

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/>.

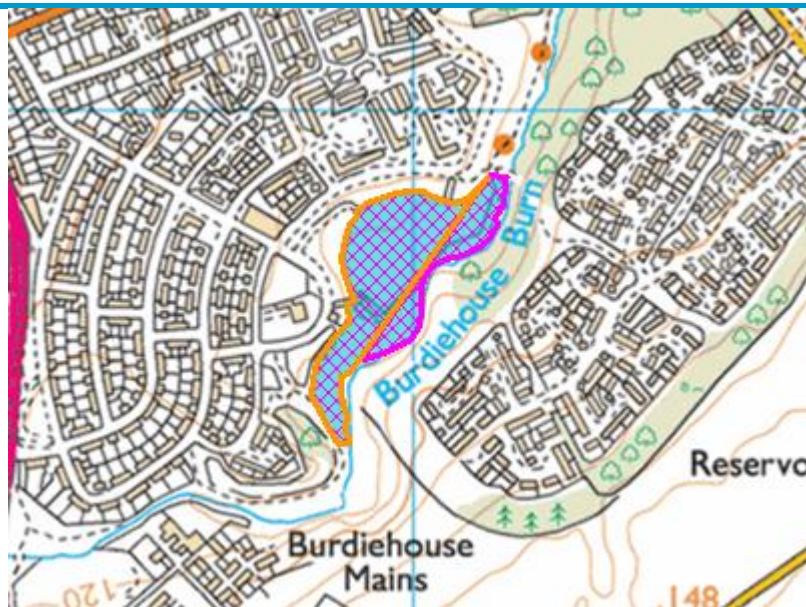
1.16 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

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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