

Development Management Sub Committee

Wednesday 20 March 2019

Application for Planning Permission 18/03011/FUL At Site 30 Metres Southwest Of 7, Meadowbank, Edinburgh New build apartment block with 11 dwellings and relocation of existing electricity sub-station (as amended)

Item number	4.6
Report number	
Wards	B14 - Craigentinny/Duddingston

Summary

The proposal complies with the adopted Edinburgh Local Development Plan and is generally compatible with the Council's Edinburgh Design Guidance. It is acceptable in terms of scale, design and materials in this location. The impact on neighbouring amenity is satisfactory and an adequate level of amenity will be provided for future occupiers. There are no transport issues. There are no other material considerations to outweigh this conclusion.

Links

Policies and guidance for this application	NSG, NSGD02, LDPP, LHOU01, LHOU02, LHOU03, LDES01, LDES04, LDES05, LHOU04, LTRA02, LTRA03,
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Report

Application for Planning Permission 18/03011/FUL At Site 30 Metres Southwest Of 7, Meadowbank, Edinburgh New build apartment block with 11 dwellings and relocation of existing electricity sub-station (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 north side of Meadowbank Terrace on undeveloped land to the east of an existing tenement block. The land is a triangular area of ground measuring 325 square metres which is presently occupied by an electricity substation and an advertisement hoarding. To the south of the site, on the other side of the road, there is a row of 4 storey tenement buildings and to west there is a three storey tenement. The main railway line is at the rear to the north and north-west of the site and further west is a road junction with London Road.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The proposal is for the development of 11 new residential flats.

The building is a single block four storeys and attic high with a hipped roof at the east end and a gable at the west end. The existing electricity substation is to be relocated to the ground floor of the new building. There is also a recycling and refuse area, cycle spaces and two flats on the ground floor. There are three floors of residential accommodation above. The accommodation comprises the following:

- 1 No. 3 bed flat
- 4 No. 2 bed flats
- 4 No. 1 bed flats
- 2 No. Studio flats

The proposed materials are pre-cast stone for the walls and zinc for the roof.

No car parking spaces are provided but 20 cycle spaces are within the ground floor. Amenity space is provided to the rear of the building, at roof level and by external balconies.

Supporting Documents

- Design and Access Statement;
- Noise Impact Assessment ; and
- Daylight and Sunlight Report

These documents are able to be viewed on the Planning and Building Standards Online Service.

Scheme 1

The original proposal was for a flat roofed structure of 4 storeys. The proposed materials were brick and render.

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 would have a detrimental impact on the character and appearance of the surrounding area;
- c) the proposal provides an adequate impact on the neighbouring residential amenity;
- d) the proposal provides an adequate impact of amenity for the future occupiers;
- e) the proposal has an adverse impact on road safety;
- f) the proposal is acceptable in terms of archaeology;

- g) the proposal is acceptable in terms of education provision; and
- h) the comments raised have been addressed.

a) Principle

The site is located within the urban area of the adopted Edinburgh Local Development Plan (LDP).

LDP Hou 1 gives priority to new housing development on suitable sites in the urban area provided it is compatible with other policies of the Plan.

LDP Hou 2 seeks a good mix of dwelling types and sizes. The proposal creates one, two and three bedroom flats in keeping with the character of the area. The proposal accords with this policy.

LDP Hou 4 Density seeks an appropriate density of development having regards to its characteristics and those of the surrounding area. The new development occupies the majority of the site. This is in keeping with the density of the tenement flats to the west and south. The proposal is for 11 dwellings which represents a density of 1100 dwellings per hectare. It is located close to the city centre where there are higher densities and a good level of public transport. The proposal accords with this policy.

The development is therefore acceptable in principle provided it complies with other policy requirements.

b) Character and Appearance of the Surrounding Area

LDP Policy Des 1 supports new development whose design contributes towards a sense of place and picks up on the positive characteristics of the area. The site is land enclosed by a stone wall and the railway line and is of limited quality. The proposal would not have a significant impact on the quality of the character of the area. The existing area is characterised by a mixture of three, four and five storey tenements. On this side of Meadowbank Terrace the tenements are four storeys high at the western end reducing down to three storeys. On the opposite side of the road the topography is higher and this is reflected in the tenements being greater in height. Corner buildings are frequently emphasised by having a higher roof profile. Des 4 is seeking proposals to have similar characteristics to the surrounding buildings.

LDP Policy Des 4 seeks to ensure that new development is compatible in terms of height and form in addition to scale and proportions. In the amended scheme, the design includes a zinc roof with a traditional pitch and a hip at the east end to give a corner feature. The building is now clad in reconstituted stone to reflect the stone built character of the area. The use of this material is considered acceptable given the contemporary design within the context. The glazing pattern would give an overall vertical emphasis to the built form and proportions. The front and rear façades include chimney stack detailing of similar proportions to those on neighbouring buildings. A three storey infill section will create a link with the lower tenement to the east. In terms of LDP Policy Des 4, it is compatible in terms of height, form and scale and proportions with the surrounding area and the materials are acceptable.

The site lies to the east of the view cone of key view E8 London Road, Meadowbank - Calton Hill. When considering the view from the Meadowbank Terrace junction on London Road, the proposed development would not impinge on this view.

The proposal will retain the setting of the surrounding area and is acceptable in terms of scale, design and materials. It complies with LDP policies Des 1 and Des 4.

c) Neighbouring Residential Amenity

LDP Policy Des 5 Amenity seeks to ensure that new development meets the needs of the users and occupiers, with consideration given to impacts on neighbouring properties to ensure no unreasonable noise impact or loss of daylight, sunlight or privacy.

The new flats will face onto the Meadowbank Terrace and the railway line to the rear and comply with the requirements of the Council's Edinburgh Design Guidance in terms of privacy distances. This proximity matches the pattern of development in the area. The submitted Daylight and Sunlight Report demonstrates that the proposals meets the requirements in the Council's Edinburgh Design Guidance in terms of daylighting and sunlighting.

The proposal complies with LDP Policy Des 5 in this respect.

d) Amenity for the Future Occupiers

All the apartments meet the minimum internal floor area requirements of the Council's Edinburgh Design Guidance.

The new residential units except the studio flats and one of the one bedrooled units would have either double or triple aspects. The main living spaces will receive adequate daylight. Whilst at least dual aspect is expected in all cases, this slight infringement of the Edinburgh Design Guidance is considered acceptable and is insufficient grounds for refusal.

Overall a minimum of 20% of total site area is greenspace which is made up of a communal terrace area on the upper floor, while units 1, 2, 9 and 11 have private gardens or terraces. This is considered acceptable within a tenement environment. In addition, the site is close to Holyrood Park which gives ample opportunity for outside recreation. The proposal complies with LDP Policy Hou 3.

A Noise Impact Assessment (NIA) was submitted as part of the planning process. In terms of transportation noise from road and rail, a specification for glazing and ventilators was established that will achieve the required internal noise standard. To provide satisfactory noise level in the external areas for units 1 and 2, an acoustic fence has been proposed. These mitigation measures have been added as a condition.

The other significant noise concern is the electrical sub-station which is being relocated and incorporated within the ground floor of the housing development. The NIA specified noise mitigation measures in respect of the design of the floor slab, walls ceiling and louvered door of the sub-station. These mitigation measures have been added as a condition.

The development is adjacent to the Central Area; Air Quality Management Area (AQMA) which continues along London Road to Jocks Lodge. However, the development does not include any vehicle parking and therefore will have a negligible impact on the AQMA.

The proposal complies with LDP policies Des 5, Hou 2 and Hou 3.

e) Road Safety

No car parking is proposed and this accords with the Council's parking standards. Cycle parking within the building provides 18 cycle spaces which meets the standards.

There are no road safety issues.

The proposal complies with LDP Policy Tra 3.

f) Archaeology

The site has been identified as occurring within an area of local archaeological interest in terms of Edinburgh's industrial and railway heritage. If consent is granted a detailed historic building survey should be undertaken prior to and during their demolition. This will be secured by a condition.

The archaeological issues can be addressed satisfactorily.

g) Education

Using the pupil generation rates set out in the Supplementary Guidance, the development of 11 flats is not expected to generate any pupils. A contribution towards education infrastructure is therefore not required

h) Public Comment

Material Considerations

- height and massing of the building - addressed in section 3.3b).
- loss of light and privacy - addressed in section 3.3c).
- design and materials are out of place - addressed in section 3.3b).
- loss of green open space - addressed in section 3.3b).

Conclusion

The proposal complies with the development plan and largely complies with the Council's non-statutory guidelines. The development is acceptable in terms of scale, design and materials in this location. The impact on neighbouring amenity is satisfactory and an adequate level of amenity will be provided for future occupiers. There are no transport issues. There are no other material considerations to outweigh this conclusion.

It is recommended that this application be Granted 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. 'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, reporting & analysis and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'
- The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.
3. No development shall take place on site until such time as a scheme of landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall include hard and soft landscaping works, boundary treatment(s), details of trees and other features which are to be retained, and a programme for the implementation/phasing of the landscaping in relation to the construction of the development. Where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Network Rail can provide details of planting recommendations for adjacent developments. All landscaping, including planting, seeding and hard landscaping shall be carried out only in full accordance with such approved details.
 4. All mitigation measures identified in the Noise and Vibration Impact Assessment RMP Technical Report No. R-8298-NS-RGM dated 9 October 2018 shall be implemented prior to the occupation of the development hereby approved.

5. The electrical sub-station room shall have the following construction as noise mitigation measures:
 - a) The concrete floor slab shall be fully isolated from the rest of the building structure, including the foundations supporting the adjacent residential slab. This shall be achieved by casting a floating concrete slab on spring mounts onto the main structural slab.
 - b) The electrical sub-station walls shall be built from 215mm dense concrete blockwork off the isolated slab. It shall have a resilient head joint with concrete slab of the floor above.
 - c) The adjacent flats shall have independent walls not structurally connected to the electrical sub-station room walls.
 - d) The ceiling within the electrical sub-station room shall have independent joists supported of the blockwork walls. The cavity shall be filled with 200mm insulation quilt and the ceiling sheeted with three layers of 15mm Soundbloc plasterboard.
 - e) The electrical sub-station room door shall have sound insulation performance of at least R_w 30 dB. The acoustic louvre shall be at least 300mm deep in a chevron configuration
6. Sample/s of the proposed cast stone shall be submitted to and approved in writing by the Planning Authority before work commences on site.

Reasons:-

1. In order to ensure the most efficient and effective rehabilitation of the site.
2. In order to safeguard the interests of archaeological heritage.
3. To control the impact of leaf fall on the operational railway.
4. In order to protect the amenity of the occupiers of the development.
5. In order to protect the amenity of the occupiers of the development.
6. In order to enable the planning authority to consider this/these matter/s in detail.

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. All windows / doors (apart from Unit 1 ground floor flat, north façade) shall be fitted with acoustic glazing of the following minimum specification: Rtra 36dB (6.4mm laminated glass / 12mm air cavity / 10mm float glass) or equivalent.
5. The windows / doors in the Unit 1 ground floor property, north façade, facing the railway line shall be fitted with acoustic glazing of the following minimum specification: Rtra of at least 29dB (6/12/4mm) or equivalent glazing.
6. The acoustic ventilators in the Unit 1 ground floor property north facing façade shall have the minimum following performance when in the open position: Kitchen / Living / Dining & Bedroom 1 - Dn,e,w 39 dB, Bedroom 2 Dn,e,w 36 dB.
7. The acoustic ventilators in the following rooms (where 1 ventilator in room): Unit 2 (Bedroom 1 & Bathroom), Unit 3(Bedroom 1 & 2, Bathroom), Unit 4 (Bedroom 1 & Bathroom), Unit 5 (Bathroom & Kitchen), Unit 6 (Bedroom 1 & 2, Bathroom), Unit 7 (Bedroom & Bathroom), Unit 8 (Kitchen & Bathroom), Unit 9 (Bedroom 1), Unit 10 (Bedroom 1 & Bathroom), Unit 11 (Bedroom 1 & 2, Landing), shall have the minimum performance when in the open position - Dn,e,w 41 dB.
8. The acoustic ventilators in the following rooms (where 2 ventilators in room): Unit 1 (Bedroom1), Unit 2 (Kitchen / Living / Dining room), Unit 4 (Kitchen / Living / Dining room), Unit 5 (Bedroom 1), Unit 6 (Kitchen / Living / Dining room), Unit 7 (Kitchen / Living / Dining room), Unit 8 (Bedroom 1), Unit 10 (Kitchen / Living / Dining room), shall have the minimum performance when in the open position - Dn,e,w 44 dB.
9. The acoustic ventilators in the following rooms (where 3 ventilators in room): Unit 5 (Living / Dining room), Unit 8 (Living / Dining room), shall have the minimum performance when in the open position - Dn,e,w 46 dB.
10. The acoustic ventilators in the following rooms (where 4 ventilators in room): Unit 2 (Kitchen / Living / Dining room), Unit 9 (Kitchen / Living / Dining room) shall have the minimum performance when in the open position - Dn,e,w 47 dB.
11. The acoustic ventilators in the following rooms (where 5 ventilators in room: Unit 11 (Kitchen / Living / Dining room) shall have the minimum performance when in the open position - Dn,e,w 48 dB.
12. The proposed cycle parking layout and design to be to the Council's specification as set out in the Council's parking standards.

13. 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.
14. Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.
 - o Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, contact details below:

Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW
Tel: 0141 555 4352
E-mail: AssetProtectionScotland@networkrail.co.uk

15. The applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. Details of the proposed fencing shall be submitted to the Planning Authority for approval before development is commenced and the development shall be carried out only in full accordance with such approved details.
16. Planning permission does not provide any other consent required by statutory undertakers.

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

Following the neighbour notification a total of 20 representations were received objecting to the proposal.

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 lies within the urban area of the adopted Edinburgh Local Development Plan.

Date registered

25 June 2018

Drawing numbers/Scheme

1-6, 7B-16B, 17A, 18B- 21B,

Scheme 3

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jennifer Zochowska, Senior Planning Officer

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Links - Policies

Relevant Policies:

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

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

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

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

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.

Appendix 1

Application for Planning Permission 18/03011/FUL At Site 30 Metres Southwest Of 7, Meadowbank, Edinburgh New build apartment block with 11 dwellings and relocation of existing electricity sub-station (as amended)

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for a new build apartment block with 11 dwellings and the relocation of an existing electricity sub-station.

Kirkwood's map of 1817 depicts the site as forming part of the garden grounds attached to Meadowbank Tower on the edge of the medieval hunting park of Holyrood. The site is developed by the North British Railway line in the 1840s with the 1849 1st Edition OS map diction the site containing a water cistern and a small railway station (The Queens Station), possibly associated with the adjacent locomotive works. This station is short lived as does not appear on the 1893 OS map.

Accordingly, this site has been identified as occurring within an area of local archaeological interest in terms of Edinburgh's industrial and railway heritage. Therefore this application must be considered under the terms Scottish Government's Our Place in Time (OPIT), 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.

As stated the site overlies the site of the 19th century 'The Queens Station' demolished prior to 1893 and the grounds attached to the Georgian Meadowbank Tower House. Though affected by late 19th century railway line realignments, the site may still contain evidence for this Victorian Station and evidence associated with the adjacent Georgian House. Accordingly ground breaking works associated with construction are likely to have an impact upon any surviving buried remains considered to be of local significance. Therefore it is recommended that a programme of archaeological excavation is prior to/during development, in order to fully excavate, record and analysis any significant buried remains affected by ground breaking.

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

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

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

Please contact me if you require any further information.

Road Authority Issues

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

- 1. Any doors or gates must open inwards onto the property. The proposed refuse and electricity sub-station doors are not acceptable;*
- 2. The proposed cycle parking layout and design to be to the Council's specification as set out in the Council's parking standards;*
- 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;*

Note:

- o Zero motor vehicle parking is acceptable under the Council's parking standards;*
- o The proposed 20 cycle spaces are acceptable. The Council's parking standards require a minimum of 15 cycle spaces.*

Environmental Protection

The planning application site is a narrow wedge of largely unused brownfield land which is currently overgrown with shrubbery. At the western end of the site is located an electrical sub-station, which will be relocated and incorporated into the development. The site is bounded to the north by a rail line. Further north of the rail line is a telephone exchange building and surrounding land. It is bounded by London Road, on the other side of which is the Meadowbank Sports Centre. Part of that site has full planning consent for a new Sports Centre, whilst the eastern part of the site has consent in principle for a mixed-use development.

To the west, the site adjoins on to the existing residential tenement block. To the south and east, the site is bounded by the existing pavement and road at Meadowbank Terrace, which is opposite a row of 4 storey residential tenement buildings.

The principal concerns regarding the application relate to noise. A Noise Impact Assessment (NIA) was submitted as part of the planning process. In terms of transportation noise from road and rail, a specification for glazing and ventilators was established that will achieve the required internal noise standard. In order to provide satisfactory noise level in the external areas for units 1 and 2, an acoustic fence has been proposed. These mitigation measures have been recommended as a noise conditions. The performance of the acoustic ventilators required has been adjusted according to the number of ventilators per room.

The other significant noise of concern is the electrical sub-station which is being relocated and incorporated within the ground floor of the housing development. The NIA specified noise mitigation measures in respect of the design of the floor slab, walls ceiling and louvered door of the sub-station. These mitigation measures have been recommended as noise conditions.

The development is adjacent to the Central Area; Air Quality Management Area (AQMA) which continues along London Road to Jocks Lodge. However, the development does not include any vehicle parking and therefore will have a negligible impact on the AQMA.

As at least part of the site has been developed and as it is close to a historical industrial site, there is the potential for ground contamination. Therefore, a condition has been recommended.

In summary, the development is at the boundary of an established residential area and next to a commercial area. Although there are environmental matters of concern. These can be addressed through mitigation measures which will be recommended as planning conditions.

Environmental Protection has no objections to the proposed development subject to the attached conditions below and overleaf.

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) *An acoustic fence to be installed as shown on drawings:
1804 PL01B, 1804 PL08B, 1804 PL10B, 1804 PL13B, 1804 PL15B.*
- a) *The fence shall be 1.8m high, close boarded, or have overlapping boards. The boards should have a minimum density of 12kg/m², and be a minimum of 18mm thickness. There shall be no gaps at the base of the fence.*
- 3) *All windows / doors (apart from Unit 1 ground floor flat, north façade) shall be fitted with acoustic glazing of the following minimum specification: Rtra 36dB (6.4mm laminated glass / 12mm air cavity / 10mm float glass) or equivalent.*
- 4) *The windows / doors in the Unit 1 ground floor property, north façade, facing the railway line shall be fitted with acoustic glazing of the following minimum specification: Rtra of at least 29dB (6/12/4mm) or equivalent glazing.*
- 5) *The acoustic ventilators in the Unit 1 ground floor property north facing façade shall have the minimum following performance when in the open position: Kitchen / Living / Dining & Bedroom 1 - Dn,e,w 39 dB, Bedroom 2 Dn,e,w 36 dB.*
- 6) *The acoustic ventilators in the following rooms (where 1 ventilator in room): Unit 2 (Bedroom 1 & Bathroom), Unit 3(Bedroom 1 & 2, Bathroom), Unit 4 (Bedroom 1 & Bathroom), Unit 5 (Bathroom & Kitchen), Unit 6 (Bedroom 1 & 2, Bathroom), Unit 7 (Bedroom & Bathroom), Unit 8 (Kitchen & Bathroom), Unit 9 (Bedroom 1), Unit 10 (Bedroom 1 & Bathroom), Unit 11 (Bedroom 1 & 2, Landing), shall have the minimum performance when in the open position - Dn,e,w 41 dB.*
- 7) *The acoustic ventilators in the following rooms (where 2 ventilators in room): Unit 1 (Bedroom1), Unit 2 (Kitchen / Living / Dining room), Unit 4 (Kitchen / Living / Dining room), Unit 5 (Bedroom 1), Unit 6 (Kitchen / Living / Dining room), Unit 7 (Kitchen / Living / Dining room), Unit 8 (Bedroom 1), Unit 10 (Kitchen / Living / Dining room), shall have the minimum performance when in the open position - Dn,e,w 44 dB.*
- 8) *The acoustic ventilators in the following rooms (where 3 ventilators in room): Unit 5 (Living / Dining room), Unit 8 (Living / Dining room), shall have the minimum performance when in the open position - Dn,e,w 46 dB.*
- 9) *The acoustic ventilators in the following rooms (where 4 ventilators in room): Unit 2 (Kitchen / Living / Dining room), Unit 9 (Kitchen / Living / Dining room) shall have the minimum performance when in the open position - Dn,e,w 47 dB.*
- 10) *The acoustic ventilators in the following rooms (where 5 ventilators in room: Unit 11 (Kitchen / Living / Dining room) shall have the minimum performance when in the open position - Dn,e,w 48 dB.*
- 11) *The electrical sub-station room shall have the following construction as noise mitigation measures:*

- a) *The concrete floor slab shall be fully isolated from the rest of the building structure, including the foundations supporting the adjacent residential slab. This shall be achieved by casting a floating concrete slab on spring mounts onto the main structural slab.*
- b) *The electrical sub-station walls shall be built from 215mm dense concrete blockwork off the isolated slab. It shall have a resilient head joint with concrete slab of the floor above.*
- c) *The adjacent flats shall have independent walls not structurally connected to the electrical sub-station room walls.*
- d) *The ceiling within the electrical sub-station room shall have independent joists supported of the blockwork walls. The cavity shall be filled with 200mm insulation quilt and the ceiling sheeted with three layers of 15mm Soundbloc plasterboard.*
- e) *The electrical sub-station room door shall have sound insulation performance of at least R_w 30 dB. The acoustic louvre shall be at least 300mm deep in a chevron configuration*

Should you wish to discuss the above please contact me on 0131 469 5357.

Communities and Families

The Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that no contribution towards education infrastructure is required from developments that are not expected to generate at least one additional primary school pupil.

Using the pupil generation rates set out in the Supplementary Guidance, the development of 11 flats is not expected to generate at least one additional pupil. A contribution towards education infrastructure is therefore not required.

Network Rail

Thank you for consulting Network Rail regarding the above development.

Whilst Network Rail has no issues with the principle of the proposed development, we would have to object to the proposal unless the following conditions were attached to the planning permission, if the Council is minded to grant the application:

- 1. The applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. Details of the proposed fencing shall be submitted to the Planning Authority for approval before development is commenced and the development shall be carried out only in full accordance with such approved details.*

Reasons: In the interests of public safety and the protection of Network Rail infrastructure.

2. No development shall take place on site until such time as a surface and foul water drainage scheme has been submitted to and approved in writing by the Planning Authority. Any Sustainable Urban Drainage Scheme must not be sited within 10 metres of the railway boundary and should be designed with long term maintenance plans which meet the needs of the development. The development shall be carried out only in full accordance with such approved details.

Reason: To protect the stability of the adjacent railway and the safety of the rail network.

3. No development shall take place on site until such time as a scheme of landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall include hard and soft landscaping works, boundary treatment(s), details of trees and other features which are to be retained, and a programme for the implementation/phasing of the landscaping in relation to the construction of the development. Where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Network Rail can provide details of planting recommendations for adjacent developments. All landscaping, including planting, seeding and hard landscaping shall be carried out only in full accordance with such approved details.

Reason: To control the impact of leaf fall on the operational railway.

4. No development shall take place on site until such time as a noise impact assessment has been submitted to and approved in writing by the Planning Authority. The noise impact assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from the railway line. Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme.

Reason: To ensure that occupants/users of the development do not experience undue disturbance arising from nearby noise sources.

Network Rail would also recommend that the following matters are taken into account and are included as advisory notes, if granting the application:

Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

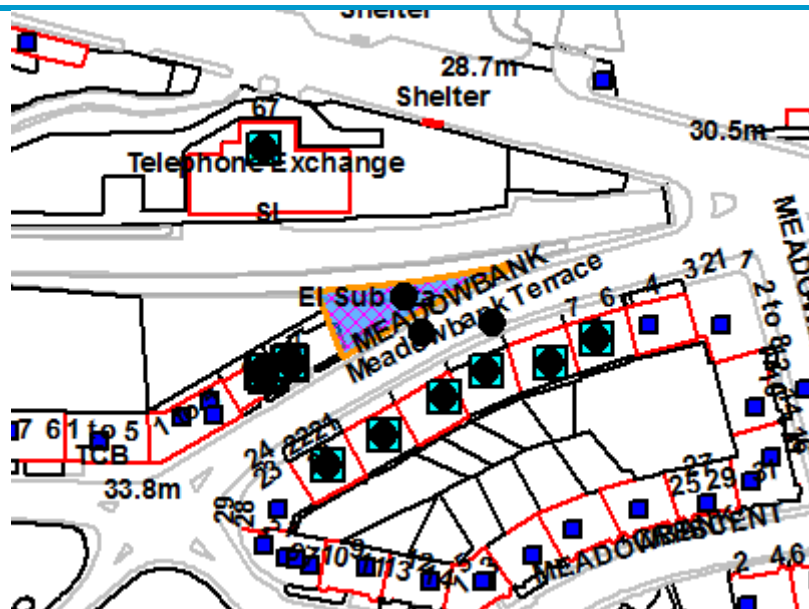
o Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, contact details below:

Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW
Tel: 0141 555 4352
E-mail: AssetProtectionScotland@networkrail.co.uk

We trust full cognisance will be taken of these comments. We would be grateful if Local Planning Authorities would provide a copy of the Decision Notice.

Location Plan



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