

Development Management Sub Committee

Report returning to Committee - Wednesday 5 June 2019

Application for Planning Permission in Principle 16/05681/PPP At Land 195 Metres South Of West Craigs Cottage 85, Craigs Road, Edinburgh Residential development with associated transport infrastructure, landscaping and open space (scheme 2)

Item number	4.1
Report number	
Wards	A03 - Drum Brae/Gyle (Pre May 2017)

Recommendations

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

Background information

At its meeting on 6 June 2018 the Development Management Sub Committee considered the application for the development of land at 85 Craigs Road (part of LDP allocated site HSG 19) for residential use with associated transport infrastructure and open space. The Committee agreed to grant planning permission subject to the conclusion of a Section 75 Agreement to secure the necessary financial contributions and affordable housing commitments.

This additional report sets out a proposed revision to the Heads of Terms of the proposed Section 75 Agreement.

Main report

The application site (12.6 hectares) forms the north eastern extents of Housing Proposal HSG19 as defined in the Edinburgh Local Development Plan (LDP).

The preparation of the Section 75 Agreement and the delivery of infrastructure on this site is linked to the wider development of the HSG 19 site as identified within the LDP. A separate application for the wider HSG19 site is currently under consideration (application 16/04738/PPP, appeal reference PPA-230-2207) by the DPEA, this also forming the majority of the allocated site. The Reporters have issued a Notice of Intention to grant planning permission subject to the conclusion of an appropriate legal agreement to secure the necessary infrastructure requirements.

The Notice of Intention issued by the Reporters is material to the progression of the Section 75 agreement on this application. As a result of this notice there is a requirement to alter the provisions of the Section 75 in terms of Education and Healthcare.

Education

It is proposed to alter the education figures in line with the published figures within the Supplementary Guidance for Developer Contributions for West Edinburgh. This would also bring the figures in line with the remainder of the site.

	Flat Existing	House Proposed	Existing	Proposed
Infrastructure	£3,480	£3,216	£17,783	£16,186
Land	£760	£476	£3,930	£2,042
Total	£4,240	£3,692	£21,713	£18,228

The requirement for education contributions would still meet the requirements of the five tests outlined in Circular 3/2012.

Healthcare

The existing Heads of Terms requires a contribution of £1,050 per residential unit towards healthcare. In respect of the appeal site (application 16/04738/PPP, appeal reference PPA-230-2207) the Reporters considered the requirements for healthcare as part of the appeal and the summary on this matter is provided below:

114. We are satisfied that the proposal would create a direct need for healthcare facilities. However, there is no evidence as to whether the contribution is fair and reasonable in scale and kind to the proposal. In particular, there is no evidence to support the extent or boundaries of the contribution zones or whether these relate to practice boundaries. There is no evidence before us to justify the anticipated costs. These seem to be indicative at this stage particularly given that further options are still being explored which could result in changes to the boundaries and/or the proposed solution.

115. There is no evidence to justify the assumption of 8,000 new patients; and it is unclear the proportion of funding which is being sought from developers given that the guidance suggests that there may be some funding from the H&SC Partnership. All these points confirm our view that a fair and reasonable relationship in scale and kind between the required contribution and the proposal has not been established. The obligation would therefore fail one of the tests set out in circular 3/2012 and accordingly the requirement for a healthcare contribution should form no part of the section 75 obligation in this case.

The Reporters have indicated through the Notice of Intention (appeal reference PPA-230-2207) that the provision of healthcare contributions for the HSG 19 site have not been justified. It is therefore proposed to remove the requirement for the healthcare provision contribution, in order to ensure that requirements for developer contributions are applied in an equitable and consistent manner with the remainder of the HSG19 allocated site.

In summary, it is recommended that the Heads of Terms are amended to adjust the education contributions and remove the requirement for healthcare actions as outlined above.

Links

Policies and guidance for this application

LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES09, LEN07, LEN08, LEN09, LEN10, LEN12, LEN16, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA08, LTRA09, NSGD02, SGDC,

A copy of the original Committee report can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=OGU8SBEWFP200>

Or Council Papers online

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Francis Newton, Senior Planning Officer

E-mail:francis.newton@edinburgh.gov.uk Tel:0131 529 6435