The proposed parking provision is for residents on a 1 space per apartment basis with an additional 20% allowed for visitor parking. Secure cycle parking shall be provided in the secure parking area.

Noise

Environmental Protection had raised issues with the some of the proposed uses in the master-plan site including requesting details of how noise will be controlled on the proposed marina, the applicant has confirmed that a noise management plan for occupants once the surrounding development AMC applications are approved and there are developments to assess the noise against. An acoustician has been appointed to the design team to produce a noise management plan for this site and any forthcoming AMC's across the entire consented outline application site.

The applicant has submitted a supporting noise impact assessment. It has predicted that noise from the proposed Marina and other industrial/commercial uses will meet the required noise criteria at the nearest proposed noise sensitive receiver with the windows open.

Land contamination

Environmental Protection has received information regarding the outline consent for Granton Harbour (01/00802/OUT). The applicant has submitted an updated 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.

Air Quality

Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation 3 sets out the Scottish Executive's core policies and principles with respect to environmental aspects of land use planning, including air quality. PAN 51 states that air quality is capable of being a material planning consideration for the following situations where development is proposed inside or adjacent to an Air Quality Management Area (AQMA):

- o Large scale proposals.*
- o If they are to be occupied by sensitive groups such as the elderly or young children.*
- o If there is the potential for cumulative effects.*

The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in AQMAs or, by cumulative impacts, lead to the creation of further AQMAs (areas where air quality standards are not being met, and for which remedial measures should therefore be taken.

AQMAs have been declared at five areas in Edinburgh - City Centre, St John's Road (Corstorphine), Great Junction Street (Leith) Glasgow Road (A8) at Ratho Station and Inverleith Row/Ferry Road. Poor air quality in the AQMAs is largely due to traffic congestion and the Council's Air Quality Action Plan contains measures to help reduce vehicle emissions in these areas. The Council monitors air quality in other locations and may require declaring further AQMAs where AQS are being exceeded. It is noted that a significant amount of development is already planned / committed in the area and additional development will further increase pressure on the local road network including the nearby AQMA's.

As this is a AMC application and does not propose a major shift from what has been previously been consented. Air quality issues had been considered in the form of conditions and legal agreements for the outline application (01/00802/OUT). As part of the outline application Environmental Health Officers reviewed the data and projections in the supporting reports, and was satisfied that the development could progress without breach to air quality objectives. It is noted that this was a long time ago. The submitted air quality information was a strategic air quality assessment but further consideration could be required to take account of the potential adverse impacts on local air quality because of vehicle exhaust emissions from road traffic generated by any of the forthcoming proposed detailed developments. This would also need to consider the possibility of air quality affecting the actual developments site and future residents. However as this is a AMC application there are limitations on what we can require.

Environmental Protection would raise some concern that the air quality impact assessment did not considered the worst-case scenario and is now outdated. Environmental Protection will require the City of Edinburgh Councils Transport Planning Officer to support the proposal. If there are any issues with the transport assessment then this likely would be an issue for Environmental Protection.

Reducing the need to travel and promoting the use of sustainable modes of transport are key principles as identified in the second Proposed Edinburgh Local Development Plan (LPD). The LDP also states growth of the city based on car dependency for travel would have serious consequences in terms of congestion and air quality. An improved transport system, based on sustainable alternatives to the car is therefore a high priority for the Council and continued investment in public transport, walking and cycling is a central tenet of the Council's revised Local Transport Strategy 2014-19.

Future developments should be encouraged to keep car parking numbers to a minimum, support car club with electric charging, provide rapid electric vehicle charging throughout development site, provide public transport incentives for residents/visitors/employees, improve cycle/pedestrian facilities and links, and contribute towards expanding the electric charging facilities throughout the city.

As mentioned Environmental Protection have raised concerns with the cumulative impacts developments especially large proposals some of which are on the green belt may have on local air quality. Some of the local roads in the area are already congested during peak hours. There will need to be serious changes to the modes of transport used in the area and any planned developments will need to ensure that sustainable transport infrastructure is incorporated into the final detailed designs and is fully supported by the City of Edinburgh Council's Transport Planning officers.

Already committed developments in the area include a considerable number of car parking spaces with some of these developments having still to be developed out. Environmental Protection have concerns that if only limited transport mitigation measures are adopted then this will not be enough to tackle air pollution. For example, the introduction of intelligent traffic signals may assist but the traffic signals need to be linked to all the traffic signals in the local area so they can work in synergy. These signals also only work up to a certain capacity and it is likely they would be quickly overwhelmed with traffic.

The Scottish Government in the 'Government's Programme for Scotland 2017-18 has a new ambition on ultra-low emission vehicles, including electric cars and vans, with a target to phase out the need for petrol and diesel vehicles by 2032. A range of actions underpins this to expand the charging network, support innovative approaches, and encourage the public sector to lead the way, with developers incorporating charging points in new developments. Given that this proposed development is anticipated to be developed out by beyond 2032 it would sensible to ensure the development is future proofed in this regard with 100% electric vehicle charging points provided as a minimum. As the proposal includes 100 parking spaces in a basement the installation of wall mounted chargers will be straightforward during the development stage. The applicant has committed to installing 17 electric which is the minimum required as stated in the Edinburgh Design Standards. The charging points are highlighted in drawing number A-P-B1-G2-007 rev dated 6/11/2018. Environmental Protection would require the developer to consider installing 100% of the spaces with charging facilities.

The applicant is aware that there are now requirements stipulated in the Edinburgh Design Guidance must be achieved. Edinburgh has made progress in encouraging the adoption of electric/hybrid plug-in vehicles, through deployment of extensive charging infrastructure. As plug-in vehicles make up an increasing percentage of the vehicles on our roads, their lack of emissions will contribute to improving air quality, furthermore their quieter operation will mean that a major source of noise will decrease. Due to the outdated nature of the air quality information that underpins this application we would push the developer to address this by doing more than the minimum requirement and install 100% charging provisions. This would be something that could be marketed to future tenants and avoid any issues with some tenants having spaces with charging infrastructure and others without.

The Sustainable Energy Action Plan is the main policy supporting the Council's Electric Vehicle Framework. It is known that increasing the number of plug-in vehicles and charging infrastructure in Edinburgh will provide substantial reductions in road transport emissions that would benefit this development and beyond.

Environmental Protection recommend that 7Kw (type 2 sockets) charging provision will be required for all spaces. Information on chargers is detailed in the Edinburgh Design Standards -Technical Information Design Standards.

Any application must keep the numbers of car parking spaces to a minimum, commit to providing good cycle provisions, electric vehicle charging facilities for bikes/road vehicles and supported with an up to date travel pack. The introduction of car club spaces can reduce the overall requirement for car parking numbers. It should be noted that the car club currently operates many electric vehicles in its fleet. Any allocated car club spaces shall be supported with an electric vehicle charging point.

The applicant must fully have 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 new residents.*
- 5. Improved cycle/pedestrian facilities and links.*

Environmental Protection also advised the any applicants are made aware that any energy centres must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass. Environmental Protection would support the introduction of other renewable energy systems especially intelligent power systems that would work along with the electric vehicle infrastructure. A development of this size and scale would be able to produce renewable energy and store it in the electric vehicles.

We will need details on any proposed centralised energy centre, for example the proposed fuel and size (energy in/output), again Environmental Protection will not support biomass and if a large gas-powered energy centre is required then secondary abatement technology will need to be incorporated to ensure NOx emissions are minimised. It is recommended that the applicant submits a chimney height calculation at the earliest possible stage to ensure planning are satisfied with any proposed chimney which may need to be sizable.

17/05332/AMC | Granton Harbour plots 7B and 8C: Application for approval of matters conditioned regarding the erection of buildings containing residential flats and houses; formation of road access, parking, and open space. | Granton Harbour West Harbour Road.

Environmental Protection have provided comments on a similar proposal for these plots however that application was withdrawn (17/05332/AMC). On balance, Environmental Protection offers no objection for this proposal. However, if consented it must be subject to the conditions and legal agreement recommendations from 01/00802/FUL planning application being carried forward. Specifically, regarding this plot, the following conditions must be attached to any consent.

Contaminated Land

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

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

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

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

Local Air Quality

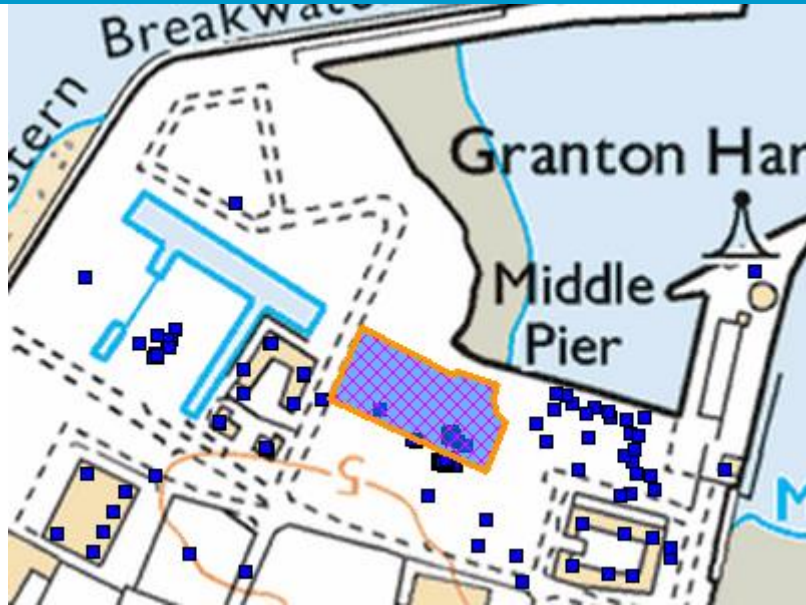
1. Prior to the use being taken up, 7Kw - 32amp (type 2 sockets) electric vehicle charging point, shall be installed serving every car parking space in the car park for all residential properties and be fully operational prior to occupation.

Informative

2. Electric vehicle charging points should be installed in accordance with Transport Scotland's Switched on Scotland Phase Two: An Action Plan for Growth (2017).

3. When available the applicant shall provide details of all the boilers to Environmental Assessment to ensure compliance with the Clean Air Act 1993.

Location Plan



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