

Notice of meeting and agenda

Development Management Sub-Committee

10.00 am Wednesday, 25th November, 2020

Virtual Meeting - via Microsoft Teams

This is a public meeting and members of the public are welcome watch the live webcast on the Council's website.

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1. Order of business

- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.
- 1.2 Any member of the Council can request a Hearing if an item raises a local issue affecting their ward. Members of the Sub-Committee can request a presentation on any items in part 4 or 5 of the agenda. Members must advise Committee Services of their request by no later than **1.00pm on Monday 23 November 2020** (see contact details in the further information section at the end of this agenda).
- 1.3 If a member of the Council has submitted a written request for a hearing to be held on an application that raises a local issue affecting their ward, the Development Management Sub-Committee will decide after receiving a presentation on the application whether or not to hold a hearing based on the information submitted. All requests for hearings will be notified to members prior to the meeting.

2. Declaration of interests

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

3. Minutes

- 3.1 Minutes of Previous Meeting of Development Management Sub-Committee of 11 November 2020 – submitted for approval as a correct record 9 - 16

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

The key issues for the Pre-Application reports and the recommendation by the Chief Planning Officer or other Chief

Officers detailed in their reports on applications will be approved without debate unless the Clerk to the meeting indicates otherwise during “Order of Business” at item 1.

Pre-Applications

- 4.1** Forthcoming application by Izar V Lux S.à R.I. for Proposal of Application Notice at 105, 113 Dundas Street, 34 Fettes Row, 7,11 And 13 Eyre Terrace - Demolition of existing building and erection of residential development, with associated landscaping, car parking and access arrangements - application no. 20/03825/PAN - Report by the Chief Planning Officer 17 - 22
- 4.2** Forthcoming application by John G Russell (Transport) Limited. for Proposal of Application Notice At Salamander Street/Bath Road., Edinburgh - Demolition of existing buildings and erection of mixed-use flatted residential and commercial development with associated access, car parking, greenspace and ancillary works - application no. 20/03799/PAN - Report by the Chief Planning Officer 23 - 30

Applications

- 4.3** 2 Abbey Lane, Edinburgh - Residential 66 flats and student accommodation development, with commercial/community unit (Use Class 1, 2, 3, 4 and/or 10), associated ancillary uses, landscaping, parking and infrastructure - application no. 20/02827/FUL – Report by the Chief Planning Officer 31 - 64
It is recommended that this application be **GRANTED**.
- 4.4** 2 Allan Park Crescent, Edinburgh (Land 16 Metres North East Of) - New 3 bedroom dwelling house (as amended) - application no. 20/02743/FUL – Report by the Chief Planning Officer 65 - 76
It is recommended that this application be **GRANTED**.
- 4.5** Seven Acre Park Play Area, Stanedykehead, Edinburgh – to construct a steel framed shed to provide indoor equestrian facility (as amended) - application no. 19/03525/FUL – Report by the Chief Planning Officer 77 - 90
It is recommended that this application be **GRANTED**.

- 4.6** 22 - 23 Teviot Place, Edinburgh, EH8 9AG - Erection of prefabricated building for use as student social space and associated prefabricated toilet cabins and fencing for 6 months. (Retrospective) - application no. 20/03612/FUL – Report by the Chief Planning Officer 91 - 108

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

5. Returning Applications

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

- 5.1** 10, Builyeon Road, South Queensferry (Land 288 Metres Southwest Of) - Mixed use development to provide residential, employment, primary school and associated uses - acknowledging BP Pipeline (Edinburgh LDP Site HSG32) (Scheme 3) - application no. 16/01797/PPP – Report by the Chief Planning Officer 109 - 112

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

- 5.2** 61 Leith Street, Edinburgh - Single storey extension, partial change of use, external alterations, landscaping and other associated works - application no. 18/10093/FUL – Report by the Chief Planning Officer 113 - 114

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

6. Applications for Hearing

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

- 6.1** None.

7. Applications for Detailed Presentation

The Chief Planning Officer has identified the following applications

for detailed presentation to the Sub-Committee. A decision to grant, refuse or continue consideration will be made following the presentation and discussion on each item.

- 7.1** 132 Glasgow Road, Newbridge (Land Adjacent To) - Erection of 132 dwellings with associated roads, SUDS, landscaping & ancillary works, formation of vehicular accesses to the A8 Glasgow Road and Hillwood Rise (Amended description) - application no. 16/04861/FUL – Report by the Chief Planning Officer 115 - 192

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

- 7.2** 23 - 27 Gylemuir Road, Edinburgh, EH12 7UB - Residential development comprising 126 units, associated landscaping, access and other ancillary works (as amended) - application no. 20/01854/FUL – Report by the Chief Planning Officer 193 - 234

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

- 7.3** 540A Lanark Road, Edinburgh, EH14 5EL - Change of use from Class 2 (Bank) to Class 1 (Permitted Development) and to extend the existing Class 2 use premises to form a new Hot Food Takeaway (Sui Generis) - application no. 20/01598/FUL – Report by the Chief Planning Officer 235 - 250

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

- 7.4** 7 Lower Gilmore Place, Edinburgh - Demolition of existing buildings and erection of student residential development with associated landscaping - application no. 20/02976/FUL – Report by the Chief Planning Officer 251 - 278

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

8. Returning Applications Following Site Visit

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

8.1 None.

Andrew Kerr

Chief Executive

Committee Members

Councillor Neil Gardiner (Convener), Councillor Maureen Child (Vice-Convener), Councillor Chas Booth, Councillor Mary Campbell, Councillor George Gordon, Councillor Joan Griffiths, Councillor Max Mitchell, Councillor Joanna Mowat, Councillor Rob Munn, Councillor Hal Osler and Councillor Cameron Rose.

Information about the Development Management Sub-Committee

The Development Management Sub-Committee consists of 11 Councillors and is appointed by the City of Edinburgh Council. The meeting will be held by Teams and will be webcast live for viewing by members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Jamie Macrae, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 553 8242 / 0131 529 4085, or email jamie.macrae@edinburgh.gov.uk / blair.ritchie@edinburgh.gov.uk.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to <https://democracy.edinburgh.gov.uk>.

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until that matter is decided or otherwise resolved (including any potential appeals and other connected processes). Thereafter, that information will continue to be held as part of the historical record in accordance with the paragraphs above.

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Minutes

Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 11 November 2020

Present:

Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Mary Campbell, Gordon, Griffiths, Mitchell, Munn, Mowat, Osler and Rose.

1. Minutes

Decision

To approve the minute of the Development Management Sub-Committee of 28 October 2020 as a correct record

2. General Applications and Miscellaneous Business

The Sub-Committee considered reports on planning applications listed in Sections 4 and 7 of the agenda for this meeting.

Requests for Presentations

The Chief Planning Officer gave a presentation on agenda item 4.7 – Meldrum House, 15 Drumsheugh Gardens, Edinburgh – requested by Councillor Mowat.

Declaration of Interests

Councillor Mary Campbell declared a non-financial interest in Item 7.2 – Christmas Market, George Street, Edinburgh - as her Mum was on the Board of a business opposite the proposed development and did not take part in the discussion and decision on this item.

Decision

To determine the applications as detailed in the Appendix to this minute.

(Reference – reports by the Chief Planning Officer, submitted.)

3. Meldrum House, 15 Drumsheugh Gardens, Edinburgh -

Details were provided of an application for planning permission for the Change of Use from Office to Hotel (Class 7), alteration and extension to rooftop and external alterations to elevations, with associated works (as amended) at Meldrum House, 15 Drumsheugh Gardens, Edinburgh - application no. 20/01960/FUL.

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the application be granted.

Motion

To **GRANT** planning permission subject to the conditions, reasons, informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer.

- moved by Councillor Child, seconded by Councillor Rose.

Amendment

To **REFUSE** planning permission as the application was contrary to Local Development Plan policies Env 1, Env 6 (a) and (c), Des 1 and Des 4.

- moved by Councillor Gardiner, seconded by Councillor Gordon.

Voting

For the motion: - 7 votes

For the amendment: - 4 votes

For the motion: (Councillors Child, Griffiths, Mitchell, Mowat, Munn, Osler and Rose.)

For the amendment: (Councillors Booth, Mary Campbell, Gardiner and Gordon.)

Decision

To **GRANT** planning permission subject to the conditions, reasons, informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer

(Reference – report by the Chief Planning Officer, submitted.)

Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.</p>		
<p>4.1 – Report for forthcoming application by CCG (Scotland) Ltd. for Proposal of Application Notice at 25, Marine Drive, Edinburgh (Land 220 Metres North East Of)</p>	<p>Residential development comprising circa 450 flats with associated roads, parking and landscaping works - application no 20/01068/PAN</p>	<p>1) To note the key issues at this stage.</p> <p>2) To take account of the following additional issues:</p> <ul style="list-style-type: none"> • The developers to note the content of the Granton Masterplan which includes different housing types including colony housing and high-density terraced housing. • A wide consultation with all communities affected in the area was required • Connectivity and active travel are important • Requirement for good public space
<p>4.2 – 165 Broughton Road, Edinburgh, EH7 4LG</p>	<p>Proposals are to extensively repair and refurbish the existing stables building, including demolition of some internal elements, renewal of all services, replacement of windows and rooflights, stone and roof repairs. Current use is office and workshop. Proposed use is office, artist studios and function/cafe space - application no 20/03162/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>4.3 – 165 Broughton Road, Edinburgh, EH7 4LG</p>	<p>Proposals are to extensively repair and refurbish the existing stables building, including demolition of some internal elements, renewal of all services, replacement of windows and rooflights, stone and roof repairs - application no 20/03161/LBC</p>	<p>To GRANT listed building consent subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</p>
<p>4.4 – 137 Curriehill Castle Drive, Balerno, EH14 5TB</p>	<p>Single storey side and rear extension - 20/03302/FUL</p>	<p>To GRANT planning permission subject to the informatives as set out in section 3 of the report by the Chief Planning Officer.</p>
<p>4.5 – 12 Dean Bank Lane, Edinburgh, EH3 5BY</p>	<p>Alteration and extension of detached house. Proposed separation of one wing as a self-contained studio apartment. Demolition of 3 non-original lean-to extensions and erection of new side extension - application no 20/01244/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</p>
<p>4.6 – 12 Dean Bank Lane, Edinburgh, EH3 5BY</p>	<p>Alteration and extension of detached house. Proposed separation of one wing as a self-contained studio apartment. Demolition of 3 non-original lean-to extensions and erection of new side extension - application no 20/01245/LBC</p>	<p>To GRANT listed building consent subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer.</p>
<p>4.7 – Meldrum House, 15 Drumsheugh Gardens, Edinburgh</p>	<p>Change of Use from Office to Hotel (Class 7), alteration and extension to rooftop and external alterations to elevations, with associated works (as amended) - application no 20/01960/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons, informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer. (On a division)</p>

[7.1 – East Princes Street Gardens and Land at The Mound, Princes Street, Edinburgh](#)

Erection of Edinburgh's Christmas at East Princes Street Gardens including Christmas Market Stalls, Fairground rides, Box Offices, Associated Site Offices, Stores and Ancillary Facilities (amended application to cover the festive period for 2021- 2022) - application no 20/03707/FUL

To **GRANT** planning permission subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer with the following additional conditions, informatives and amended conditions:

Amend Condition 5 to add wording to ensure that tree protection works are supervised carried out to the satisfaction of an arboricultural specialist from CEC Parks and Greenspace

Amend Condition 4.1 to add fences and queuing facilities into the condition.

Additional Condition - No erection to commence prior to midday on 12th November 2021 on land to the east of the pedestrian access at Sir Walter's Café.

Additional Condition - The operator shall liaise with CEC to ensure there is no conflict between the erection of the market and any events within the remembrance garden.

Additional Condition – That the operator shall explore power supply options alternatives to diesel based on sustainability and noise and submit their findings for the consideration and approval of the planning authority by 5th October 2021

Additional Informative - Any increase in the quantum of operations within the market, from that shown in the Design Statement, shall be returned for the consideration of the Development Management Sub-committee.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
		<p>Additional Informative – The layout and fencing shall discourage public access to the grassed areas and be monitored in conjunction with Parks and Greenspace.</p> <p>Additional Informative – Encourage further engagement around the provision of additional disabled toilet facilities and disabled circulation provision through the operation in consultation with the Access Panel.</p> <p>Additional Informative – The developer shall explore the identification of a noise receptor with Environmental Assessment.</p>
<p>7.2 – Christmas Market, George Street, Edinburgh</p>	<p>Erection of Edinburgh's Christmas at George Street and Castle Street, including Christmas Market Stalls, Ice Rink, Plant and Boot Room, Around the Corner Bar, Box Office, Associated Site Offices, Stores and Ancillary Facilities (amended application for festive period 2021-2022) - application no 20/03708/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives as set out in section 3 of the report by the Chief Planning Officer with the following adjustments:</p> <p>Condition 7 to be amended to read 22.00 hours not 23:00 hours</p> <p>Additional Informative: The operator shall liaise with Environmental Assessment to agree a level for all noise from the market, including the ice rink, which should be monitored during the operation.</p> <p>Additional Informative: The applicant and the department should discuss the increase of enforcement to tackle the disproportionate effect on disabled people through the loss of parking provision.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>7.3 – High Street and Parliament Square, Edinburgh</p>	<p>Full planning permission for Edinburgh's Christmas including Christmas market stalls, tree, associated site offices, stores and ancillary facilities (as amended to cover the festive period for 2021-2022) - application no 20/03728/FUL</p>	<p>To CONTINUE consideration of the application for planning permission to allow further consideration to be given on the provision of adequate access to Cockburn Street and the disable parking spaces within Parliament Square.</p>

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Development Management Sub Committee

Wednesday 25 November 2020

Report for forthcoming application by

Izar V Lux S.à R.l.. for Proposal of Application Notice

20/03825/PAN

at 105,113 Dundas Street, 34 Fettes Row, 7,11 And 13 Eyre Terrace.

Demolition of existing building and erection of residential development, with associated landscaping, car parking and access arrangements.

Item number

Report number

Wards

B05 - Inverleith

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming full planning application for demolition of existing building and erection of residential development, with associated landscaping, car parking and access arrangements at 105,113 Dundas Street, 34 Fettes Row, and 7,11, 13 Eyre Terrace.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997 the applicants submitted a Proposal of Application Notice 20/03825/PAN on 8 September 2020.

Links

Coalition pledges

Council outcomes

Single Outcome Agreement

Recommendations

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

Background

2.1 Site description

The site lies to the east of Dundas Street, a main approach road to the city centre and to the west is Eyre Terrace. It covers approximately 0.55 hectares and is currently occupied by the former RBS office building. There are a number of trees along Dundas Street.

To the north is an existing residential block on Dundas Street/Eyre Place. To the south is the vacant RBS data centre building. To the west is the existing residential properties on Eyre Terrace, including a building designed by Robert Lorimer. The site forms part of a wider site where a planning application is currently under consideration for a mixed-use development.

The site lies to the north of the World Heritage Site.
This application site is located within the New Town Conservation Area.

2.2 Site History

2 April 2020 - conservation area consent granted for the demolition of derelict cottage in a Conservation Area at 7 Eyre Terrace (application number 20/00705/CON).

2 September 2020 - conservation area consent submitted for the demolition of existing buildings on the wider site (application number 20/03661/CON).

7 September 2020 - planning application submitted for the demolition of existing buildings and erection of mixed-use development comprising residential, hotel, office and other commercial uses, with associated landscaping / public realm, car parking and access arrangements on the wider site (application number 20/03034/FUL).
Under consideration.

14 September 2020 - planning application submitted for the formation of path and associated landscaping to King George V Public Park (application number 20/03655/FUL). Under consideration.

23 September 2020 - planning application in principle minded to grant at 7,11,13 Eyre Terrace, subject to a conclusion of a legal agreement, for a mixed use development of retail (class 1); financial, professional and other services (class 2); food and drink (class 3); business (class 4); hotels (class 7); residential (class 8,9 and sui generis); car parking, access and other works, approval of siting and maximum height of principal building, points of vehicular access and egress (application number 14/01177/PPP).

Main report

3.1 Description Of The Proposal

The application will be for the demolition of the existing building and erection of residential development, with associated landscaping, car parking and access arrangements.

There is a current application under consideration for the wider site which proposes residential use and a hotel on this part of the site.

3.2 Key Issues

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

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

The site is in the Urban Area in the Local Development Plan (LDP). Policy Hou 1 (Housing Development) gives priority to the delivery of housing land supply on suitable sites within the urban area.

The proposed uses will be assessed to ensure that they are appropriate to the location and character of the area and accord with other relevant local plan policies.

The application will need to be assessed in relation the delivery of infrastructure as required by LDP policy Del 1 (Developer contributions and infrastructure delivery).

b) The design, scale and layout are acceptable with the character of the area;

The proposals will need to consider how the proposed development will integrate with its surroundings and co-ordinate with wider development proposals. The proposals need to demonstrate that no harm will be caused to the qualities of the World Heritage Site and the character or appearance of the New Town Conservation Area.

A Design and Access Statement will be required to accompany the application.

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

The proposal should have regard to transport policies of the LDP. Consideration should be given to the impact on traffic flows on local streets, and access to public or alternative means of transport. Transport information will be required to support the application.

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

The wider application currently under consideration includes an Environmental Impact Assessment. It is anticipated that this will be updated or amended to take into consideration this application and any potential impacts.

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

- Pre-application Consultation Report;
- Planning Statement;
- Design and Access Statement;
- Contaminated land report;
- Landscape and Visual Impact Assessment;
- Ecological survey and report;
- Tree survey and constraints plan
- Transport information;
- Archaeology Assessment;
- Flood Risk Assessment and Surface Water Management Plan; and
- Sustainability Statement.

3.3 Assessment

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

Financial impact

4.1 The forthcoming application may be subject to a legal agreement.

Risk, Policy, compliance and governance impact

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

Equalities impact

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

Sustainability impact

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The Proposal of Application Notice (reference: 20/03825/PAN) outlined an online public event on 8th October 2020 with a Q&A session between 12noon - 8pm with the opportunity to provide comments via the applicant's website.

The applicant has notified Inverleith ward councillors, city centre ward councillors, and Councillor Adam McVey, Leader of the Council and Councillor Kate Campbell, Convenor of Housing, Homelessness and Fair Work Committee. In addition, the following have been notified: Ruth Davidson MSP, Deirdre Brock MSP, The New Town and Broughton Community Council, Stockbridge and Inverleith Community Council, Friends of King George V Park, Fettes Row and Royal Crescent Residents Association, The Yard, Edinburgh World Heritage, The Cockburn Association, Eyre Medical Practice, and local residents and businesses.

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

Background reading/external references

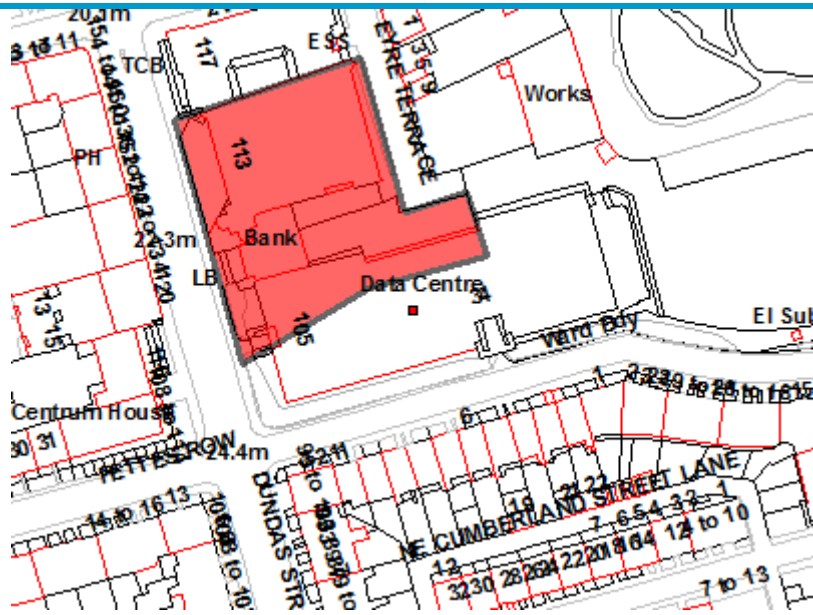
- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

David R. Leslie

Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Kenneth Bowes, Senior Planning officer
E-mail:kenneth.bowes@edinburgh.gov.uk

Location Plan



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Development Management Sub Committee

Wednesday 25 November 2020

Report for forthcoming application by

**John G Russell (Transport) Limited. for Proposal of
Application Notice**

20/03799/PAN

**At Salamander Street/Bath Road., Edinburgh,
Demolition of existing buildings and erection of mixed-use
flatted residential and commercial development with
associated access, car parking, greenspace and ancillary
works.**

Item number

Report number

Wards

B13 - Leith

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission in principle for the demolition of existing buildings and erection of mixed-use flatted residential and commercial development with associated access, car parking, greenspace and ancillary works at 67 Salamander Street/ 26 Bath Road.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997 the applicant has submitted a Proposal of Application Notice on 4th September 2020 (20/03799/PAN).

Links

Coalition pledges
Council outcomes

Single Outcome Agreement

Recommendations

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

Background

2.1 Site description

The application site comprises a roughly rectangular piece of land bound by Salamander Street to the south, Bath Road to the west, and John G Russell Transport Ltd. to the east. The site comprises industrial/ commercial buildings some of which are currently occupied. It has an area of approximately 1.4 hectares. Just outside of the site to the south-west corner is an existing traditional five storey tenement building with a public house at ground floor.

To the north, part south and east boundaries are industrial premises including a scrapyards opposite the road on Salamander Street. Also opposite the site to the south are relatively new build residential properties which are six stories high. Beyond to the south is an existing/ under construction development for residential purposes at the Ropeworks site. To the west an industrial/ commercial site is under development for mainly housing.

2.2 Site History

5 July 2019 - Planning permission granted to reinstate the tenement to the south west of the site to form five flats and an extension to public house (as amended) at 2 Bath Road (application number 19/02156/FUL).

5 August 2019 - Planning permission granted for a flatted development of 212 flats and ground floor commercial units and associated works on the adjacent site to the immediate west at 1 Bath Road (application number 18/08206/FUL).

28 October 2020 - Planning application granted subject to conclusion of a legal agreement for a proposed mixed use development comprising purpose built student accommodation, affordable housing, office units, cafe and public digital co-working space with associated landscape, drainage and infrastructure at the site of the former Edinburgh and Leith Gasworks at 1-5 Baltic Street and 7-27 Constitution Street (application number 20/00465/FUL).

19 March 2020 - Planning application pending determination for a residential development and associated works on the nearby site to the north west of the site at 57 Tower Street and 1 Bath Road (application number 20/01313/FUL).

Main report

3.1 Description Of The Proposal

The proposal is for demolition of the existing buildings and proposes a primarily residential development which would provide approximately 285 apartment units. Five commercial units are to be provided at ground level fronting Salamander Street and car parking, access, landscaping and infrastructure will be included. Storey heights range from three to seven storeys.

3.2 Key Issues

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

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

The site is located within the Central Leith Waterfront area (EW 1b) in the Local Development Plan (LDP). The development principles in the LDP guide future development in this area which is described as commercial and housing led mixed use development with sites in various ownerships. The Leith Docks Development Framework covers this site.

b) The design, scale and layout are acceptable with the character of the area;

The proposal will be considered against the provisions of the LDP, the Edinburgh Design Guidance and the Leith Docks Development Framework. A Design and Access Statement will be provided with the application.

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

The proposals should have regard to the Council's parking standards, LDP transport policies, and the requirements of the Edinburgh Street Design Guidance. Transport information will be required to support the application to assess the effect of the proposal on local roads and the accessibility of the site.

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

The proposals will be required to demonstrate that the site is capable of accommodating the development and that there is sufficient infrastructure capacity. The proposal will be assessed in line with LDP policy Del 1 (Infrastructure delivery and developer contributions).

The site is located within the Salamander Street Air Quality Management Area and an Air Quality Impact Assessment will be required.

There are a number of potential noise sources within the vicinity of the site (e.g. scrap metal yard, port related activity, public house). An acoustic survey will be required to address these noise sources.

The development will need to provide acceptable finished floor levels to address potential flood risk issues.

In order to support the application, the applicant will be likely required to submit the following documents (this list is not exhaustive):

- Planning Statement;
- Design and Access Statement;
- Pre-application consultation report;
- Site investigation report;
- Transport information;
- Flood risk assessment and surface water management plan;
- Drainage Impact Assessment;
- Archaeological assessment;
- Air quality Impact Assessment;
- Affordable housing statement;
- Noise Assessment;
- Swept path analysis;
- Floodlighting study;
- Ecological survey; and
- Sustainability statement.

3.3 Assessment

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

Financial impact

4.1 The forthcoming application may be subject to a legal agreement.

Risk, Policy, compliance and governance impact

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

Equalities impact

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

Sustainability impact

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The Proposal of Application Notice (20/03799/PAN) outlines a public event on 1st October 2020. In addition, notice has been served on Councillor Booth, Councillor McVey, Councillor Munro, Ben Macpherson MSP, Deidre Brock MSP, Leith Harbour and Newhaven Community Council, Leith Links Community Council, and Leith Chamber of Commerce.

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

Background reading/external references

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

David R. Leslie

Chief Planning Officer

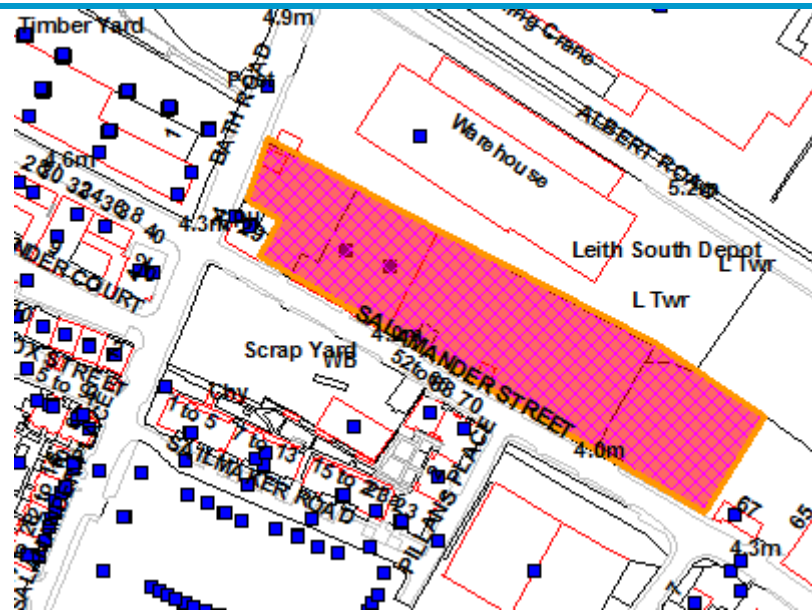
PLACE

The City of Edinburgh Council

Contact: Karen Robertson, Senior planning officer

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Location Plan



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Development Management Sub Committee

Wednesday 25 November 2020

**Application for Planning Permission 20/02827/FUL
at 2 Abbey Lane, Edinburgh.
Residential 66 flats and student accommodation
development, with commercial/community unit (Use Class 1,
2, 3, 4 and/or 10), associated ancillary uses, landscaping,
parking and infrastructure.**

Item number

Report number

Wards

B14 - Craigentinny/Duddingston

Summary

The proposal complies with the development plan. The development is acceptable in this location and will not lead to an overconcentration of the area's student population. The overall design concept draws upon the positive characteristics of the area and is acceptable in terms of its scale, form and design. There will be no unacceptable impact on residential amenity, road safety or air quality. The proposal is acceptable and there are no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU08, LEN03, LEN08, LEN12, LEN16, LEMP09, LTRA02, LTRA03, NSG, NSGD02, NSGSTU, NSHAFF,

Report

Application for Planning Permission 20/02827/FUL at 2 Abbey Lane, Edinburgh. Residential 66 flats and student accommodation development, with commercial/community unit (Use Class 1, 2, 3, 4 and/or 10), associated ancillary uses, landscaping, parking and infrastructure.

Recommendations

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

Background

2.1 Site description

The development site is a 0.51 hectare area of land forming part of Abbeyhill Industrial Estate. The site is currently accessed from the north and is occupied by a multi-ridged building most recently comprising six commercial premises and an area of car parking. To the east is a recent residential development by Bellway Homes comprising flatted blocks of four to six-storeys. To the north is a wide road junction onto Abbey Lane with the seven-storey Arc building beyond. Abbey Lane bounds the site to the west and slopes downward at this point providing vehicular and pedestrian access along Abbey Hill toward the city centre heading west and beneath the railway to Spring Gardens to the east. To the south is the East Coast Mainline with residential properties on Spring Gardens beyond.

The site was formerly part of a goods yard associated with the adjacent railway, and as a result its topography is relatively flat.

2.2 Site History

There is no relevant planning history for this site.

Adjacent Sites

28 June 2016 - Planning permission was granted for the demolition of existing units and erection of 139 new apartments at 4 Abbey Lane (application number: 16/00770/FUL).

Main report

3.1 Description of the Proposal

The application includes the demolition of the existing buildings on site and the construction of student accommodation, residential dwellings, a commercial unit and associated access, open space and landscaping works. The development will comprise three new buildings arranged around a central landscaped courtyard. The student accommodation will front Abbey Lane and the two residential buildings will be located to the east and south sides of the courtyard.

The student accommodation will be seven storeys on its northern corner, with one element rising to eight as it begins to step down Abbey Lane. Adjacent to the site, there is approximately a 3.5m difference in levels from the top of Abbey Lane to the bottom. This change is reflected in the building's facade and roof line. The highest part of the building will be 57m AOD with the south corner being 51.65m AOD.

The student accommodation will contain 298 bedrooms with a 51 week offer. They will be provided in the following formats:

- 277 bedrooms arranged in cluster flats and
- 21 within studio flats.

The primary material for the PBSA will be a buff coloured brick, with metal cladding panels and areas of glazed curtain walling, some of which will include protective louvres. The rooftop terraces will be enclosed with glazed balustrades.

The remainder of the site is relatively flat and will comprise the two residential blocks, amenity courtyard and access and car parking. The two residential blocks will be generally five storeys in height (49.3m AOD), each with a six-storey element (52.6 AOD).

The 66 residential flats will comprise the following unit types:

- 11 one-bed flats;
- 41 two-bed flats and
- 14 three-bed flats.

A total of 17 units will be affordable housing (26%). These homes will be tenure blind and will be provided in Block A. The affordable housing will include a mix of one to three-bedroom properties. Affordable housing will be delivered in partnership with a registered social landlord.

The primary material for the residential properties will be a buff coloured brick, with grey cladding for the recessed sections at the entrances and upper storeys. The kitchen/living rooms will each have full-height double windows with either a Juliet balcony or a projecting external balcony. The bedrooms will have full-height single leaf windows with Juliet balconies.

Vehicular access will be taken from the north of the site. The PBSA and commercial unit will each be provided with additional pedestrian accesses directly onto Abbey Lane.

Car parking will be provided along the eastern boundary of the site with 20 spaces provided for the residential accommodation only. The parking includes four spaces for disabled users, one for Car Club and 10 with e/v chargers (including three for disabled users). In addition, three spaces will be provided for motorcycles.

The PBSA will contain 300 cycle spaces, while the residential element will be provided with 155. An additional 20 visitor spaces will also be provided.

A landscaping scheme has been with the application and provides a range of hard and soft landscape proposals and street furniture. The landscaped central courtyard will be for the use of the residential units, with a further roof terrace provided for residents of Block B. The central courtyard will cover approximately 26% of the overall residential area. The PBSA will also be provided with a 513 sq/m roof terrace.

Supporting Documents

The following documents have been submitted in support of this application;

- Air Quality Assessment;
- Affordable Housing Statement;
- Design & Access Statement;
- Archaeological Assessment;
- Flooding, Drainage and Surface Water Management Plan;
- Daylight and Sunlight Assessment;
- Wind Assessment;
- Noise and Vibration Impact Assessment;
- Ecological Assessment;
- Planning Statement;
- Site Investigation Report;
- S1 Sustainability Statement;
- Student and Residential Building Energy Statements;
- Student Supply and Demand Report;
- Student Management Plan;
- Transport Assessment and Travel Plan and
- Tree Survey.

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 proposal is acceptable in this location;
- (b) the proposal is acceptable in terms of its scale, form, design and materials;
- (c) the proposal will result in any impact on residential amenity;
- (d) the proposal will give rise to any transport or air quality issues;
- (e) there are any issues in relation to flood prevention;
- (f) there are any issues in relation to archaeology;
- (g) there are any other infrastructure requirements and
- (h) any public comments have been addressed.

(a) Principle

Housing Development

The application site is located within the Urban Area in the Edinburgh Local Development Plan (LDP). Policy Hou 1 (Housing Development) of the LDP permits housing development on sites within the Urban Area subject to the proposal being compatible with the other relevant policies.

The LDP Housing Land Study (June 2014) indicates that the whole of the Abbeyhill Industrial Estate, including the site of the Bellway development to the east, could potentially accommodate 129 residential units. It also notes that the site has a low probability of being developed for housing in the short term. Therefore, residential development on this site will contribute towards meeting the Council's windfall housing assumptions. The proposed development will provide housing on an urban infill site and will contribute toward meeting housing need.

The proposal is acceptable in principle subject to compliance with other LDP policies.

Student Housing

LDP policy Hou 8 has two requirements for assessing student accommodation. Firstly, proposals must be in a suitable location in relation to university and college facilities, and be well connected by means of walking, cycling or public transport. Secondly, it must not lead to an excessive concentration of student accommodation or transient population in the locality to an extent that would adversely affect the area and its established residential amenity or character.

The Council's Non-Statutory Student Housing Guidance (SHG) re-enforces the requirements of policy Hou 8 and identifies that student accommodation needs should be met in well managed and regulated schemes where possible.

Location of Student Housing

In terms of criterion a) of policy Hou 8, the application site is in a central location near London Road with good connections to public transport, offering high frequency bus services to all parts of the city. Higher education campuses can also be accessed by bicycle and in some cases by walking.

The SHG sets out additional locational and design guidance to be applied for student housing. Criterion a) accepts student housing in locations within or sharing a boundary with a main university or college campus, or outwith criterion a) student housing will generally be supported on sites with less than 0.25ha of developable area. Where the site area is larger than 0.25ha then the proposal should comprise an element of housing as part of the development.

The site does not share a boundary with a university or college campus and the total site area is 0.51ha. However, it is proposed to provide housing as part of the development.

It is recommended that the residential gross floor area should represent 50% of the total new build housing and student accommodation gross floor area. The total gross floor area of the proposed residential development is 6,509sqm, while the floor area of the student accommodation is 8,045sqm. This equates to a 45:55 ratio of residential to student floorspace.

A ground floor commercial/community use is also proposed within the student building. The eventual operator of the unit will be determined via a selection process run by the applicant post consent.

Concentration of Student Housing

Criterion b) of policy Hou 8 seeks to limit the concentration of student accommodation where it would have an adverse impact on the maintenance of balanced communities, or to the established character and residential amenity of the locality. The SHG advises that where the student population is dominant, exceeding 50% of the population, there will be a greater potential imbalance within the community.

The area is calculated using datazones from the 2011 census. As the individual datazones are tightly drawn, considering them in isolation does not give an accurate reflection of the population demographic within the local area. While there is no definition of what constitutes an 'area' for the purposes of calculating student population, it is normal procedure to use the proposed development's datazone and those that surround it. Using this method considers a wider catchment and provides a more accurate representation of the local population.

The student population within the area is based on 2011 census data and the National Records of Scotland's Special Area population Estimates 2018. This data is then adjusted to include consented developments in the area to provide a 2020 figure. The 2020 figure assumes that all pending and consented applications for PBSA have been granted and are fully occupied. However, it should be noted that the Meadowbank Stadium site, which proposes 596 residential properties, is within the area but is not included in the calculation.

While there will be no PBSA on the site, the properties may be attractive to students wishing to live in private lets. However, there is no way of establishing accurate data on future population demographics within the development at this stage.

The student population figure in the calculated area is approximately 40% at present, rising to 42% if the proposed development is included.

This proportion, as proposed, would not lead to an over-concentrated student population in the area and meets criterion b) of policy Hou 8 and criterion b) of the SHG.

Overall, the proposal complies with policy Hou 8. Whilst the SHG suggests the gross floorspace ratio between the PBSA and residential should be 50:50, having established that the proposed development will not result in an excessive concentration of student accommodation in the locality, the minor shortfall in the housing provision required by the SHG is acceptable in this instance.

Existing and Proposed Business Premises

The SHG recommends that development should be designed to positively contribute to place through the location of alternative ground floor uses where this is characteristic of the street or area. With the exception of London Road, alternative ground floor uses are not characteristic of the area. However, as business units will be lost as a result of the development, it is proposed to provide new commercial space at ground floor level of the student accommodation on the corner facing London Road. The specific use of the premises has not been confirmed but will be class 1, 2, 3, 4 or 10 which are acceptable operations to be provided in a mixed-use area with neighbouring residential properties. The provision of a ground floor commercial use complies with the advice contained in the SHG and is acceptable.

Policy Emp 9 (Employment Sites and Premises) of the LDP advises that proposals to redevelop employment sites or premises in the urban area will be permitted provided that they meet three criteria: a) the introduction of non-employment uses will not prejudice or inhibit the activities of any nearby employment use; b) the proposal will contribute to the comprehensive regeneration and improvement of the wider area; and c) if the site is larger than one hectare, the proposal includes floorspace designed for a range of business users.

The surrounding area is predominantly residential and there are no nearby employment uses that would be inhibited by the redevelopment of the site for residential use. Therefore, the proposal complies with criteria a) of Emp 9.

Over a number of years, the Abbeyhill area has undergone significant change in terms of redevelopment and regeneration. What was previously an industrial area is now predominantly residential. The site forms part of the Abbeyhill Industrial Estate of which the eastern half has now been redeveloped for residential use. The buildings currently occupying the site are of a functional design with limited architectural merit and no longer relate to their surroundings. The redevelopment of the site is an opportunity to introduce a more legible urban form into this space in compliance with criterion b).

In terms of criterion c), the site is less than one hectare in size and criterion c) is not applicable. However, the proposal includes a ground floor unit on the corner of the PBSA block facing towards London Road. The proposed uses of the new unit fall within classes that are acceptable to be provided in a residential area. Appropriate conditions or informatives will protect residential amenity.

Overall, the loss of the existing business units and the site's redevelopment for residential use is acceptable. The provision of an appropriate employment use within a site where commercial premises will be lost is welcomed.

b) Scale, Form, Design and Materials

Policies Des 1 to Des 8 of the LDP outline a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area, with the need for high quality design which is appropriate in terms of scale, form, design and layout.

The site is a brownfield urban infill site which represents the final piece of the redevelopment of the once wider Abbeyhill Industrial Estate. Its redevelopment will knit together the wider townscape which has developed in a piecemeal fashion over a number of years. The proposed layout on the site is for three new development blocks to be formed around a central courtyard. The largest of the blocks will be situated directly onto Abbey Lane with fully accessible entrances onto the street frontage. This form of development will strengthen and improve the existing street form along this edge, which is currently compromised by the difference in levels from the site to the adjacent road necessitating a high retaining wall along the site boundary. The creation of a direct building frontage onto the street be in keeping with the traditional built form in the area and is appropriate in this context. The façade of the building will be set back from the site boundary to allow the footpath to be widened by 30 - 50% on this side of Abbey Lane. The active frontage and widened pavement will provide an improved pedestrian environment along the street.

At present, the scale, massing and urban grain of the surrounding area is varied. In the wider context, there is a predominance of three and four storey traditional tenemental form alongside more modern developments of a similar scale. The Bellway development to the east is also largely four storeys with six storey corner blocks on its northern section to address the height of the Arc building. The Arc building is seven storeys on its northern edge, but the architectural detailing of the roof profile increases its height further.

The scale and massing of the scheme have been carefully considered through the planning process. The relationship between the site and the surrounding context, particularly the adjacent developments to the north and east, has informed the scale of the proposal.

Similar to the Arc, the height of the PBSA building generally steps up towards the north of the site. However, the tallest element of the Arc building will be over three metres higher than that of the PBSA. As the PBSA building curves on its northern edge to address the Bellway development, the northernmost corner element steps back down. This creates a subtle transition in height between the neighbouring developments where they cluster around the junction of Abbey Lane.

The six-storey element of residential Block A will be tucked in behind the PBSA but will be visible in some views of the site. At this point Block A will match the height of the northern section of the Bellway development. The corner of the PBSA building will in turn be approximately 2.5 metres above Block A but will sit below the ridge line of the Arc at this point. Overall, the proposed buildings will provide a reasonable stepping down of height on the northern corner when viewed in the context of the Arc and the Bellway development.

Residential Block A is set back into the site, and with a general height of five storeys stepping up to six toward the north of the site, is of a similar scale to the neighbouring Bellway development. Block B which sits along the south of the site will be of a similar height and mass. The provision of five storey buildings with six storey elements relates to the height of the existing development to the east and the PBSA block and helps the proposal to achieve a sustainable urban density while remaining sympathetic to its surroundings.

The design of the main elevation of the PBSA will utilise a variety of materials and different sized solid to void openings to break up the façade. The finished floor levels of the building at the bottom of Abbey Lane are approximately 3.5 metres lower than those at the top. Level changes to this extent can present problems for buildings addressing the street, particularly if constructed with single floor plates and rhythmic fenestration. The variation created in the façade allows the building to step down the hill while maintaining an even frontage to the street.

The glazed curtain walling at ground floor level will allow views through the building to the central courtyard landscaping and will provide passive surveillance to the street. The feature corner on the north elevation, with the ground floor commercial unit, will provide a welcoming aspect to the development when viewed from London Road.

The residential development will be on a level part of the site and will feature rhythmic fenestration across the blocks. Brick will be the predominant material with dark grey cladding utilised to break up some of the facades. The upper floors of the residential blocks have been designed to provide a visual break in materials, with the upper storey of each block including an element of cladding, which contrasts with the character of the predominant brick material on the lower levels. This provides variety in the elevation which will reduce the visual impact of the buildings on the streetscape, particularly where they are viewed from the south across the railway.

The design and access statement submitted in support of the application, assesses the impact of the proposed development on city and local views. The site lies on the periphery of the view cone of key view E8 London Road - Calton Hill. However, it does not alter the character of the key view or impinge on the visibility of Calton Hill.

The development will impact on some local views, in particular views down Abbey Lane from London Road to Salisbury Crags and views of Arthur's Seat from Abbey Lane. At a local level, it is recognised that the proposals will change the character of Abbey Lane, creating a greater sense of enclosure to the street where there is currently a low-level development.

However, the proposal provides the opportunity to create a strong street frontage to Abbey Lane, and the setback of the residential block from the neighbouring site allows glimpsed views through the site to Arthur's Seat.

While Salisbury Crags will also be visible when viewed down Abbey Lane adjacent to the PBSA block.

This part of Abbeyhill is characterised by a range of building materials, including sandstone, brick, render and copper cladding. While the façade designs of the PBSA and residential buildings differ, the primary material for both developments will be a buff coloured brick. The PBSA will include metal cladding panels and areas of glazed curtain walling and louvres. The residential blocks include grey cladding for the recessed sections at the entrances and upper storeys. The full-height double windows will have either Juliet balconies or projecting external balcony. The full-height single leaf windows will include Juliet balconies.

The proposed mix of materials is acceptable in principle, subject to a pre-commencement condition requiring the submission of a detailed specification.

A total of 66 flats are proposed including a mix of 11 one-bed units (17%), 41 two-bed units (62%) and 14 three-bed units (21%). This exceeds the 20% recommendation for family housing provision as set out in the EDG.

In summary, a clear layout has been provided that helps to integrate this site into the surrounding area. It is considered that the building heights and massing responds effectively to the surrounding context. The proposed height and massing are therefore considered to be appropriate for the setting and are acceptable. The proposal is a contemporary design that is appropriate to its location. The site is appropriate for higher density development due to its accessibility to public transport and local services and relationship to existing neighbouring developments. The impact of the development on its setting has been assessed and the redevelopment of the site will not have a detrimental impact on the setting and wider townscape. The proposed development is an acceptable form of development in this location.

c) Amenity

LDP policy Des 5 (Development Design - Amenity) states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

Amenity of Neighbours

A Daylight and Sunlight Report (DSR) has been submitted in support of the application. The DSR measured the impact of the development on the level of Vertical Sky Component (VSC) for the neighbouring developments. Of the neighbouring buildings evaluated, there were some windows to Bellway Homes Block One, 22-30 Abbey Lane and 9-11 Abbey Lane that did not meet the VSC target criteria. These were then subject to the more detailed No Skyline Assessment (NSL), which takes account of all windows that provide daylight to a room as well as window and room dimensions.

Following the VSC and NSL daylight assessments, there are seven rooms to surrounding buildings that do not meet threshold criteria. In the Bellway development, there are four bedrooms at ground floor level and one bedroom at first floor level that do not meet the threshold target. Daylight penetration to these rooms is very close to threshold target of 50% of the room area. The figures for these rooms are 42%, 44%, 45%, 48% and 49%. For 22-30 Abbey Lane, there are two bedrooms at ground floor level that do not meet the threshold target. Daylight penetration to these rooms is also very close to threshold target, with the figures for these rooms at 45% and 47%. Despite the failure to meet the threshold target for some neighbouring properties, the site layout is an appropriate urban form in this location and the marginal failure will ensure that impact on neighbouring amenity is limited.

In terms of neighbouring external amenity spaces, sun path diagrams demonstrate that the garden area for Bellway Homes Block One will be affected by overshadowing from the proposal in the late afternoon during the spring equinox. However, this area is almost identically impacted by overshadowing from the existing low-rise commercial units due to their proximity to the boundary. Nevertheless, more than half of the neighbouring external amenity area will still achieve more than two hours of sunlight on 21 March in compliance with EDG recommendations.

In terms of privacy, at its closest point, the development will be approximately 14 metres from the Arc building. The location of the PBSA block addressing Abbey Lane at this point is an appropriate layout for development on an urban infill site in a location such as this. This distance between the two buildings is acceptable in this instance. An adequate distance of 24 metres will be provided between the residential block and the Bellway development. There will be no significant impact on the privacy of neighbouring residential properties.

Amenity of Future Occupiers

In terms of the amenity of future residents within the proposed development, a daylight assessment has been undertaken to the three buildings that comprise the proposed development.

The results indicate that, while majority of rooms within the development (93%) will meet the EDG standards for daylight to new development. However, there were 38 windows that did not meet the threshold criteria. These rooms affect nine flats in Block A, three in Block B and 17 rooms in the student accommodation. These rooms face onto the central courtyard and are mainly located to the centre of the elevations. Their location means that it is challenging to achieve the threshold criteria.

The results are comparable with other schemes of similar density in urban locations. The BRE advise that the daylight targets should be used flexibly, particularly in city centre locations and gap sites such as this, where full compliance with the standards may be challenging to achieve due the existing topography and context.

Open space for the flats is provided in a central courtyard which extends south and wraps around Block B. Approximately 26% of the residential site area will be provided as amenity space. For those without private gardens this equates to 15.8 sq/m per flat, which is in excess of 10 sq/m per flat and the minimum requirement for 20% open space across the development as specified in policy Hou 3.

In addition, the residents of Block B will have a roof terrace providing those residents with an additional 114 sq/m of external amenity space. Seven of the ground floor flats will be provided with small garden areas and 50 of the upper floor flats will have balconies.

While there is no requirement to provide amenity space for PBSA, the proposal includes a 513 sq/m external roof terrace. Alongside the internal games room, common rooms and study areas, residents will be provided with a number of areas for social interaction.

The EDG advises that half the area of new garden spaces should be capable of receiving potential sunlight for more than two hours during the spring equinox. The DSR shows that on 21 March, 49% of the communal amenity space will receive sunlight for the recommended time. This is a marginal infringement of the guideline and the residents will not suffer from a lack of amenity as a result.

The EDG also includes recommended internal floor areas for flat sizes. All the units meet the minimum internal floor area requirements.

A Noise Impact Assessment (NIA) has been submitted in support of the application. The NIA makes a number of recommendations on façade construction and ventilation provisions to ensure that residential amenity will be protected. Environmental Protection has confirmed that the noise mitigation proposals are acceptable, subject to a suitable condition.

The NIA also considers the potential impact of the commercial premises on the student residences above. While no operator has been confirmed for the commercial unit, some operations within the use classes proposed have the potential to impact on neighbouring premises, particularly in terms of noise and odours. Proposed mitigation measures have been submitted, and Environmental Protection has confirmed that the proposals are suitable subject to appropriate conditions.

While there are some instances where the proposal does not fully comply with the requirements of the EDG, overall, the development is an appropriate urban form on a constrained infill site. High density development is encouraged on urban brownfield sites in sustainable locations and the height and layout of the development has been informed by the neighbouring context. Therefore, the marginal infringement of the EDG is acceptable.

(d) Transport and Air Quality

Transport

The vehicular access to the site will be from the north. There will be a total of 20 car parking spaces provided on site, of which 50% will be provided with e/v chargers. Four of the spaces for disabled users, with a further three spaces allocated for motorcycle parking.

The access and parking bays are to be retained privately, with future maintenance responsibilities lying with the developer, residents or a factor.

It is proposed that the parking bays will be allocated to the residential units and split on a pro rata basis between the market and affordable housing. No parking is provided for the PBSA, although students can join the car club for occasional car use.

Policy Tra 2 (Private Car Parking) advises that lower provision will be pursued subject to a number of factors, including the site's accessibility and proximity to local amenities. The site is within walking and cycling distance of local amenities, the city centre and some university campuses. The site also benefits from being near a main arterial route into the city and is well served by public transport, with bus stops on London Road offering services from large parts of Edinburgh and the wider region. Therefore, the level of car parking provided is adequate for a development of this nature and complies with Tra 2.

It should be noted that the area is not currently covered by a Controlled Parking Zone (CPZ), and as a result experiences high levels of commuter parking during week days. There is a proposal in place to introduce a CPZ covering this area by mid-2021, which would be in advance of the completion of construction.

A total of 475 cycle parking spaces will be provided for the development comprising:

- 300 student cycle parking spaces (both within the building and stores within the courtyard);
- 155 residential cycle parking spaces (both within the buildings and external stores);
- 8 visitor cycle parking spaces and
- 12 visitor cycle spaces for the proposed commercial/community use.

The level of cycle parking provision is in compliance with policy Tra 3 (Cycle Parking) and the EDG.

Overall, the transport measures are acceptable and in accordance with LDP policy and guidance. The development is well connected and will not detrimentally impact on traffic, road safety or parking.

Air Quality

The site is located approximately 45m out with the City Centre Air Quality Management Area (AQMA). However, vehicles accessing the city centre from the site are likely to use the route through the AQMA.

The site is in a central location and will provide residents with opportunities to travel by sustainable methods. The proposal reduces the number of car parking spaces on site from 46 to 20, of which 50% will have e/v chargers.

An Air Quality Impact Assessment (AQIA) has been submitted in support of the application. The AQIA concludes that the potential for significant effects on air quality from increased traffic emissions would be negligible.

e) Flood Prevention

A Flood Risk Assessment and a Surface Water Management Plan have been submitted in support of the application. The Council's Flood Prevention Team has confirmed that the proposed drainage and surface water management arrangements for the site are acceptable and will ensure compliance with policy Env 21 (Flood Protection).

(f) Archaeology

The site has been identified as occurring within an area of archaeological significance. Therefore, a condition will be required to ensure that no development takes place on site prior to a programme of archaeological works being undertaken.

(g) Infrastructure Requirements

Affordable Housing

A total of 17 affordable units are to be provided on site and located in block A and will comprise a mix of nine one-bed units (53%), six two-bed units (35%) and two three-bed units (12%). Affordable housing has confirmed that this provision is satisfactory. The affordable housing units will be subject to a legal agreement.

Communities and Families

Communities and Families has advised that proposed development is required to contribute towards the delivery of education infrastructure.

The required contribution should be based on the established contribution figures of £856 per flat (indexed to the date of payment). This equates to a total education contribution of £46,224 for the proposed 54 flats (discounting studios and 1 beds). The contributions will be sought via a legal agreement.

(h) Public Comments

- The height of the proposal is too high - addressed in section 3.3(b);
- No need for more student housing in the area - addressed in section 3.3(a);
- Loss of sunlight and overshadowing of existing properties - addressed in section 3.3(c);
- Loss of privacy of existing properties - addressed in section 3.3(c);
- Parking in the area is currently difficult and the development will exacerbate this issue - addressed in section 3.3(d);
- Lack of green spaces and commercial uses in the proposal - addressed in section 3.3(a and c);
- Insufficient family sized homes - addressed in section 3.3(b) and
- Impact on GP surgery infrastructure - not identified as a requirement in the Finalised Supplementary Guidance.

CONCLUSION

The proposal complies with the development plan. The development is acceptable in this location and will not lead to an overconcentration of the area's student population. The overall design concept draws upon the positive characteristics of the area and is acceptable in terms of its scale, form and design. There will be no unacceptable impact on residential amenity, road safety or air quality. The proposal is acceptable and there are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, recording and analysis, public engagement publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Prior to the commencement of construction works on site:

- a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
- b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
 - ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
3. Prior to the occupation of the development, the glazing measures as defined in the Abbeyhill, Edinburgh Noise and Vibration Impact Assessment Report (No. 1620007755 dated 24th June 2020): paragraph 6.1.1. (figure 6) and shown on drawing ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20 should be installed to the satisfaction of the planning authority. The following are specified as required in figure 6 and the referenced drawing:

Figure 6

- a. Acoustic trickle vents and enhanced double glazing with acoustic performance requirements given in Table 11 will be required on facades as shown in orange on drawing reference ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20.
- b. The southern façades will require mechanical ventilation and enhanced glazing with acoustic performance requirements given in Table 11 and shown in red on drawing reference ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20.

Reasons: -

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. In order to protect the amenity of the occupiers of the development.

Informatives

It should be noted that:

1. **LEGAL AGREEMENT:** Permission shall not be issued until a suitable legal agreement has been concluded to ensure relevant financial contributions are made toward local schools and affordable housing provision.

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

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

5. A minimum of ten 7Kw electric vehicle charging outlet (wall or ground mounted) shall be installed and operational prior to occupation as shown on drawing reference ALE-CDA-SW-GF-DR-A-02000 and dated 30/6/20.
6. Operating plant noise emission limits (including corrections for tonality and other feature characteristics) must not exceed 37 dB LAr at the nearest residential premises in the day or 30dB LAr at night. In addition, the specific level must not exceed 45 dB LAeq at this same location so as to meet NR25 internally.
7. The detailed design of the separating floor between the ground floor commercial premises and the first floor residences should achieve the following sound insulation performance ratings as a minimum across all separating floors above or below any residential property:

Airborne Sound Insulation Performance: $D_{nT,w} + C_{tr} \geq 45$ dB. Impact Sound Transmission Performance: $L'_{nT,w} \leq 62$ dB achieved through a building frame of cast in-situ concrete and therefore the separating floors comprise minimum 225 mm thick concrete slabs, installation of a resilient foam-backed acoustic vinyl with a standard MF grid ceiling below (minimum 125 mm void with 1 x 12.5mm standard plasterboard). The details are shown on drawing ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20.

8. Cooking operations in the ground floor commercial premises shall be restricted to the use of a toaster, soup kettle and one microwave only; no other forms of cooking, heating or reheating shall take place within the application commercial premises.
9. During construction, it will be necessary to apply a package of mitigation measures to minimise dust emissions. All mitigation measures are specified within paragraph 6.3 (Table 6.4: Recommended Dust Mitigation for Medium Risk Sites) of the ABBEYHILL, EDINBURGH AIR QUALITY ASSESSMENT Report No. 1620007755 and dated June 2020.
10. Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.

All 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.

- 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, see 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

11. The applicant will be required to contribute the sum of £23,500 (£1,500 per order plus £5,500 per car) towards the provision of 4 car club vehicles in the area.
12. The applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), 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. An outline Travel Plan is set out in the submitted Transport Assessment.
13. 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.
14. It has been agreed that the proposed access does not require to be a 'road' under the meaning of the Roads (Scotland) Act 1984 and road construction consent is therefore not required.
15. The applicant should consider sub-dividing the proposed cycle stores into smaller secure units to improve security.
16. The applicant should be aware that the Council is progressing the introduction of on-street parking controls, including residents permits, the area.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

A total of 56 representations have been received. Of the representations 51 objected to the proposal, four were neutral and one was in support.

A summary of the comments is contained in the assessment section of the report.

Background reading/external references

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

Statutory Development Plan Provision	Edinburgh Local Development Plan - Urban Area
Date registered	13 July 2020
Drawing numbers/Scheme	01-02, 03A, 04-05, 06A, 07, 08A, 09-10, 11A, 12-15, 16A, 17-23, 24A-30A,31,32A,33, Scheme 1

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

Contact: Alex Gudgeon, Planning Officer
 E-mail:alexander.gudgeon@edinburgh.gov.uk

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

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

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

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

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

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

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

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

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

LDP Policy Hou 8 (Student Accommodation) sets out the criteria for assessing purpose-built student accommodation.

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

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

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

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

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

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.

Relevant Non-Statutory Guidelines

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

Non-statutory guidelines Student Housing Guidance interprets local plan policy, supporting student housing proposals in accessible locations provided that they will not result in an excessive concentration.

Non-statutory guidelines - on affordable housing gives guidance on the situations where developers will be required to provide affordable housing.

Appendix 1

Application for Planning Permission 20/02827/FUL at 2 Abbey Lane, Edinburgh. Residential 66 flats and student accommodation development, with commercial/community unit (Use Class 1, 2, 3, 4 and/or 10), associated ancillary uses, landscaping, parking and infrastructure.

Consultations

Affordable Housing

I refer to the consultation request from the Planning service about this planning application.

Housing Management and Development are the statutory consultee for Affordable Housing. Housing provision is assessed to ensure it meets the requirements of the city's Affordable Housing Policy (AHP).

- o Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing.*
- o 25% of the total number of units proposed should be affordable housing.*
- o The Council has published Affordable Housing Guidance which sets out the requirements of the AHP, and the guidance can be downloaded here:*

<https://www.edinburgh.gov.uk/affordable-homes/affordable-housing-policy/1>

2. Affordable Housing Provision

This application is for a development comprising 66 residential flats alongside purpose-built student accommodation. There is an AHP requirement for a minimum of 25% (17) homes of approved affordable tenures.

The applicant has submitted an 'Affordable Housing Statement' which confirms that the 17 affordable homes that are required will be provided on-site. In the interests of delivering mixed, sustainable communities, the affordable homes will be integrated in a central part of the site "tenure blind" in appearance. It is adjacent to London Road which has extensive public transport links and is easy walking distance.

The applicant has confirmed the intention that all the affordable homes will be available for social rent, the Council's highest priority tenure type. This is welcome and exceeds the Council's aim for a minimum of 70% of affordable homes to be available for social

rent. The applicant has engaged with Hillcrest Housing Association (HHA), a Registered Social Landlord. HHA have written a letter of support and confirmed that it plans to work in conjunction with the applicant to deliver the affordable housing on site. However, it should be noted that the applicant has not yet entered into contract with the RSL and has not confirmed that the homes would be sold to the RSL at price that would enable social rent.

The design of affordable housing should be informed by guidance such as Housing for Varying Needs and relevant Housing Association Design Guides. An equitable and fair share of cycle and vehicle parking, consistent with the relevant parking guidance, should be provided for the affordable homes.

The original proposal for the affordable homes was for a mix of one (7), two (9), and three (1) bedroom flats. However, we asked the applicant to look at providing more three bedroom properties as the original mix of affordable homes does not comply with the Council's planning guidance on 'Affordable Housing'. The proportion of affordable housing suitable for families with children did not match the proportion of such housing on the wider site.

The applicant engaged positively with the department and came up with a solution which proposes the following mix of housing, which on balance we support, as the revised scheme now includes an additional ground floor three bed and will deliver 100% social rent. Although the proportion of three beds does not match the proportion in the market homes, (due to site constraints), 100% of the affordable homes are for social rent, and the applicant has improved the scheme by adding an additional ground floor three-bed in response to our original comments. We have no objections to the revised proposals.

Affordable homes			
Social Rent	no of homes	% of homes	
1 bed	6	35%	
2 bed	9	53%	
3 bed	2	12%	
	17	100%	

The applicant has stated that the affordable units will be contained in one block and accessed from a single stair core to allow effective management. The applicant has stated that the units will meet the CEC's guidance on minimum unit sizes, as set out in the Edinburgh Design Guidance. The units will be co-located within residential building A, alongside market homes and will be tenure blind. The units will be designed and built to the RSL standards and requirements.

We welcome the provision of 17 onsite affordable homes for social rent, and that the applicant has discussed the proposals with Hillcrest HA, who support the new plans.

3. Summary

The applicant has submitted an "Affordable Housing Statement" which sets out the proposed approach for delivering affordable housing. It commits to providing 17 (25%) on-site affordable homes for social rent which complies with Affordable Housing Policy

and will assist in the delivery of a mixed sustainable community. This should be secured by a Section 75 Legal Agreement.

The proposal that all affordable homes will be available for social rent is welcomed. The applicant has identified a Registered Social Landlord (RSL) to deliver the affordable housing units. The design of the units will be informed by guidance such as Housing for Varying Needs units and built to the RSL design standards.

- o 25% of affordable housing is delivered onsite*
- o The applicant is to enter an agreement with Hillcrest HA to deliver 17 homes for social rent.*
- o The affordable housing will include an integrated variety of house sizes to reflect the provision across the wider site of approved affordable tenures*
- o The applicant is required to enter into a S75 legal agreement to secure the affordable housing*
- o An equitable and fair share of cycle and vehicle parking, consistent with the relevant parking guidance, should be provided for the affordable homes.*

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for residential 66 flats and student accommodation development, with commercial/community unit (Use Class 1, 2, 3, 4, 10 and/or 11), associated ancillary uses, landscaping, parking and infrastructure.

The site has a complex history as outlined in AOC Archaeology Group Desk-based Assessment (DBA) which accompanies this application (AOC report 23652). In summary, prior to the late 18th century, the site occurred on the northern side of the royal hunting park of Holyrood Park and the lands associated with the 12th century Holyrood Abbey. The park most notably Arthurs Seat was a focus for prehistoric activity with the current flat parkland at its base being the site of a post-glacial loch and bog, which was finally drained by the 18th century. The site's location on higher ground on the edge of this area may have suited it to prehistoric settlement.

The main development of the site starts in the latter Georgian period with the construction of Abbeyhill Hill House and Comely Green House, the latter occurring on this site. In 1849 the site was largely subsumed by the construction and operation of the Rose Lane railway Goods station and coal depot.

Accordingly, this site has been identified as occurring within an area of archaeological potential and this application must be considered therefore under terms of Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, HES's Historic Environment Policy for Scotland (HEPS) 2019 and CEC's Edinburgh Local Development Plan (2016) Policies ENV8 & 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.

The proposed scheme will require significant ground-breaking works relating to the construction of the new development and related works (e.g. landscaping, new services/infrastructure). Such works are likely to disturb significant remains associated

with Edinburgh's early railway heritage and importantly the remains of the Georgian Comely Green House. Accordingly, it is essential that programme of archaeological works is undertaken prior to development in order to fully excavate and recording any surviving archaeological remains.

It is recommended that the following condition is attached in order fully record these important industrial buildings but also any associated buried remains as follows;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, recording and analysis, public engagement 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.

Communities and Families

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (August 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2019).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the finalised Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (August 2018).

Assessment and Contribution Requirements

Assessment based on:

54 residential flats (12 one bedroom/studio flats excluded)

This site falls within Sub-Area D-1 of the 'Drummond Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.

The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed.

The proposed development is therefore required to make a contribution towards the delivery of these actions based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.

If the appropriate infrastructure contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required:

£46,224

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Craigentenny/Meadowbank Community Council

This letter offers comments on the application following participation in several consultations held by the prospective developer prior to the covid crisis with local communities.

The community council recognises the efforts carried out by the developers to reach out to local residents which led them to make amendments to their plans following comments which were fed back to them by the local community.

The community council also appreciates the efforts made by the developer team to attend many community council meetings to listen and answer any questions which arose from the meetings.

We were unable to carry out our own public consultation due to Covid restrictions and the relative short turn around of 21 days between the date of registration and the time this letter needs to be passed to the council.

We have however few points which have risen from our previous community council meetings:

o The community feels strongly that there are too many student accommodation builds in this area

o The community doubts that the provision for car parking will be enough thus resulting on increased pressure on an already car full area

o The community has reservation, especially after the Covid crisis, about the business model surrounding student accommodation given that courses are now mostly available online.

Environmental Protection

I refer to the above and would advise that Environmental Protection has no objections to the development.

Air Quality

PAN 51 states that air quality is capable of being a material planning consideration, in so far as it affects land use. The impact on ambient air quality is likely to be particularly important where the proposed development is inside or adjacent to an AQMA. The City Centre Air Quality Management Area is situated around 45 metres from this development and therefore has the potential to be detrimentally affected should large levels of car parking be introduced at this site. The applicant has therefore provided an air quality assessment to consider the impacts of the development.

When compared with the application site current use, the increase in traffic brought about by the proposed development is predicted to be 19 two-way vehicles during a 12-hour period, which will be distributed across the local road network. It is likely that traffic in the remaining 12 hour night period would be lower, however, even with a worst case assumption that daily traffic movements (24 hour) would be double the daytime 12 hour period, the net additional traffic of the proposed development would be well below the indicative criteria of an additional 100 daily vehicles which is set out in Delivering Cleaner Air for Scotland: Development Planning & Development Management for sites within or adjacent to an AQMA to indicate where a detailed quantitative assessment of air quality is required. Where the traffic increase is below this criterion it is considered that the potential for significant effects on air quality from increase traffic emissions would be negligible.

However, the site is excellently placed to offer sustainable modes of transport (bus and train) for residents and employees based/living at the site so it is expected that the developer will keep car parking to as low a level as possible. In this regard, the applicant proposes 22 spaces (existing on site are 46 spaces) for 66 residential units and 289 student beds. In an attempt to provide mitigation measures designed to reduce the impact of those parking spaces, the applicant has included 10 electric vehicle charging points and 1 Car Club space. In addition to this, the student residence will have lease clauses prohibiting car ownership at the site, whilst the private residential development will feature reduced parking within the site below the CEC standards. Both these measures along with a Student Travel Plan and a Residential Travel Pack will encourage the use of active and public transport, rather than reliance on the private car. Moreover, to reduce private car reliance a total of 205 cycle parking spaces is to be provided in secure areas, exceeding the Council's standards by 49 spaces. With regard to the electric vehicle infrastructure proposed, a condition is recommended below to ensure ten spaces are included within the development.

Gas and biomass boilers have also been ruled out by the applicant which is supported by Environmental Protection as they can increase the background NO2 levels in the local area. The development includes no proposed centralised heat plant or boilers and instead air source heat pumps and heat recovery units are proposed for hot water and heating along with electric panel heaters.

The development will include considerable building and demolition works and so the air quality impact assessment has recommended dust mitigation measures in the form of a Construction Environmental Management Plan (CEMP). This has been recommended by way of an informative.

Noise

A noise impact assessment has been provided which considered noise and vibration from the adjacent railway and road traffic, plant and commercial operating noise.

Maximum plant noise specifications have been recommended to ensure plant noise will not impact on any student residences or residential properties and separating floor insulation has been recommended to ensure that the commercial premises do not impact upon the residences above by way of noise.

Enhanced glazing and mechanical ventilation have been recommended to address train noise affecting the southern facades and enhanced glazing and trickle vents have been recommended on perimeter facades affected by road traffic noise. A condition is recommended below to ensure the noise mitigation measures are included within the development prior to occupation of the development.

An internal courtyard has been provided as external amenity space and the NIA advises that noise levels below that of the World Health Organisation target threshold of 50 dB Leq,T can be achieved in this area.

The railway vibration levels measured at the site are described as 'low probability of adverse comment' and so no mitigation measures are deemed necessary or been recommended in this regard.

Site Contamination

Any future applications should be supported with information which demonstrates that the site is safe for the proposed end use. A condition is recommended below to that effect.

General

The application states that development will include a commercial/community unit (Use Class 1, 2, 3, 4, 10 and/or 11) associated ancillary uses, landscaping, parking and infrastructure. Environmental Protection has advised that it could not support a Class 11 premises below residences due to the likely impacts that Class 11 has on residential amenity. In this regard, the agent has confirmed that there is no intention to utilise the Class 11 use on site. Environmental Protection has therefore recommended a condition below to this effect.

The proposed commercial unit has no proposed method of ventilation which could suitably remove cooking odours. Therefore a condition is recommended below to ensure that, should the premises operate as Class 3, cooking odours will not impact upon the residences above.

Environmental Protection would therefore offer no objections to the application subject to the following conditions being applied:

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

a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial

and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

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

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

2. A minimum of ten 7Kw electric vehicle charging outlet (wall or ground mounted) shall be installed and operational prior to occupation as shown on drawing reference ALE-CDA-SW-GF-DR-A-02000 and dated 30/6/20.

3. The glazing measures for the buildings, as defined in the ABBEYHILL, EDINBURGH NOISE AND VIBRATION IMPACT ASSESSMENT Report (No. 1620007755 dated 24th June 2020): paragraph 6.1.1. (figure 6) and shown on drawing ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20 should be installed prior to occupation of the development (to mitigate transportation noise). The following are specified as required in figure 6 and the referenced drawing:

Figure 6

a. Acoustic trickle vents and enhanced double glazing with acoustic performance requirements given in Table 11 will be required on facades as shown in orange on drawing reference ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20.

b. The southern façades will require mechanical ventilation and enhanced glazing with acoustic performance requirements given in Table 11 and shown in red on drawing reference ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20.

4. Operating plant noise emission limits (including corrections for tonality and other feature characteristics) must not exceed 37 dB LAr at the nearest residential premises in the day or 30dB LAr at night. In addition, the specific level must not exceed 45 dB LAeq at this same location so as to meet NR25 internally.

5. The detailed design of the separating floor between the ground floor commercial premises and the first floor residences should achieve the following sound insulation performance ratings as a minimum across all separating floors above or below any residential property:

Airborne Sound Insulation Performance: $D_{nT,w} + C_{tr} \geq 45$ dB. Impact Sound Transmission Performance: $L'_{nT,w} \leq 62$ dB achieved through a building frame of cast in-situ concrete and therefore the separating floors comprise minimum 225 mm thick concrete slabs, installation of a resilient foam-backed acoustic vinyl with a standard MF grid ceiling below (minimum 125 mm void with 1 x 12.5mm standard plasterboard). The details are shown on drawing ALE AMA SZ XX DR A 02 0013 (Rev P1) and dated 29/10/20.

6. *Cooking operations in the ground floor commercial premises shall be restricted to the use of a toaster, soup kettle and one microwave only; no other forms of cooking, heating or reheating shall take place within the application commercial premises.*

7. *The commercial premises proposed below noise sensitive properties must not include Class 11.*

Informative

1. *During construction, it will be necessary to apply a package of mitigation measures to minimise dust emissions. All mitigation measures are specified within paragraph 6.3 (Table 6.4: Recommended Dust Mitigation for Medium Risk Sites) of the ABBEYHILL, EDINBURGH AIR QUALITY ASSESSMENT Report No. 1620007755 and dated June 2020.*

Flood Prevention

Thank you for the consultation request. CEC Flood Prevention have no concerns over this application. This application can proceed to determination, with no further comments from our department.

Historic Environment Scotland

Thank you for your consultation which we received on 21 July 2020. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:

Ref

Name

Designation Type

SM13032

Holyrood Park

Scheduled Monument

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

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

Further Information

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

Historic Environment Scotland - Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. SC045925

VAT No. GB 221 8680 15

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-

support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.enginshed.org.

Network Rail

Thank you for consulting Network Rail regarding the above development.

Whilst Network Rail has no objections in principle to the development, due to its close proximity to the operational railway, we would request that the following matters are taken into account, and if necessary and appropriate included as advisory notes, if granting the application:

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.

All 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, see 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.

Transport

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

1. The applicant will be required to contribute the sum of £23,500 (£1,500 per order plus £5,500 per car) towards the provision of 4 car club vehicles in the area;

2. The applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), 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. An outline Travel Plan is set out in the submitted Transport Assessment;

3. 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;

4. It has been agreed that the proposed access does not require to be a 'road' under the meaning of the Roads (Scotland) Act 1984 and road construction consent is therefore not required;

5. The applicant should consider sub-dividing the proposed cycle stores into smaller secure units to improve security;

6. The applicant should be aware that the Council is progressing the introduction of on-street parking controls, including residents permits, the area.

Note:

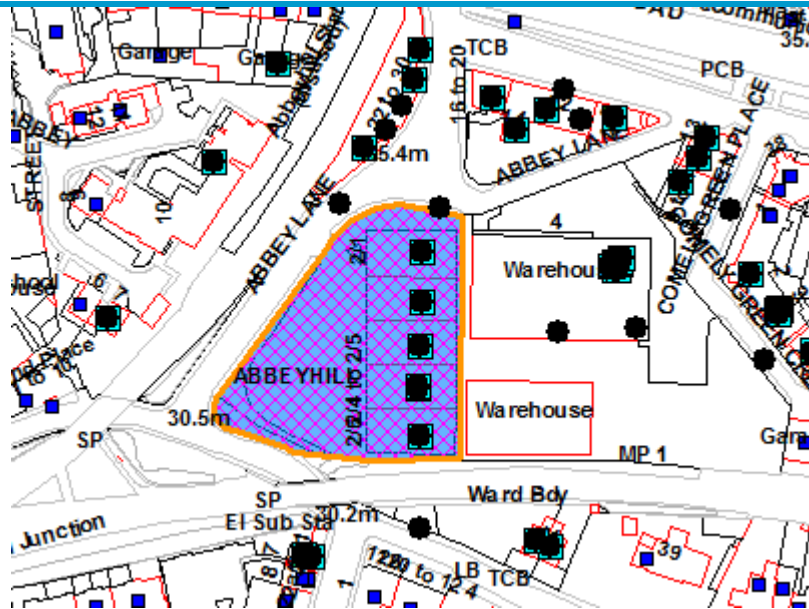
The proposed parking provision is considered acceptable and consists of:

- o 298 bed student accommodation: 320 cycle spaces, zero car parking
- o 66 residential units: 155 cycle spaces, 22 car spaces (including 4 car club, 4 disabled and 10 electric charging points), 3 motorcycle spaces.

Note on Transport Statement / Assessments (include where applicable)

A transport assessment has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 November 2020

**Application for Planning Permission 20/02743/FUL
at Land 16 Metres North East Of, 2 Allan Park Crescent,
Edinburgh.
New 3 bedroom dwelling house (as amended).**

Item number

Report number

Wards

B09 - Fountainbridge/Craiglockhart

Summary

The proposal replaces a set of garages which do not contribute positively to the area. The proposal is acceptable in its scale, form and design and will not have a detrimental impact on neighbouring amenity. The proposal complies with relevant policies in the Local Development Plan. The proposal infringes guidance in relation to its position on the site, garden depth and the design of dormer windows. However, these infringements will not result in adverse harm and are acceptable. There are no material considerations that would outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES04, LDES05, LHOU01, LHOU03, LHOU04, LEN21, LTRA02, LTRA03, NSG, NSGD02,

Report

Application for Planning Permission 20/02743/FUL at Land 16 Metres North East Of, 2 Allan Park Crescent, Edinburgh. New 3 bedroom dwelling house (as amended).

Recommendations

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

Background

2.1 Site description

The application site is a group of four garages located on the east side of Allan Park Crescent.

The surrounding area is residential in character, largely consisting of bungalows.

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 demolition of the existing garages which are to be replaced by a one and a half storey, three bedroom residential unit with an internal floor area of approximately 104 square metres. The proposal includes a rear curtilage with a depth of five metres and an area of approximately 60.4 square metres.

External walls are to be finished in wet dash. The proposal includes two velux windows to the north elevation and one velux window to the south.

Previous Scheme

The scheme has been amended to reduce the length of the building by approximately 1.1 metres and moving the proposed dwelling approximately 300mm north-west. A proposed driveway has been removed from the scheme. The revised scheme introduces a hipped roof to the principal elevation and a new slate-cheeked dormer window, with a slate roof.

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 a new house in this location is acceptable;
- b) the proposal is acceptable in its scale, form and design;
- c) a satisfactory residential environment can be achieved for the amenity of future occupiers;
- d) the proposal will impact on neighbouring amenity;
- e) any other planning matter have been addressed and
- f) any matters raised in representations have been addressed.

a) Principle

Policy Hou1 (Housing Development) of the adopted Edinburgh Local Development Plan (LDP) states that priority will be given to the delivery of the housing land supply and relevant infrastructure on suitable sites in the urban area, provided proposals are compatible with other policies in the plan.

The application site is defined as being part of the urban area in the adopted LDP. The principle of housing development at the site is therefore acceptable as long as the proposals are compatible with other policies in the plan.

b) Scale, Form and Design

Policy Des 4 (Development Design - Impact on Setting) states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- i) height and form
- ii) scale and proportions, including the spaces between buildings
- iii) position of buildings and other features on the site
- iv) materials and detailing

The site is part of an established residential area, defined by a strong rhythm of long plots with houses fronting onto the street with generous private rear gardens. There is a clear articulation of private and public spaces. This is a settled townscape with a strong urban grain. The area is defined by mid 50's bungalows with hipped roofs which follow a well-defined building line. A notable exception to this is the bend on which the application site sits. Here, No. 2 Allan Park Crescent is set at an angle to the road which breaches the building line. This, when combined with the curve of the road and distance between properties, makes the building line less clear. No. 2 is also the only property in the immediate area with a gabled roof. Several properties have garages and although there is some variation in the overall finishing of properties, there is a consistency in elevations finished in roughcast/render with decorative stonework around windows and edges being the defining style. Most properties in the area were constructed in the mid-50s whilst the garages which occupy the application site, as well as property numbers 6, 8 and 10, were added in the early 60s.

The existing garages located on site do not contribute positively to the existing streetscape. The proposed 1.5 storey dwelling with slate roof and dormer window is of a scale and design generally in line with other properties on the street. The roof will be hipped at the principal elevation with a dormer window. To the rear, the roof will be gabled. The gable wall will not be noticeable from the street and overall, the new building will look similar to others on the street. The proposed dormer window would take up more than one third of the roof plane; however, this is characteristic of the area. The design of the dormer ensures that the window will be set below the roof ridge and will maintain a visible expanse on all sides of the roof. An infringement of guidance in these circumstances is acceptable.

The proposed dwelling will be positioned closer to the pavement than other properties in the area. However, given the location of the development site on a curve, the building line in this part of the area is not as strong as elsewhere. The neighbouring property to the south already breaches the building line and the distance between the application site and the neighbouring property to the north ensures that the position of the new house will not be disruptive to the rhythm of the street.

Overall, the design, scale, positioning, height and detailing are appropriate for the area. The proposal complies with Local Development Plan policy Hou 4.

c) Residential Environment

LDP Policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate that future occupiers of a development will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

LDP Policy Hou 3 (Private Green Space in Housing Development) requires developments to provide adequate provision for green space to meet the needs of future residents.

Edinburgh Design Guidance sets out minimum internal floor space standards for residential development.

In this instance, the proposed 1.5 storey, three bedroom house has an internal floorspace well in excess of the minimum 91 square metres recommended in guidance.

The arrangement of the proposed living spaces and windows will ensure that future occupiers will have sufficient levels of daylight.

To ensure amenity space is sufficient for the use and enjoyment by occupiers and to ensure that there is scope for dwellings to be developed over time to suit the changing needs of occupiers, Edinburgh Design Guidance recommends a minimum depth of 9 metres for residential gardens. The area surrounding the application site is relatively low density with detached and semi-detached properties located on large plots with generous rear gardens. Garden depths in the area typically reach around 11 metres. Property no. 6, which neighbours the site to the north has a smaller rear garden in comparison to other properties, with an area of 49 square metres and a depth of 5.7 metres, though this is supplemented by space to the side and front of the house. No. 8 also has a garden with a limited depth of 6.5 metres. In this case the space to the rear garden of the application site would reach a depth of approximately 5 metres and cover a total area of approximately 60 square metres. The result would be usable garden space in line with the immediate neighbouring properties. In these circumstances an infringement of guidance is considered acceptable.

The proposal complies with Local Development Plan policy Hou 3 and Des 5 and would result in a satisfactory residential environment for future occupiers.

d) Neighbouring Amenity

Policy Des 5 (Development Design - Amenity) states permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected.

The proposed development complies with the 45-degree daylight criterion outlined in guidance. Some objectors have raised concern that the new position of the proposed building will result in a loss of daylight to neighbouring properties. Guidance on the protection of daylight to existing buildings outlined in Edinburgh Design Guidance states that daylight to gables and side windows is generally not protected. In this instance the neighbours to the north have no windows on the south elevation which would be affected and the windows of the neighbouring property to the south (no. 2 Allan Park Crescent) are angled away from the proposed new dwelling. The proposal complies with guidance in this regard.

Given the height of the proposal and the orientation of neighbouring properties in relation to the site, the proposal would not result in overshadowing to the garden spaces of the neighbours at no. 2 Allan Park Crescent or at no. 17 Allan Park Road. The proposal will result in approximately 15.05 square metres of overshadowing to the garden space of no. 6 Allan Park Crescent. However, it is acknowledged that the existing garages on the application site already overshadow this affected space to a degree. The increase in overshadowing would be relatively small and given the size of the garden space to the side of the property (approximately 138 square metres) this represents an acceptable minor infringement of policy which would not form grounds for refusal of this application.

In terms of privacy, a 1.8 metre fence to the north and east boundaries ensure that the new ground floor windows will not have a direct view into neighbouring windows or neighbouring gardens. The sill of velux windows on the north and south elevations of the proposal will be set 1.7 metres from ground level. Drawing 07A shows that these windows will not offer direct views to neighbouring properties. The proposal also includes a window to the rear at attic level, looking east toward no.17 Allan Park Road. However, this window will serve a stairwell and not a room. As the window will serve circulation space rather than a habitable room, it will not breach the privacy of the neighbours to the east of the site.

The proposal will not result in a loss of neighbouring amenity and is acceptable in this regard. The proposal complies with LDP policy Des 5.

e) Other Planning Matters

Road Safety and Parking

The proposal does not include provision for off-street parking. However, the application site is not located within a controlled parking zone, with vehicles able to park on the street. No cycle parking is indicated in the submitted plans. However, bikes could reasonably be stored in the rear garden or within the house itself.

The proposal complies with Tra 2 and a minor infringement of Tra 3 is acceptable in these circumstances.

Flooding

LDP Policy Env 21 (Flood Protection) states that planning permission will not be granted for development that would increase flood risk or be at risk of flooding itself.

The Planning Committee on 30 March 2017 approved the implementation of a certificate procedure in relation to assessing potential flood impacts as a result of new development proposals during the application process.

Accordingly, a Surface Water Management plan is required to assess the impact of the proposal on surface water on the site. This has not been provided. Before development on site can begin, this must be provided to the Planning Authority. This has been made a condition of this consent.

f) Public Comments

Material Considerations

- Removal of proposed driveway from the scheme is unacceptable/negative impact of the proposal on parking and road safety; this is addressed in section 3.3(e).
- Proposal built forward of established building line; this is addressed in section 3.3(b).
- Proposal will result in a loss of daylight to neighbouring properties; this is addressed in section 3.3(d).

Conclusion

The proposal replaces a set of garages which do not contribute positively to the area. The proposal is acceptable in its scale, form and design and will not have a detrimental impact on neighbouring amenity. The proposal complies with relevant policies in the Local Development Plan. The proposal infringes guidance in relation to its position on the site, garden depth and the design of dormer windows. However, these infringements will not result in adverse harm and are acceptable.

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

3.4 Conditions/reasons/informatives

Conditions: -

1. Prior to the commencement of development, a Surface Water Management Plan shall be submitted for the further approval of the Planning Authority and thereafter implemented prior to the occupation of the development.

Reasons: -

1. To ensure the proposal does not increase flood risk and surface water is managed correctly.

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.

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 meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The original application was advertised on 9 July 2020. The application received six comments, five in support and one taking a neutral stance.

The revised scheme was subsequently amended and advertised on 8 September 2020. The revised scheme received eight objection comments.

These representations are summarised and addressed in the Assessment section of the main report.

Background reading/external references

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

Statutory Development**Plan Provision**

Edinburgh Local Development Plan

Date registered

7 July 2020

Drawing numbers/Scheme

01A, 02A, 03C, 04A, 05C, 06A, 07A, 08,

Scheme 4

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Christopher Sillick, Planning Officer

E-mail: christopher.sillick@edinburgh.gov.uk

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 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 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

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

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

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

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.

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.

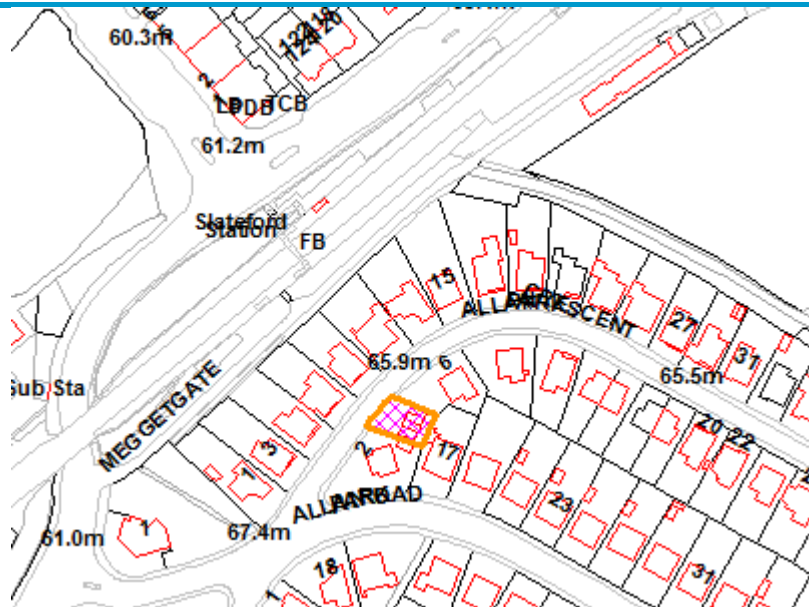
Appendix 1

**Application for Planning Permission 20/02743/FUL
at Land 16 Metres North East Of, 2 Allan Park Crescent,
Edinburgh.
New 3 bedroom dwelling house (as amended).**

Consultations

No consultations undertaken.

Location Plan



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Development Management Sub Committee

Wednesday 25 November 2020

Application for Planning Permission 19/03525/FUL at Seven Acre Park Play Area, Stanedykehead, Edinburgh, to construct a steel framed shed to provide indoor equestrian facility (as amended).

Item number

Report number

Wards

B16 - Liberton/Gilmerton

Summary

The proposal is an acceptable use in this green belt location, and subject to enhanced planting, will not have a significant adverse impact on the special landscape area. The proposal is of an acceptable design and form, will not result in loss of neighbouring amenity or have a detrimental impact on road safety.

The proposal complies with the Edinburgh Local Development Plan and there are no material considerations which outweigh this consideration.

Links

[Policies and guidance for this application](#)

LDPP, LEN03, LEN08, LEN10, LEN11, LEN21, LDES01, LDES05, NSG, NSGCGB, HES, HESSET, HEPS,

Report

Application for Planning Permission 19/03525/FUL at Seven Acre Park Play Area, Stanedykehead, Edinburgh, to construct a steel framed shed to provide indoor equestrian facility (as amended).

Recommendations

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

Background

2.1 Site description

The application site lies to the north of Seven Acre Park and play area and comprises principally of open grassed land with an existing storage container and horse field shelter. The site is currently in use for the exercising of horses. Hedgerows and planting form boundaries to the south and north.

The former Liberton Battery Gun Emplacements, a scheduled ancient monument, lie to the north east along with Liberton Kennels. A number of category A and B listed buildings and structures lie to the east, south and west of the site at a distance of around 400 metres or more. The immediate surrounding fields are in agricultural use.

The site lies within the Green Belt and the Braids, Liberton and Mortonhall Special Landscape Area.

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 a large agricultural style shed which will function as an equestrian vaulting facility. Equestrian Vaulting is a sport involving horses and gymnastics. The facility will be used by a local vaulting group.

The proposed building is 40.1m by 21.4m. It will measure 3.5 to the eaves and 5.7m to the roof apex. The building will be constructed of powder coated metal and finished in a neutral green colour 'juniper green'.

The site is accessed via an existing access off Stanedykehead, a private road. No hardstanding or additional access is proposed under the application.

Previous Scheme

The proposal has been amended to reduce the height of the building and proposed colour.

The applicant has submitted the following documents in support of the application.

- Design Statement;
- Landscape and Visual Impact Assessment and
- Planting and Maintenance Schedule.

These can be viewed on the Planning and Building Standards Portal.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of development is acceptable;
- b) the proposal would have a detrimental impact on the character and appearance of the Special Landscape Area and surrounding area;
- c) the proposal preserves the setting of listed buildings;
- d) the development design is acceptable;
- e) impact on neighbouring amenity is acceptable;
- f) there are any other material considerations and
- g) any comments have been addressed.

a) Principle of Development

LDP policy Env 10 (Development in the Green Belt and Countryside) states that development will only be permitted where it meets set criteria in addition to not detracting from the landscape quality and/or rural character of the area.

Criteria a) is applicable to the proposal. It states development will only be permitted:

For the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use.

The non-statutory Guidance on Development in the Countryside and Green Belt (February 2019) provides supporting information to policy Env 10. Its definition of countryside recreation includes:

uses where the proposal requires the land resource and is compatible with an agricultural or natural setting such as horse riding facilities.

The proposal is for an equestrian facility requiring land resource and its use is compatible with its setting. Landscape quality and character is assessed in part b).

b) Impact of Landscape Quality/Rural Character

LDP policy Env 11 (Special Landscape Areas) states that planning permission will not be granted for development which would have a significant adverse impact upon the special character or qualities of the Special Landscape Area.

The application sites location is within the Braids, Liberton and Mortonhall Special Landscape Area (SLA).

The 2010 review of Local Landscape Designations states that:

The scale of the SLA, its exposed hilltops, secluded glen, parkland planting, farmland and views to the wider rural landscape, offers a sense of naturalness and tranquillity in close proximity to the urban core; whether experienced from paths, trails or vehicular routes through the landscape such as Braid Hills Drive.

The area of the special landscape area surrounding the site is generally characterised by fields in agricultural use along with golf courses, a campsite and other countryside related uses. The site is separated from the nearest developed area by Stanedykehead road and the Seven Acre Park and play area. The wider landscape slopes upwards towards Braid and Blackford Hills.

The site is visible from a number of sensitive locations in long and local views. The applicant's submitted Landscape and Visual Impact Assessment assesses the impact the proposal would have on these views and considers potential mitigation.

The assessment notes that the development will be visible with a moderate to major impact from the existing play area, but that this could be mitigated by strengthening the existing hedgerow. Other views assessed include from Stanedykehead within the Liberton Fringes character area, the Braids Core Path and Wee Braids Golf Course.

These assess the development as having a moderate to minor impact on existing views. For example, glimpses or partial views of the building may be seen though these will be within the context of other countryside uses and development and are moderated through existing planting and landscape. Impacts on these views are further reduced through proposed mitigation measures.

Mitigation measures include a reduction in roof height and use of muted colours to the proposed building and additional planting and maintenance to boundaries.

Views from the scheduled monument known as the Liberton Gun Battery would experience only a slight change, with the development only partially visible and not occupying a large portion of the view.

The assessment notes that the proposal would not result in the loss of any existing features of values including trees and woodland that contribute to the landscape character. The assessment states that there would be no notable effects on landscape character or designations.

The proposal's impact on the surrounding area is acceptable in this context and would not be an inappropriate or incongruous feature. The building has now been reduced in height and impacts will be further reduced by the implementation of planting. The development will not have a significant adverse impact on the special landscape area and complies with LDP policy Env 10 and Env 11.

c) Listed Buildings and Scheduled Ancient Monument

Particularly sensitive built features in the landscape include the Liberton Battery Gun Emplacements, a Scheduled Ancient Monument, and a number of category A and B listed buildings and structures. These lie to the east, south and west of the site at a distance of around 400 metres or more

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states: -

In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

LDP policy Env 3 (Listed Buildings - Setting) states that development affecting the setting of a listed building will only be permitted if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

LDP policy Env 8 (Protection of Important Remains) states that development will not be permitted which would adversely affect a scheduled monument or the integrity of their setting.

The proposed development will have an agricultural appearance compatible with the surrounding countryside character and is located at a sufficient distance from historic assets so as not to cause an impact on their setting. As demonstrated through the Landscape and Visual Impact Assessment, section 3.3 b), the development will have only moderate or slight impact on views on the landscape as a whole.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve the setting of the listed building and complies with policy Env 3 (Listed Buildings - Setting). In addition, the proposal will not affect the setting of the Scheduled Ancient Monument complies with policy Env 8 (Protection of Important Remains).

d) Development Design

LDP policy Des 1 (Development Design) states that proposals should be based on an overall design concept. Planning permission will not be granted for poor quality or inappropriate design.

The proposal is for a steel framed and clad building measuring 40.1m by 22m. Rectangular in shape with a pitched roof, the building will be simple in form. The building is designed as a standard agricultural style shed. The building will be finished in a neutral green colour to reduce its impact on its surroundings.

The proposed design is an appropriate design given its use and countryside location and complies with policy Des 1.

e) Amenity

LDP policy Des 5 (Development Design - Amenity) states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected.

The neighbouring uses bordering the development include a park and agricultural fields. The nearest residential uses include 47 Stanedykehead 120 metres to the south west, Liberton Kennels 170 metres to the north (which shares a private access with the development) and properties in Netherbank approximately 200+ metres away to the south.

The proposal is for a limited purpose. Specifically, it will be used for the practicing of equestrian vaulting. Its function is to provide a covered area offering the ability to undertake activities in all weathers. The applicants have submitted a statement indicating that the intensity of the use would be small. Despite its footprint, the building is designed for use for two horses and for a small number of gymnasts to practise.

Whilst the intensity of the use cannot be controlled, the application does not include additional facilities such as parking, viewing areas or toilets which would indicate more significant use of the site. Lighting is limited to 15 internal LED lights. No external lighting is proposed.

Environmental Protection has been consulted and has not raised any objections to the proposal.

It is unlikely that the use will cause an unacceptable impact on residential amenity in terms of noise and disturbance as the scale of use will be limited.

The building would not impact on any immediate outlook, result in loss of privacy or cause loss of daylight and sunlight to the nearest residential properties.

The proposal complies with LDP policy Des 5.

f) Other Planning Considerations

Access and Road Safety

Access to the site is from a private road from Stanedykehead. No car or cycle parking is proposed and access to the site will primarily be on foot, by cycle or horse.

The Roads Authority was consulted as part of the assessment of the application and had no objections subject to informatives on provision of cycle parking

Flooding and Drainage

LDP Policy Env 21 (Flood Protection) requires that development does not result in increased flood risk on or off site. SEPA flood maps do not indicate that the site is in an area at risk of flooding, either pluvial or fluvial. There is no known risk to flooding on the site.

There will be no increase in hardstanding as a result of the development and drainage for the proposed building will be in the form of a trench/soak away. The floor of the building will have drains around the edges with a permeable hardcore floor base. The Council's flood officer has confirmed that the proposals are acceptable.

The proposal complies with LDP policy Env 21(Flood Protection).

Ecology

The site does not fall within an area protected for local or national designations. The site is currently open field land used for the exercising of horses. No trees or other natural landscape features are proposed for removal and existing and new planting is proposed.

g) Public Comments

Material Comments - Objections:

- Will encourage further loss of green belt to other uses including housing - this is addressed in 3.3 a);
- Impact on character, setting and views - this is addressed in 3.3 b);
- Character, design quality, size and colour - this is addressed in 3.3 d);
- Loss of amenity - this is addressed in 3.3 e);
- Light pollution - this is addressed in 3.3 e);
- Road safety and traffic increase - this is addressed in 3.3 f);
- Drainage and flooding impacts - this is addressed in 3.3 f);
- Impact on environment and wildlife
- Current planting insufficient screening - increased planting is proposed and this is addressed in 3.3 b);
- Inadequate visual impact assessment - the visual impact assessment has been updated as part of the assessment;

- Use does not require green belt location - suitability of green belt use addressed in 3.3 a);
- No hours of use stated - level of use assessed in 3.3e).

Non Material Comments

- No toilets and no drinking water - this is not a planning consideration;
- No means for disposal of animal waste - this is not a planning consideration;
- Plans do not include access or servicing arrangements including electricity - this is not a consideration as part of this application;
- Shed is for a small group of users and there will be no community benefit - number of users and community benefit not a material consideration for green belt use;
- Unnecessary facility - need for facility is not a material consideration;
- No indication applicant has Servitude Right of Access or will be liable for repairs - right of access and use of private road is a civil matter;
- Impact on Scottish Pathway Network/ local path network - no changes are proposed to access or path network;
- Short timeframe to make comments - timeframe for comments met statutory requirements;
- Loss of property value - this is not a material planning consideration.

Conclusion

The proposal is an acceptable use in this green belt location, and subject to enhanced planting, will not have a significant adverse impact on the special landscape area. The proposal is of an acceptable design and form, will not result in loss of neighbouring amenity or have a detrimental impact on road safety.

The proposal complies with the Edinburgh Local Development Plan and there are no material considerations which outweigh this consideration.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

Reasons: -

1. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

Informatives

It should be noted that:

1. 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. The applicant should consider the provision of secure and under cover cycle parking.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application received 88 representations. This included 63 objections and 25 support comments.

Background reading/external references

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

Statutory Development**Plan Provision**

Edinburgh Local Development Plan

Date registered

8 August 2019

Drawing numbers/Scheme

01,02b,03b,04b,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynne McMenemy, Senior Planning Officer

E-mail: lynne.mcmenemy@edinburgh.gov.uk**Links - Policies**

Relevant Policies:**Relevant policies of the Local Development Plan.**

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

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

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy Env 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

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

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

Relevant Non-Statutory Guidelines

Non-statutory guidelines DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

Relevant Government Guidance on Historic Environment.

Managing Change in the Historic Environment: Setting sets out Government guidance on the principles that apply to developments affecting the setting of historic assets or places.

The Historic Environment Policy for Scotland 2019 outlines Government policy on how we should care for the historic environment when taking planning decisions.

Appendix 1

Application for Planning Permission 19/03525/FUL At Seven Acre Park Play Area, Stanedykehead, Edinburgh To construct a steel framed shed to provide indoor equestrian facility (as amended).

Consultations

Roads Authority

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

- 1. The applicant should consider the provision of secure and under cover cycle parking;*
- 2. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;*
- 3. The applicant should note that Stanedykehead is not a 'road' under the meaning of the Roads (Scotland) Act 1984.*

Note:

No additional parking is proposed.

Flood Officer

Given the nature of the construction, we are not concerned about this development from a flooding or drainage perspective. In this instance, a Surface Water Management Plan will not be required.

I am happy for this application to be determined with no further comment from our department.

Environmental Protection

Environmental Protection would offer no objections in relation to this proposal.

This proposal concerns the erection of a building within which equestrian activities may be practiced. It is understood that sessions will be run during daytime hours and will permit sessions to be run and the fitness of horses to be maintained undercover. Music may be used occasionally within sessions however competitions will not be run at the facility.

Location Plan



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END

Development Management Sub Committee

Wednesday 25 November 2020

**Application for Planning Permission 20/03612/FUL
at 22 - 23 Teviot Place, Edinburgh, EH8 9AG.
Erection of prefabricated building for use as student social
space and associated prefabricated toilet cabins and fencing
for 6 months.(Retrospective).**

Item number

Report number

Wards

B15 - Southside/Newington

Summary

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the development harms the setting of neighbouring listed buildings and the character and visual amenity of the Conservation Area. Government guidance on planning procedures and COVID-19 is intended to help support well-measures temporary solutions for businesses to adjust the ways they operate to suit current circumstances. There is a need and requirement for temporary student social space on the site which is next to the existing main UoE Students Union, in order to meet current Government guidance on social distancing in relation to the COVID-19 outbreak. It is these exceptional circumstances that outweigh the short-term adverse impact that the development has on the setting of neighbouring listed buildings and the character and visual amenity of the Conservation Area and provide reasoned justification for granting planning permission retrospectively for the development on the site for the temporary period applied for.

The development harms views within and thereby qualities of the Old and New Towns of Edinburgh World Heritage Site. However, the need and requirement for temporary student social space next to the existing main UoE students union and the unprecedented circumstances relating to COVID-19 together outweigh the adverse impact that the development has on the OUV of the World Heritage site and will

continue to have until the development is removed from the site. The development is considered to be acceptable for the temporary period applied for. There are no detrimental impacts on equalities or human rights. There are no material considerations which outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDEL02, LDES01, LDES05, LEN01, LEN03, LEN06, LEN12, LEN18, CRPSSI, NSLBCA, OTH,
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Report

Application for Planning Permission 20/03612/FUL at 22 - 23 Teviot Place, Edinburgh, EH8 9AG. Erection of prefabricated building for use as student social space and associated prefabricated toilet cabins and fencing for 6 months.(Retrospective).

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 on Bristo Square Piazza.

The site is adjacent to a number of listed buildings, structures and monuments:

- The Category A listed University Of Edinburgh, Mcewan Hall, including railings, gates and gatepiers between Hall and Reid School Of Music, 15 Bristo Square (listed Building reference LB27993).
- The Category B listed Teviot Row and Teviot Place, University Of Edinburgh Mcewan Lantern Pillar (listed Building reference LB27994).
- The Category B listed University Of Edinburgh, Students Union, Teviot Row House, 22-23 Teviot Row (listed Building reference LB27998).
- The Category A listed University Of Edinburgh, Reid School Of Music, 14 Bristo Square, Edinburgh (listed Building reference LB27995).
- The Category A listed University of Edinburgh, New Building, Including Boundary Walls, 22-23 Teviot Place (listed building reference LB27992)

The site is located within the Edinburgh World Heritage Site.

This application site is located within the Southside Conservation Area.

2.2 Site History

15 September 2020 - Enforcement investigation pending regarding alleged unauthorised erection of two-storey prefabricated building. (application number 20/00545/EOPDEV).

3.1 Description Of The Proposal

- Planning permission is sought in retrospect for the following on Bristo Square for a temporary period of six months:
- a two-storey prefabricated building for use as a student social space. The building measures approximately 18m wide by 16m deep and 9m at the highest point of its mono pitched roof;
- three detached prefabricated toilet cabins; and
- Heras fencing around the perimeter of the site.
- Detailed drawings including a site layout plan have been submitted with the application. These documents are available to view on the Planning and Building Standards Online Services.

3.2 Determining Issues

- Due to its proximity to listed buildings and being a site within the Southside Conservation Area the proposed development first requires to be assessed against Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 means that there is a strong presumption against granting planning permission for development which would harm a listed building or its setting. If engaged, the presumption can only be rebutted if the advantages of the scheme are sufficient to outweigh that strong presumption.
- Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 means that there is a strong presumption against granting planning permission for development which would conflict with the objective of preserving or enhancing the character or appearance of the conservation area. If engaged, the presumption can only be rebutted if the advantages of the scheme are sufficient to outweigh that strong presumption.
- The determining issues to consider in terms of assessing the development against Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 are:
- Would the development harm a listed building or its setting? If it would, are there any advantages of the proposal that are sufficient to outweigh the strong presumption against granting planning permission?
- Would the development conflict with the objective of preserving or enhancing the character or appearance of the conservation area? If it would, are there any advantages to the proposal that are sufficient to outweigh the strong presumption against granting planning permission?

- If the Development complies with Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, it then requires to be considered in terms of Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997. Section 25 requires that the determination shall be made in accordance with the development plan unless material considerations indicate otherwise.
- The determining issues to consider in assessing this are:
- 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) there is no significant harm to the setting of adjacent listed buildings or harm to the harm the character and visual amenity of the Conservation Area;
- b) the development is appropriate on the site;
- c) there is no significant adverse impact upon the Outstanding Universal Value of the World Heritage Site;
- d) residential amenity is not adversely affected;
- e) there are no transportation concerns;
- f) representations raise issues to be addressed;
- g) there are no equalities or human rights impacts.

a) Assessment against Listed Buildings & Conservation Areas Requirements

Listed Buildings

The prefabricated building and associated prefabricated toilet cabins and Heras fencing are located adjacent to a number of listed buildings including category A listed buildings. Owing to their size, height, proportion, positioning, form, design and appearance, they have a detrimental impact on the setting of the neighbouring A-listed Mcewan Hall, the B-listed Mcewan Lantern Pillar and the B-listed Students Union, Teviot Row House. In addition, on the same counts they would also have an adverse impact on the setting of the other neighbouring listed buildings listed in the Background section of this report, however the impact on those buildings would not as intense as

they are located further away. The development is for a temporary period of six months and thereby the impact on the setting of the neighbouring listed buildings would be short term.

Given that there would be harm to the setting of neighbouring listed buildings as explained above, in terms of the legal tests consideration is required to be given to whether there are significant material considerations that outweigh any adverse impact and justify a departure from the presumption against the development.

The existing building adjacent to the temporary structure is Teviot Row House, which is a student centre run by Edinburgh University Students Association (EUSA). Teviot Row House is unable to accommodate the student numbers who use the building when the Government recommended 2.0m social distancing rule is applied. Therefore, there is a need and requirement for temporary student social space in this location to meet the shortfall in space. The circumstances relating to COVID-19 are unprecedented and are a material consideration. Government guidance on planning procedures and COVID-19 is intended to help support well-measures temporary solutions for businesses to adjust the ways they operate to suit current circumstances. It is the exceptional circumstances of this particular case that outweigh the short-term adverse impact that the development has on the setting of neighbouring listed buildings and which provides reasoned justification for granting planning permission retrospectively for the development on the site for the temporary period of six months applied for.

Nonetheless, owing to their height, size, proportion, positioning, form and appearance the prefabricated social building and prefabricated toilets and Heras fencing are not acceptable for permanent existence on the site. Therefore, planning permission should be restricted to the temporary period of six months applied for.

Impact on Conservation Area

The South Side Conservation Area Character Appraisal identifies the following characteristics of the part of the Conservation Area in which the application site is located:

Mixed area of residential, commercial and institutional buildings.

A rich, diverse grouping of architectural styles and buildings using primarily stone and pitched, slated roofs. Despite the variety of architectural styles and periods, the area remains generally harmonious in scale, massing and materials. Victorian Buildings tend to occur in the north of this area and are mainly institutional.

The second expansion area (in which the site is location) is dominated by the University, which first moved into George Square in 1914. However, the area is extremely permeable for pedestrians. Bristo Square, which was built in 1983 and remodelled in 2017, provides an appropriate setting to the McEwan Hall.

Given that the prefabricated buildings and Heras fencing harms the setting of the abovementioned heritage assets, on the same counts they do not preserve or enhance; but instead, they harm the character and visual amenity of the Conservation Area. Therefore, in terms of the abovementioned legal tests consideration is required to be given to whether there are significant material considerations that justify a departure

from the presumption against the development; and if so, does this outweigh any adverse impacts. The need and requirement for additional student social space adjacent to the EUSA for a temporary period and the unprecedented circumstances relating to COVID-19 are considered to outweigh the temporary adverse impact that the development has on the character and visual amenity of the Conservation Area and provide reasoned justification for granting planning permission retrospectively for the development for the temporary period of six months applied for.

b) Assessment against Development Plan

Use of Site

The application site is located in the city centre within an open space designation classed as a civic space. Policy Del 2 (City Centre) of the LDP supports a mix of uses appropriate to the location of the site, its accessibility characteristics and the character of the surrounding area. Given that the development is temporary it does not conflict with the key principles of Policy Del 2.

The effect of the development on the leisure value and enjoyment of the civic space is not permanent and is reversible. The temporary change of use of part of the site will not result in the permanent loss of civic space and does not conflict with the key principles of Policy Env 18 (Open Space Protection).

Therefore, the principle of the temporary use on the site is acceptable provided the development does not conflict with other development plan policies, or if it does, there are material considerations that justify approving the development.

c) Impact on OUV of the World Heritage Site

Owing to its size, height, proportion, positioning, form, design and appearance, the prefabricated building and associated prefabricated cabins and fencing would harm views within the World Heritage site. Therefore, for the duration of them being on site they would adversely impact on the qualities of the World Heritage Site. Notwithstanding, the need and requirement for student social space in the main city centre UoE campus and the unprecedented circumstances relating to COVID-19 outweigh the temporary adverse impact that the development has on the OUV of the World Heritage Site.

d) Amenity

There would be no significant harm to the amenity of neighbouring properties, including residences. The Council's Environmental Protection Section raise no objection to the application.

e) Transport Issues

The development raises no road safety or pedestrian safety issue. Pedestrian permeability access around the site is maintained. The site is well located for public transport.

The Council's Transportation Section raises no objection to the application.

(f) Representations

Material Representations - Objection:

- visually incongruous, harmful to views of and setting of listed buildings, character and appearance of Conservation Area and the OUV of the World Heritage site. - This is addressed in section a) above.
- Loss of public space. - This is addressed in section b) above.
- Harm to amenity of neighbouring properties. - This is addressed in section d) above.
- concern about Planning regulations not being followed as it has been constructed before planning permission granted. - The applicant is not precluded from applying for planning permission retrospectively. The application is legally valid and the Planning Authority is duty bound to determine it.
- Insufficient information submitted to assess the application. - The Planning Authority considers that sufficient information has been submitted with the application to assess it.
- Advertisement consent for associated adverts not applied for. - Any future application to the Planning Authority for advertisement consent would be determined on its own merits.
- Insufficient information has been submitted with the application. - The application is sufficiently detailed to show the nature of the development and for it to be assessed. Therefore, it would not be reasonable to insist that the applicant submit additional information.
- If granted the permission should be limited to 6 months only and the structures removed at the end of that period. - This is addressed in section a) above.
- damage to paving should be repaired following removal of structure. - If any paving is damaged as a result of the development this is a matter that would be addressed by the applicant as landowner.

Non-Material Representations - Objection:

- Whether the development complies with the current regulations/Guidance on COVID-19. - Wider COVID-19 issues are not material planning considerations.
- Incidence of effluent emitting from toilet block. - This is a matter controlled by Environmental Health legislation and is not a planning matter.
- Listed building consent was not obtained for the change of name of the former David Hume Tower. - This is not a material consideration in the determination of this application.
- Would set undesirable precedent for similar temporary structures elsewhere on the University of Edinburgh's Estate. - The application stands to be determined on its own merits.

Non-material - Support:

- The development is supported.

(g) Equalities and Rights Issues:

The development does not prohibit movement of pedestrians and wheelchair users around the site. There is disabled access to the ground floor of the prefabricated social building and a disabled accessible toilet cabin also provided on site. The development does not raise any concerns in terms of equalities and human rights.

CONCLUSION

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the development harms the setting of neighbouring listed buildings and the character and visual amenity of the Conservation Area. Government guidance on planning procedures and COVID-19 is intended to help support well-measures temporary solutions for businesses to adjust the ways they operate to suit current circumstances. There is a need and requirement for temporary student social space on the site which is next to the existing main UoE Students Union, in order to meet current Government guidance on social distancing in relation to the COVID-19 outbreak. It is these exceptional circumstances that outweigh the short-term adverse impact that the development has on the setting of neighbouring listed buildings and the character and visual amenity of the Conservation Area and provide reasoned justification for granting planning permission retrospectively for the development on the site for the temporary period applied for.

The development harms views within and thereby qualities of the Old and New Towns of Edinburgh World Heritage Site. However, the need and requirement for temporary student social space next to the existing main UoE student's union and the unprecedented circumstances relating to COVID-19 together outweigh the short term adverse impact that the development has on the OUV of the World Heritage site. The development is considered to be acceptable for the temporary period applied for. There are no detrimental impacts on equalities or human rights. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions :-

1. Permission is granted for six months from the date of the grant of this planning permission.
2. Within 7 days following the end of the temporary period of this planning permission specified in condition 1, the building and associated structures approved by the grant of this planning permission shall be entirely removed from the site. There shall be no variation therefrom unless with the prior approval of the Planning Authority.

Reasons: -

1. To restrict the development to the temporary period of time applied for as the temporary building and associated structures are not appropriate for permanent occupation on the site as they harm the setting of nearby listed buildings, the character and appearance of the Conservation Area and the Outstanding Universal Value of the World Heritage Site and thereby they are not appropriate for permanent existence on the site.
2. In the interests of safeguarding the setting of nearby listed buildings, the character and visual amenity of the of the Conservation Area and the Outstanding Universal Value of the World Heritage Site.

Informatives

It should be noted that:

1. The applicant will repair any damaged kerbs, paved surfaces and footways within the site following the dismantling and removal of the temporary structures from the site.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on the 25 September 2020. Fifteen representations were received comprising fourteen objections including one from the Architectural Heritage Society and one in support of the application.

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

Background reading/external references

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

Statutory Development**Plan Provision**

The application site identified as being a Civic Space within the adopted Edinburgh Local Development Plan..

Date registered

18 September 2020

Drawing numbers/Scheme

01 and 02,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Adam Thomson, Planning Officer

E-mail: adam.thomson@edinburgh.gov.uk

Links - Policies

Relevant Policies:

LDP Policy Del 2 (City Centre) sets criteria for assessing development in the city centre.

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

LDP Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

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

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

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

LDP Policy Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

The South Side Conservation Area Character Appraisal emphasises the harmonious scale, massing and materials and the significance of key institutional buildings within the area.

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

Other Relevant policy guidance

Appendix 1

Application for Planning Permission 20/03612/FUL At 22 - 23 Teviot Place, Edinburgh, EH8 9AG Erection of prefabricated building for use as student social space and associated prefabricated toilet cabins and fencing for 6 months.(Retrospective).

Consultations

Historic Environment Scotland - Date 01/10/2020

Designation Type - LB27993

University of Edinburgh, McEwan Hall, Including Railings, Gates and Gatepiers between Hall and Reid School of Music, 15 Bristo Square, Edinburgh

Listed Building

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

This application proposes the erection of a two-storey prefabricated building for a period of six months within Bristo Square. We are aware that the building has now been erected and consider it has a significant impact on the historic environment, including the setting of the category A listed McEwan Hall.

The application form states Government guidance on Covid-19 and social distancing has resulted in a requirement for additional space. We also know that Government guidance on relaxation of planning controls on temporary outdoor uses, including new buildings, is intended to help support adaptations needed as a result of the Covid-19 outbreak.

Taking the current, unprecedented, circumstances into consideration and the temporary time period of the new building, we are not objecting to the application. If the circumstances remain the same in six months' time, we wouldn't necessarily oppose a further limited extension of the time period.

However, if an application was to come forward to make a building in this location permanent, we would be likely to object.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

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

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

Please contact us if you have any questions about this response. The officer managing this case is Ian Thomson who can be contacted by phone on 0131 668 8076 or by email on ian.thomson@hes.scot.

Edinburgh World Heritage - Date 13/10/2020

Thank you for consulting Edinburgh World Heritage regarding the above application. We offer the following comments to the formal submission, which we hope you find helpful in determining the application.

The principal focus of Edinburgh World Heritage is the impact on the Outstanding Universal Value (OUV) of the 'Old and New Towns of Edinburgh' World Heritage Site ('the World Heritage Site' or 'WHS'). Therefore, proportional comment may be made on impact upon individual heritage assets (e.g. Listed Buildings and Conservation Areas), but only to the extent that this impacts upon the city's overall OUV. The Local Planning Authority should therefore give additional consideration to individual heritage assets affected, beyond the scope of our comments, in line with planning policy and legislation.

OUTSTANDING UNIVERSAL VALUE The OUV of the World Heritage Site is well-established in the UNESCO inscription, and will therefore not be repeated here.

The nature and location of the proposed works have the potential to impact upon OUV, particularly with respect to the ability to appreciate and understand the rich ensemble of historic university buildings and monuments around Bristo Square. While Bristo Square primarily dates to the 1980's, the presence of a quality open space associated with, and from which to appreciate, the surrounding buildings is a historic characteristic of this area which carries through to the present day (see photographs here: <https://canmore.org.uk/site/125296/edinburgh-teviot-place-bristo-squaremcewan-lantern-pillar?display=image>).

The quality, open space of Bristo Square therefore makes a positive contribution to the planned design of the area, the setting and appreciation of its associated listed

buildings and their collective contribution to the OUV of the World Heritage Site. The associated heritage assets most affected by the proposals include;

- McEwan Lantern (Category B Listed Building)
- McEwan Hall (Category A Listed Building)
- Teviot Row House (Category B Listed Building)
- Reid School of Music (Category A Listed Building)
- The South Side Conservation Area

IMPACT ON OUTSTANDING UNIVERSAL VALUE

By introducing substantial built form into Bristo Square, the proposed works would cause harm to its open and high-quality character, and the contribution that this makes to the area and wider OUV as outlined above. The substantial scale and non-contextual design nature of the prefabricated design would increase this level of harm.

The proposed works would therefore have a harmful impact on the OUV of the World Heritage Site. While we appreciate that those proposals are stated as being temporary in nature, this does not negate the need to carefully consider the impact on the historic environment.

RELEVANT POLICY & LEGISLATION

In addition to the duties, legislation and policies relating to individual heritage assets, the following are those most pertinent to the World Heritage Site in this case (not exhaustive):

- Duty to protect, conserve and present OUV for future generations (UNESCO)
- Where a development proposal has the potential to affect a World Heritage Site, or its setting, the planning authority must protect and preserve its Outstanding Universal Value (Scottish Planning Policy, 147)
- The siting and design of development should take account of all aspects of the historic environment (Scottish Planning Policy, 140) • Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh and/or the Forth Bridge as World Heritage Sites or would have a detrimental impact on a Site's setting will not be permitted. This policy requires development to respect and protect the outstanding universal values of the World Heritage Sites and their settings. Setting may include sites in the immediate vicinity, viewpoints identified in the key views study and prominent landscape features throughout the city (Edinburgh Local Development Plan, Policy Env 1 World Heritage Sites)
- Ensure that the Outstanding Universal Value of the WHS is taken into account in planning decisions (WHS Management Plan 2017-22)

RESULTANT POSITION

This consultation is retrospective, and it is our understanding that the proposed works have already commenced on site. We are sympathetic to the challenges facing the university at this time, and fully recognize the need to provide reasonable socially-distanced space.

However, the fact that the works have been progressed before our (and other consultees) ability to provide meaningful and helpful input is a barrier to good, balanced planning. For example, given the harm in heritage terms outlined above, a fair and reasonable question to apply to this application is whether there is a viable alternative option which avoids or lessens harm to our valued historic places. Given the exceptional circumstances and challenges posed by COVID19, the fact that the works are

regrettably already underway, and their temporary nature, we do not feel it productive to object formally to this application. However, we would make helpfully clear that we are very disappointed that due process was not followed in planning terms, that we do not support the process approach taken and that a negative precedent is not set.

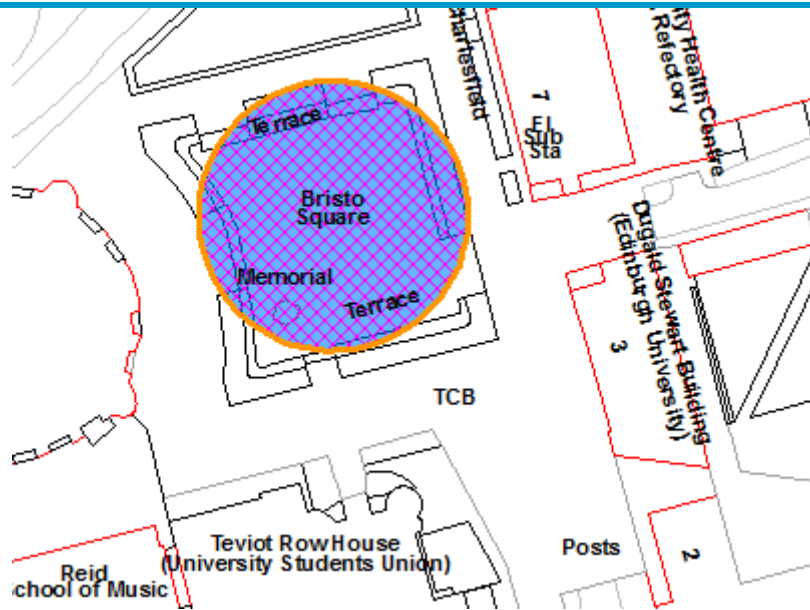
We also note the need to ensure that these structures are temporary as per the application, with a robust and transparent review process in place for their removal and the reinstatement of the high quality environment of Bristo Square.

It will, of course, be for the City of Edinburgh Council to take a broad planning view, including heritage considerations, in determining this application. As always, we advise you engage the heritage expertise within your planning department to inform the wider heritage considerations and detail of this application.

Roads Authority - Date 08/09/2020

No objection to the application.

Location Plan



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END

Development Management Sub Committee

report returning to Committee - Wednesday 25 November 2020

Application for Planning Permission in Principle

16/01797/PPP

at Land 288 Metres Southwest Of 10, Builyeon Road, South Queensferry.

Mixed use development to provide residential, employment, primary school + associated uses - acknowledging BP Pipeline (Edinburgh LDP Site HSG32) (Scheme 3)

Item number

Report number

Wards

A01 - Almond (Pre May 2017)

Recommendations

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

Background information

The Development Management Sub-Committee determined that it was minded to grant this application on 21 February 2018 subject to a legal agreement being concluded within six months to secure delivery of affordable housing and financial contributions towards educational infrastructure, healthcare provision and transport mitigation measures.

Under the Scheme of Delegation, the Chief Planning Officer has delegated powers to extend the six-month period for concluding a legal agreement to nine-months, provided meaningful progress is being achieved. This delegated power was used to extend the period for concluding the legal agreement in this case. However, the nine-month period has now been exceeded and therefore the matter requires to be returned to Committee for a decision.

Main report

There are no new material planning considerations which affect the Development Management Sub-Committee original decision on 21 February 2018 that it was minded to grant this application subject to a legal agreement first being concluded to secure necessary infrastructure requirements.

In addition to the requirements to deliver affordable housing, the Section 75 legal agreement sought financial contributions towards educational infrastructure, healthcare provision and transport mitigation measures. The Council's Action Programme proposes the delivery of a new 14 class primary school and nursery on the site with an estimated delivery date of 2023. This site falls within the ' Sub-Area Q1 of the 'Queensferry Education Contribution Zone'. The application is for planning permission in principle. The required contributions are based on the established £19,177 per house and £3,930 per flat contribution figures with unit land contribution requirements of £2,282 per house and £532 per flat.

The application site is also located within the Queensferry Transport Contribution Zone (TCZ). This includes improvements to the cycle parking at Dalmeny Station (estimated cost £2658), road infrastructure improvements (£1,408,750), bus priority measures - £490,000, pedestrian/cycle measures £306,066, and bridge to Ferrymuir to the east of the A90 (estimated cost £3,766,875 excluding land costs).

The application site is located within the South Queensferry Health Care Contribution Zone (North West) where development of this site requires the expansion of the existing medical practice to accommodate the additional patients generated. The expected rate of contribution is £210 per household.

Conclusion of the legal agreement process has been delayed due to a new developer taking the site forward rather than the private landowner. Meaningful progress has been achieved in negotiating the terms of the legal agreement. It is considered that a further 3 month extension to the period to conclude the legal agreement will enable the planning permission to be released for this application.

If this application is approved, a second 'Minded to Grant' letter will be sent to the agents setting out the amended informative deadline for conclusion of the legal agreement and including all of the original conditions and remaining informatives stated in the original 'Minded to Grant' letter of 21 February 2018.

It is recommended this application be approved to extend the deadline for concluding the legal agreement to enable planning permission thereafter to be released.

Links

Policies and guidance for this application

LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES09, LEN07, LEN09, LEN12, LEN16, LEN20, LEN21, LEN22, LEMP09, LHOU01, LHOU02, LHOU04, LHOU06, LTRA02, LTRA08, LTRA10, NSGD02, NSDCAH, OSS1, NSGSTR, NSGD02,

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=O5653VEW05000>

Or Council Papers online

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Development Management Sub Committee

report returning to Committee - Wednesday 25 November 2020

Application for Planning Permission 18/10093/FUL at 61 Leith Street, Edinburgh. Single storey extension, partial change of use, external alterations, landscaping and other associated works.

Item number

Report number

Wards

B11 - City Centre

Recommendations

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

Background information

The Development Management Sub-Committee determined that it was minded to grant this application on 20 March 2019 subject to a legal agreement being concluded within six months to secure the delivery of a financial contribution towards tram infrastructure.

Under the Scheme of Delegation, the Chief Planning Officer has delegated powers to extend the six-month period for concluding a legal agreement to nine months, provided meaningful progress is being achieved. This delegated power was used to extend the period for concluding the legal agreement in this case. However, the nine-month period has now been exceeded and therefore the matter requires to be returned to Committee for a decision.

Main report

There are no new material planning considerations which affect the Development Management Sub-Committee original decision on 20 March 2019 that it was minded to grant this application subject to a legal agreement first being concluded to secure necessary infrastructure requirements.

The Section 75 legal agreement seeks a financial contribution of £118,338 towards tram infrastructure.

Detailed discussions and negotiation have taken place between the developer's solicitors and the Council's solicitors in relation to the level of contributions required for this development. The application is to form a single unit which will have either Class 1, Class 3, sui generis bar or Class 11 use. The ultimate use of the unit is still to be determined. As the use is not yet known, the developer is seeking flexibility on the level of tram contribution payable. It has now been agreed between the parties that the tram contribution will be (i) £118,338 for Class 3 or sui generis bar use, (ii) £61,782 for Class 1 use, and (iii) nothing will be payable for Class 11 use. This variable level of contributions is in accordance with the Finalised Developer Contributions and Infrastructure Delivery Guidance.

Conclusion of the legal agreement process has therefore been delayed, which has led to the nine-month decision period being exceeded in this instance. Meaningful progress has been achieved in negotiating the terms of the legal agreement. It is considered that a further three-month extension to the period to conclude the legal agreement will enable the planning permission to be released for this application.

It is recommended this application be granted for the variable contribution levels and to extend the deadline for concluding the legal agreement to enable planning permission thereafter to be released.

Links

Policies and guidance for this application

LDPP, LRET11, LRET02, LRET07, LDES12, LEN06, LEN01, LTRA02, LTRA03, LDEL01, NSG, NSMDV, NSBUS, NSLBCA, NSGD02, NSP, CRPNEW,

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=PIUDKKEWJWG00>

Or Council Papers online

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Development Management Sub Committee

Wednesday 25 November 2020

**Application for Planning Permission 16/04861/FUL
at Land Adjacent To 132, Glasgow Road, Newbridge.
Erection of 132 dwellings with associated roads, SUDS,
landscaping & ancillary works, formation of vehicular
accesses to the A8 Glasgow Road and Hillwood Rise
(Amended description)**

Item number

Report number

Wards

A01 - Almond (Pre May 2017)

Summary

The application for full planning permission (as revised) proposes 132 dwellings and complies with the Local Development Plan proposal HSG 5 to deliver housing on this site. The proposal meets with many of the aspirations of the West Edinburgh Strategic Design Framework. The overall design is of an appropriate standard providing much needed mixed style of housing with affordable housing provision for the city. Amenity issues for existing and future residents have been addressed through the supporting statements and appropriate mitigation can be achieved on site.

Overall, the proposals comply with the Edinburgh Local Development Plan and the non-statutory guidance. There are no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LHOU10, DEVWEF, NSGD02, LEN09, LDPP, LDEL01, LDES04, LDES01, LDES02, LDES03, LDES05, LDES06, LDES07, LDES08, LDES09, LEN12, LEN16, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, LTRA08, LTRA09,

Report

Application for Planning Permission 16/04861/FUL at Land Adjacent To 132, Glasgow Road, Newbridge. Erection of 132 dwellings with associated roads, SUDS, landscaping & ancillary works, formation of vehicular accesses to the A8 Glasgow Road and Hillwood Rise. (Amended description)

Recommendations

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

Background

2.1 Site description

The application site lies immediately to the east of Ratho Station village and approximately 1km to the east of the Newbridge roundabout.

The Edinburgh Local Development Plan identifies the majority of the application site as allocated housing site, proposal HSG5. The north eastern corner of the site comprises Edinburgh Green Belt and is safeguarded for the future relocation of the Royal Highland Showground.

The northern edge of the site is flanked by the A8 Glasgow Road. Edinburgh Airport runway lies immediately beyond with the Royal Highland Showground to the north east. The land to the east and south of the site is designated as part of the Edinburgh Green Belt, this comprising arable agricultural land with small areas of mature woodland.

The site is broadly triangular in shape and measures 4.381 hectares. It is currently used for informal recreation purposes. The central part of the site comprises grassland with semi-mature woodland to the northern, eastern and southern edges. The site was implemented as Millennium Woodland planting c.2000, the trees vary in quality and range in height from 4 to 12 metres.

A number of mature trees lie on the western boundaries of the site with Ratho Station Park. The total area of woodland planting on site exceeds two hectares, almost 50% of the application site. The north eastern corner of the site, lying to the east of the existing woodland boundary, comprise arable agricultural land. The prevailing levels of the site fall gently from south to north towards the A8.

The existing settlement to the west of the site comprises low rise suburban development. The Ratho Station Park which includes playing fields, children's playground and car parking, lies between the application site and existing settlement area and is designated in the Edinburgh Local Development Plan as Open Space.

The site is currently in the ownership of The City of Edinburgh Council.

2.2 Site History

26 March 2009 - Outline Planning Permission refused for residential development, a care home, sheltered housing, a new community centre and associated landscaping and engineering works (Application reference 08/04171/OUT). This includes both the current application site and adjacent land immediately to the east .

31 July 2013 - Planning Permission in Principle for residential development (including affordable housing) , care home, land for community facility, associated access and landscape works - Minded to Grant subject to legal agreement (Application reference:- 10/02737/PPP).

13 January 2016 - Proposal of Application Notice for land at 132 Glasgow Road, Newbridge, for the erection 132 residential dwellings, associated infrastructure and ancillary works (Application reference:- 15/05177/PAN).

Neighbouring Sites

9 October 2015 - Proposal of Application Notice lodged for residential development including affordable housing and ancillary development for adjacent land immediately to the east (Application number:- 15/04707/PAN).

06 June 2018 - Application withdrawn for the development of new access road + associated landscaping (Application reference:- 16/06019/FUL).

Main report

3.1 Description Of The Proposal

The proposed scheme was amended in response to consultee requests and advice from the Planning Authority, various design changes have taken place since the application was submitted. These have included forming of a connecting road to Hillwood Rise, dwelling type substitution, orientation of buildings and the introduction of a noise barrier.

Scheme 3 December 2019

The application (as revised) proposes the development of 132 dwelling units in the form of 96 houses and 36 apartments. The proposed development layout fills the triangular site and will require clearance of many of the existing trees and vegetation; with the exception of existing mature trees to the western edge of the site on the boundary with the park, namely oak, Norway maple and ash, and the tree belt along the north boundary, these are identified for retention. The proposal involves removing the existing tree belt along the eastern side of the site and replanting a new tree belt at approximately ten metres in depth, on allocated greenbelt land outside the application boundary.

The development would be accessed via a left turn only by traffic heading westwards along the A8 Glasgow Road with a connecting road linking along the eastern edge of the development into Hillwood Rise. An acoustic barrier is proposed along the northern boundary of the site, south of the existing woodland buffer. This is proposed as a live willow screen to a height of 4.5 metres.

The central element of the housing proposal would be flatted apartments to a height of three storeys focussed on the existing Ratho Station Park. To the south of the site the housing would be principally detached housing. The northern half of the development site would accommodate some smaller terraces of four dwellings, interspersed with detached dwellings, completed with a three-storey apartment block on the north western corner overlooking the SUDs pond.

The proposed housing mix is as follows;

Houses

14 x 2 bed

27 x 3 bed

37 x 4 bed

4 x 5 bed

Apartments

18 x 2 bed

32 affordable dwelling units

Houses

11 x 2 bed

3 x 3 bed

Apartments

18 x 2bed

The dwellings would be finished in a mix of Rothesey blend facing brick and white dry dash dolowhite render, topped with Russell Highland mockbond grey roof tile. The proposed boundary treatments includes a mix of 1.8 metre timber open boarded screen fence and post and rail boundary fences in the rear gardens. The front gardens would predominately be screened by hedging with some interspersed 1.8m high screen walling where rear gardens meet corner junctions.

The SUDs would be accommodated to the northwest of the site within a mounded landscape feature, adjacent to the flats allocated as affordable housing.

All the houses have private rear gardens in excess of 9 metres. Some of the ground floor apartments have allocated private space with the upper flats taking amenity from the existing park.

The development focusses on providing a connecting link to the existing Ratho Station Park to satisfy public open space requirements. The proposal includes a 3 metre shared pedestrian cycle route to link the new development to the existing village centre, and enhancing the park existing facility with some tree planting, lighting and upgrading of boundary treatments.

Scheme 2

The application (as revised) proposes the development of 137 dwelling units in the form of 106 houses and 31 apartments

Scheme 1

The original scheme was for 131 units and did not allow for a route through Hillwood Rise to connect to Ratho Station. The proposed access road would have been constructed over allocated Green Belt land to the north east corner of the site. The original scheme involved further tree loss than currently proposed.

Supporting Documents

In support of the application the applicant requested an EIA screening opinion from CEC. On conclusion that an EIA was not required the following supporting documents were submitted and have been updated to reflect the revisions carried out:

- Pre application consultation report;
- Planning Statement;
- Tree Survey;
- Preliminary Ecology Assessment;
- Bat Survey;
- Design and Access Statement;
- Visual Survey;
- Transport Survey;
- Site Investigation Report;
- Flood Risk Assessment;
- Noise Assessment;
- Air Quality Assessment;
- Archaeology Assessment;
- Proposed accommodation schedule and
- Sustainability Statement.

Revised Plans and updated information was submitted on 7 January 2020, the application was re-advertised and a new consultation exercise was undertaken.

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;
- b) the proposed design and layout are acceptable;
- c) access arrangements are acceptable in terms of road safety and public transport accessibility;
- d) the amenity of neighbours or occupiers of the new development;
- e) landscape impact, landscape details and open space provision;
- f) the proposal will detrimentally affect flooding;
- g) the impact upon trees;
- h) other material considerations and
- i) material representations or community council comments raise issues to be addressed.

a) Principle

The Edinburgh Local Development Plan (LDP) Policy HOU 1 promotes the delivery of housing on sites allocated in the plan. Proposal HSG 5 identifies a larger 5ha site for housing with an estimated capacity of 50-100 dwellings, and community facilities (either provided on the site or elsewhere in Ratho Station).

Proposal HSG 5 identifies that environmental concerns such as the proximity of the site to nearby sources of noise, including aircraft noise must be addressed through a comprehensive master plan for the site and proposals should accord with the West Edinburgh Strategic Design Framework. The finalised site capacity, design and layout should be informed by an adequate flood risk assessment.

The allocation of the site within the Local Development Plan establishes the principle of the use of the site for housing subject to considerations of the policies within the LDP and any other material considerations.

The principle of housing was previously accepted through the minding to grant of planning permission in principle on the site of application 10/02737/PPP which included development of up to 121 dwellings, including affordable housing. That permission also included a care home and provided land for a community facility to be delivered next to the playing field. The legal agreement has not been concluded on this proposal.

The boundary of the site on the north eastern corner of the site encroaches into land currently identified as green belt, no development is proposed within this land as part of this application. The development boundary allows for landscaping to take place within this area. In terms of policy ENV 10 the works are landscaping and do not detract from the landscape quality of rural/urban edge characteristics of the site.

Housing Proposal HSG 5 within the LDP states that the site has the opportunity to deliver housing and community facilities. Proposal HSG 5 further clarifies that these facilities could be provided either on site or elsewhere within Ratho Station. The LDP Action Programme sets out how the infrastructure and services required to support the growth of the city will be delivered. This document has been reviewed during the course of the application. No actions are identified within the Action Programme in relation to the delivery of a community facility within Ratho Station. There is no identified need to appraisal linked to HSG 5 to support the inclusion within the LDP. It is therefore accepted that the community facility is not required as a direct result of the development of this site for housing.

The principle of housing is acceptable on the site subject to complying with the policies of the Local Development Plan and the West Edinburgh Design Framework.

b) Design and layout

Policy Des 1 supports development which will create or contribute to a sense of place. The application was reviewed at pre-application stage by the Edinburgh Urban Design Panel on 27 January 2016. The panel offered a range of advice including the development of an appropriate landscape structure to help link the site to both the wider landscape and the existing settlement. It advised that the forming and strengthening of the links to the existing village core will play an important part of place making led design. The applicant has sought to include many of the suggestions of the Panel within the proposed development. A full report of the Panel can be found in the consultation section.

Housing Proposal HSG 5 of the Edinburgh Local Development Plan advises that a comprehensive masterplan for the site should accord with the provisions of the West Edinburgh Design Framework. The application is supported by a Design and Access Statement which sets out the design approach to the site.

The proposed layout of the site follows the key principles set out in the West Edinburgh Strategic Design Framework (WESDF). The proposal satisfies RS 1 of the WESDF in that the existing football pitch at Hillwood Road is a focal point for the extended village. A mix of housing types and sizes including affordable housing is proposed with the flats fronting onto the area of open space meeting the aspirations of WESDF RS3. It is considered that the proposal includes a satisfactory mix of terrace, detached, semi-detached and apartments of varying sizes is appropriate in this location.

The housing layout is orientated such that should the Royal Highland Showground be relocated to the east of the site (as proposed by LDP Policy Emp 5) that a frontage can be created and a woodland buffer will be established in accordance with WESDF policy RS4 and RS5.

It is noted that the applicant is removing the established woodland from the eastern buffer, which is a positive characteristic of the site, and replanting this on land outside the application boundary, which is out-with the applicant's control. Whilst a buffer of around 20m would be welcome the applicant has proposed around a ten-metre buffer. This will take around 20 years to become established. In the meantime, the eastern end of the site will be visible from fleeting glimpses when travelling along the A8.

The development deviates from the indicative layout set out in the WESDF in that it introduces a new access road from Glasgow Road on the east side of the development. The applicant has advised that this is required due to landownership issues. The inclusion of an access within this location is considered to be an acceptable solution to support access and egress into this site.

Local Development Plan Policy Des 9 provides guidance for sites on the edge of the Green Belt. The policy identifies that proposals should conserve and enhance the landscape setting of the city. The applicant has sought to do this by proposing a new woodland edge along the eastern boundary of the development site. The proposed development will create an appropriate greenbelt edge.

The development will have connecting links to the existing village. The development is focussed on the existing park with a three- storey flatted block providing the centre piece of the development. The overall layout of the development follows the urban grain of the existing Ratho Station village with a mix of short terraced housing with some detached and semi-detached dwellings interspersed. The proposed housing density is higher than the existing Ratho Station Village.

Local Development Plan policy Hou 4 encourages an appropriate density of each site having regard to the characteristics of the surrounding area. The proposed density of the development site is higher than the existing settlement and will be approximately 28 dwellings per hectare. The density of development is considered acceptable within this location.

To ensure a place led approach the proposal includes a connecting link to the village, with upgraded footpaths and cycle network, including a footpath through the proposed new woodland. The proposed road infrastructure would adopt a linear form which dissects the site contours. To create local distinctiveness the EUDP suggested careful use of materials, both colour and texture, in close proximity to the greenbelt boundary east and south. The application proposes a mix of Rothesey blend facing brick and white dash render, this edge will be screened following the establishment of the new landscape boundary.

LDP Policy Des 2 supports comprehensive development of the wider area as provided for by the West Edinburgh Strategic Design Framework. Whilst the principles of the development, including the proposed site access, deviate from that framework it will not prevent the development of the site to the east for the Royal Highland Showground.

LDP Policy Des 4 considers the impact of new development upon the setting and character of the existing village. The development will form an urban edge to the existing park changing the semi-rural edge to the village. The height of the flats at three storeys will provide a defined edge and will be of a more suburban character than the existing village.

It will however sit within the landscape form of the site and the east west built form will largely follow the site contours and complete the village, focussed around the park.

Policy Des 7 supports a comprehensive and integrated approach to layout design of buildings, streets, footpaths, cycle-paths, public and private open spaces, services and SUDs. The application makes provision for footpaths and cycle-paths connecting the site to the existing settlement. These are integrated into the design layout. Transport has requested further detailed information on footpath and cycle-path layouts, a condition is recommended to ensure that the appropriate dimensions are achieved. The inclusion of a vehicle access into the existing village is addressed below.

The applicant is committed to upgrading the existing park in consultation with CEC Parks and Services, a condition/ legal agreement is recommended to ensure a future management plan is agreed between CEC and the applicant.

Policy Hou 6 of the LDP seeks to ensure that 25% of the development should be delivered as affordable housing. The developer has worked with the affordable housing team to provide 33 homes (25%) within the development for affordable housing. The amended scheme has an improved mix of tenure with 73% being delivered for social rent. This is an increase on the previous proposals and is welcomed in this high priority tenure. However, the housing mix is not reflective of the mix across the main-stream housing. The mix of housing types and tenures is supported by an RSL and on balance the affordable housing is supported by the Council Housing Management and Development section.

It is concluded that the proposed layout and design of the site is an appropriate response to the village expansion and responds to many of the recommendations of the WESDF and the Edinburgh Urban Design Panel Report. The proposals comply with the design policies of the Edinburgh Local Development Plan and the Edinburgh Design Guidance.

c) Transport

LDP Policy Tra 1 encourages major travel generating development to have access to the site by modes other than the car. The development is within 700m walking distance to the Glasgow Road east and west bus routes, less than the 20 minute maximum walking time. The airport is a 45 minute walk from where residents can connect to the Tram route. The development layout makes provision for cyclists and pedestrians.

The main objections to the development proposal arise from the revised scheme 2 which proposed connections from the new development into Ratho Station Village. This connection is considered vital to assist in creating a sustainable, connected community as set out in the West Edinburgh Strategic Design Framework. The local facilities are located to the west of the site and the development proposes enhanced footpath and cycle links to connect the proposed development to the existing shops, school and transport hub. A connection from the development site was identified within the WESDF in a more northern location. The inclusion of the access between the site and the village is now located within the southern corner.

A number of the comments are concerned about the access being used as a short cut to avoid the Newbridge roundabout. Whilst the concerns are acknowledged it is considered important to ensure that the new development becomes an integrated part of the village.

The Edinburgh Urban Design Panel highlighted the importance of new street patterns being fully integrated with the wider network, strengthening the link to the existing village core is an important part of a place making led design.

It is important to note that the access into the village is not the main access into the development site and a new access is included from Glasgow Road. This is contrary to the guidance within the WESDF. The alternative would be that all the traffic for the site would be routed through the existing housing development which would raise even greater concerns within the community. The scheme now proposed which includes 2 access options for the development is considered to provide an acceptable solution.

The layout includes integrated cycle routes and pedestrian routes connecting the site to the village centre. Provision is made for 215 car parking spaces, which does not exceed the 224 maximum car parking standard for the site. Electric vehicle charging and disabled car parking is accommodated in the layout. Cycle parking provision can be met within the curtilage of the dwellings, all dwellings can access their rear gardens without going through their properties. The flatted blocks have internal cycle storage. To ensure that adequate cycle parking is provided for all users a condition is recommended requesting further details.

There is currently car parking at the hammer head of Hillwood Rise, 2 disabled bays and 8 regular spaces. These will be reduced to allow for the connecting road. Many of the properties along Hillwood rise have off street parking, Hillwood Terrace has a bank of on-street car parking spaces. In addition to the local objections in respect of the link to Hillwood Rise, local residents are concerned regarding increased risk to highway safety at this part of the site and the loss of on-street car parking.

The Transport response is set out fully in the consultation section. In summary they advise that the applicant will be required to design, procure and construct a Toucan Crossing on the A8 (Glasgow Road) at a location to ensure residents of the new development can safely access public transport services on the A8 in accordance with LDP policies Del 1 and Tra 1 and Local Transport Strategy. A suitably worded planning condition is therefore recommended.

The applicant will be required to contribute the following financial sums;

Contribute the sum of £2,000 to progress a suitable order to introduce a no left turn (peak hour) on the A8.

Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary.

Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council.

Transport also recommended that the applicant prepare a travel plan for future occupants of the development. An informative is recommended.

The amendment to the scheme to include the vehicle access into the existing village of Ratho Station supports the integration of the two communities. The proposed direct access is considered acceptable in road safety issues and provides a main access to the development of the site.

d) Amenity of neighbours or occupiers of the new development

Local Development Plan policy Des 5 aims to protect the amenity of neighbouring residents and ensure that future occupiers have acceptable level of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

Amenity of Existing Residents

The proposal will not impact upon the Daylight Privacy or Sunlight of the existing dwellings on adjacent Hillwood Terrace or Hillwood Rise. There is concern from local residents, however, about the loss of on street parking along this road. Concerns have been raised regarding light pollution, however, this will be no more than existing street lighting impacts. street lighting would be addressed as part of the Roads Construction Consent (RCC) process. The proposed development represents an urban expansion of the village of Ratho Station through an allocated site within the LDP.

Residents have raised concern with regards to construction noise, this is not a material planning consideration.

Occupiers of the New Development

The proposal provides for private open space in the form of private gardens to the new dwellings and access to an enhanced area of open space and park.

The layout of the development allows for adequate daylight privacy and sunlight to be provided to the proposed dwellings and their gardens. There are level changes in the centre of the site which are dealt with by retaining walls, some of those plots will have part of their back gardens overshadowed. There are some areas within the northern part of the site in midwinter where the gardens will be overshadowed.

The proposed development is supported by a Daylight and Sunlight Study dated November 2019, which models the impact of the proposed acoustic fence along the northern boundary of the site upon the amenity of the proposed dwellings. The fence would be 4.5m in height, lower than the height of the existing, tree belt and as such the assessment demonstrates that the acoustic fencing will enable the north facing windows of the three storey block to the lounge and bedrooms to meet the requirements for average daylight factor. The applicant proposes that a willow fence approach will help to soften this edge.

Noise

LDP proposal HSG 5 identifies that the proximity of the site to both Edinburgh Airport and the A8 Glasgow Road imposes challenging environmental constraints on the site. There is a requirement to reduce the noise from both the sources and mitigation should be carefully integrated into the site design.

In support of the amended scheme, the applicant has submitted a Noise Assessment dated 21 March 2019, with further update received October 2019 to reflect the revised site layout, including the introduction of an apartment block in the north west corner of the site. The study includes the proposed internal Noise Sensitive Receptors and gardens and external amenity areas contained within the application site.

The study also considers impact of the development upon residential developments within approximately 150m of the site and existing noise sensitive receptors along the A8.

The British Standard BS 8233:2014 Guidance on Sound Insulation and Noise reduction for Buildings provides guidance for control in and around buildings. The standard sets out acceptable noise levels for new and refurbished buildings and amenity areas according to their use.

For external areas BS8233:2014 specifies a desired level of 50dB_{Aeq,t} and an upper guideline level of 55dB_{Aeq,t}. It is acknowledged within the Standard that these guidelines may not be achievable in urban areas adjoining the transport network. It further notes that in such a situation, developments should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited.

Mitigation measures have been proposed within the development to meet the BS noise standards. An acoustic screen is proposed at 4.5 m high and will not be visible from the A8, positioned behind the existing tree belt. The visual impact of such a screen from the private gardens will be softened given its design as a willow fence.

Acoustic glazing and ventilation providing a reduction of approximately 40dB_{rw} will be installed in the dwellings in the northern area of the site.

The assessment concludes that the proposed development will result in a reduction of up to 2.2 dB at existing noise sensitive receptors as a result of slowing down of traffic from 60mph to 40mph. Daytime and night time internal criteria will be met in habitable rooms within the proposed new dwellings.

The assessment concludes that whilst most of the dwellings gardens and external space across the site meet the upper guideline of 55dB_{Aeq,T}, the properties proposed along the northern side of the site, will experience noise levels in the garden which will exceed the BS8233:2014 upper guideline of 55dB by 1dB in small areas of the garden with the majority of the garden area meeting the criteria. The Noise Report concludes that the assessment is based on the worst case scenario of predicted 2021 WETA traffic.

The proposed barrier will provide little or no screening to aircraft noise from planes on the ground at the airport or from planes flying overhead. The noise report advises that these occurrences will be short duration and are not anticipated to exceed 57 dB Laeq,16hr.

It is noted that Environmental Protection identify that an LAeq, 16hr noise level of 55dB(A) in an external area may lead to serious annoyance for the majority of people.

The further noise assessments have satisfied Environmental Protection that freight noise from the railway line to the south will not have an impact on the proposed development.

In conclusion Environmental Protection recommend that the proposed mitigation measures are sufficient to protect future occupants from the surrounding noise sources. A condition is recommended to ensure that all necessary mitigation measures are incorporated into the development prior to occupation of the dwellings.

Air Quality Assessment

The applicant submitted an updated Air Quality Assessment dated 8th March 2019 which considers the impact of emissions from local road traffic generated by the proposed development on existing residential receptors close to the development. The pollutants considered are nitrogen dioxide (NO₂) and fine particulate matter (PM₁₀ and PM_{2.5}). The assessment has been undertaken in accordance with the Institute of Air Quality Management (IAQM) and Environmental Protection UK (EPUK) guidance, DEFRA Technical Guidance for Local Air Quality Management (LAQM) and considers the compliance with air quality standards as set out in regulations. The assessment examines the potential for conflict with measures to improve air quality within the AQMA as described in the CEC Air Quality Action Plan (AQAP) and Annual Progress Report.

The assessment concludes that the impact of the proposed development is predicted to be slight adverse at three receptors and negligible at all receptors. There is a marginal reduction in predicted annual mean NO₂ concentrations at ten receptor locations, achieved by the changes in speed limit of 60mph to 40mph. The impact descriptor is slight beneficial at two receptors.

The predicted concentration of each pollutant at proposed future receptors within the development are below the relevant AQOs. In summary the assessment concludes that the overall impact of the proposed development on local air quality is assessed as not significant, and the site is considered suitable for residential uses.

SEPA accept the results of the report. The development proposals include a range of measures designed to encourage sustainable travel including the installation of a Toucan crossing to facilitate pedestrian access to bus stops for city bound transport and other amenities from the site. There are two city car club spaces proposed within the development. There are 20 EV charging points at a ratio of 1 to 6 units. The applicant advises that future residents will be issued with a Green Travel Plan. Conditions are recommended to ensure such provisions are implemented to help reduce the impact of the development upon local air quality.

Contaminated Land

The site was previously pastoral farmland before being planted out as woodland and has not been developed in recent history. The applicant has submitted a Site Investigation Report. A condition is recommended to ensure that contaminated land is fully addressed.

Conclusion

In conclusion, subject to the specified acoustic interventions, the proposal will provide a satisfactory residential amenity for the future occupants of the development.

e) Landscape impact, landscape details and open space provision

LDP Policy Des 9 provides guidance on new development situated at the edge of the urban area. A clear demarcation between town and country is important to the defensibility of the Green Belt and its objectives.

The landscape of the site and surrounding area is defined as lowland farmland. The landscape is fragmented by built development and transport infrastructure. Neither the application site nor the immediate landscape are subject to landscape designations.

The application is supported by a Landscape and Visual Impact Assessment which assesses the impact of the development from two key points on the A8 Glasgow Road. The assessment concludes that the character will change but that the site is of low scenic value. The changes will be marginal and will be fleeting glimpses when travelling along the A8, partial glimpses through the hedgerow and the new access.

In mitigation of the landscape changes the application proposes a planting edge, minimum of ten meters in depth along the eastern edge of the development providing a buffer to the green belt edge. The development includes footpath links through this edge which provides for links into the surrounding countryside.

The application includes details of upgrading Ratho Station Park and landscaping of areas through the development. In accordance with LDP policy Hou 3 adequate open space provision is provided within the layout, principally as private gardens, communal space around the flats and ease of access to the upgrade Ratho Station Park.

The landscape proposals also include the willow acoustic barrier along the north of the site, SUDs pond at the north eastern corner and new tree planting. New tree planting is proposed to combine with the existing along the northern boundary.

In conclusion it is considered that the application will not detrimentally impact upon the local landscape and that adequate mitigation planting is proposed that meets with the satisfaction of Edinburgh Airport whilst aiming to improve upon local biodiversity. The applicant will be required to enter into an appropriate legal agreement to secure the planting buffer may be achieved and maintained in the long term. A condition and appropriate legal agreement is recommended to ensure that the upgrade of Ratho Station Park is fully implemented to the satisfaction of CEC Parks and Services.

Trees

LDP policy Env 12 aims to protect trees or woodlands worthy of retention unless for good arboricultural reasons. The application site was planted up as a millennium woodland around 2000. The woodland plantation tree species include goat willow, birch, hawthorn, alder, Scot's Pine, larch, sycamore, hazel, ash and lime. There has been self-colonised scrub growth in this area. The site was allocated for housing approximately 10 years ago at which time the woodland was less established.

The application is supported by a Tree Survey and Inspection Report dated May 2016. A further Tree Survey and Arboricultural Constraints Report was submitted in August 2018. The report finds the tree cover of the site is characterised by a relatively small number of large mature trees which stand as obvious individual specimens, set amidst large area of semi-mature woodland plantation and swathes of developing scrub growth. The latter comprise many hundred individual trees all of similar species age and character. The report identifies 16 individual mature trees of trunk diameter in excess of 300mm.

The proposal (as amended) will result in a loss of the millennium planted woodland and shrub on the site which currently provides a distinctive edge to the existing village of Ratho Station.

To re-establish this rural edge the landscape architect has sought to achieve appropriate landscape structure, however it is acknowledged that this will take approximately 20 years to become established and is outside the application boundary. This mitigation will need to be secured through a legal agreement and condition.

Mature trees will be lost along the southern boundary of the site to accommodate private gardens, this will impact upon the designated green belt edge and goes beyond the parameters of the development principles set out in the West Edinburgh Strategic Design Framework. The submitted drawings are annotated such that decisions will need to be made on site between the arboriculturalist and contractor having regard to health and safety of the trees.

The allocation of the site for housing has been long established and the formation of the millennium woodland has taken place in the knowledge that the site was allocated for housing. The woodland within this area has therefore been at risk for some time. On balance the proposed development of the site with a new woodland to the eastern edge is considered to be an appropriate solution to allow the development of the allocated site to proceed.

f) Flooding

Policy Env 21 of the Local Development Plan aims to ensure that new development does not result in increased flood risk for the site being developed or elsewhere. Although the site is out with the SEPA Flood Map the application site is adjacent to a small watercourse and consequently the site may be at risk from flooding.

On 9 November 2016 and 19 October 2018 SEPA raised objection to the proposal on the grounds of lack of information in relation to flood risk. The applicant submitted a Flood Risk Assessment dated 5 December 2018 in support of the application. SEPA continued to object on 15 January 2019. The main issue is in respect of a watercourse on the north western corner of the site.

Updated information was received from the which sought to address SEPAs concerns regarding the risk of flooding onto Glasgow Road and clarify levels. This included a swale feature proposed south of the A9 to assist directing ponded water towards the proposed drainage underneath the A8. The proposals have been amended to a position to satisfy SEPA and the objection is withdrawn.

CEC Flooding have reviewed the scheme and are now satisfied with the proposed development arrangements. It will be the developer's responsibility to ensure that the proposals for underground storage tanks can be achieved and appropriate adoption from Scottish Water. Any amendments to the drainage solution would be may material and result in the submission of a further planning application.

h) Other Material Considerations

Biodiversity

Local Development Plan policy Env 16 has respect for species protected under European or UK law. The applicant has submitted an extended phase 1 habitat survey dated 8 November 2018, and a bat survey. The survey reports that no field signs of badger were recorded, no sign of otter were recorded and there was no incidental evidence of water vole recorded. There is no ancient woodland within the site, the nearest one being 300metres away, the survey concludes that development of the site should not affect the ecological structure of the ancient woodland.

The survey identifies that the site has habitats with varying degree of ecological value. There are hedgerow habitats along the site boundaries and the plantation broadleaved woodland offers moderate ecological value. The ecological report recommends that hedgerow and woodland habitats should be retained where practicable in order to preserve their ecological value and maintain connectivity to the surrounding green network. Mitigation will be required where there is loss with compensatory planting.

No amphibians were recorded on site and whilst there is low risk of reptiles a watching brief is recommended. The ecology survey identified birds on the site within the red and amber list. It is recommended that all construction work on the site is carried out outside the bird breeding season (March to August), where this is not possible an onsite ecologist should oversee the work.

No bats were observed at the time of the survey; however every effort should be made to retain the five trees identified as providing suitable habitats. There was a lack of evidence of badgers on the site, however a further badger survey would be required within 12 months of the original.

If Committee are minded to grant planning permission repeat habitat surveys should be carried prior to the commencement of development.

Sustainability

LDP policy Des 6 sustainable buildings aims to reduce resource use and moderate the impact of development on the environment. The applicant has submitted a sustainability statement in support of the application. The site is within 20 minutes walking distance of Glasgow Road bus stop. The layout includes enhanced linkage of the development to the surrounding footpaths and Ratho Station village. The proposal will include photo-voltaic panels, low energy specifications in respect of boilers and water conservation will be submitted with the building warrant. The proposal meets the essential criteria in terms of energy needs and therefore satisfies LDP policy Des 6.

Archaeology

Ratho Station has a standing stone, a designated Scheduled Ancient Monument. This is situated outside the development site, close to Newbridge roundabout, the setting is not affected by the development. Policy RS7 of the WESDF is therefore met. Archaeology has advised that the site has potential for significant archaeology and has therefore recommended that a programme of archaeological works is undertaken prior to development.

It is recommended that an appropriate condition is attached to ensure that a programme of archaeological works is undertaken to the satisfaction of Archaeology. This will see a phased archaeological programme. The results of which would allow for the production of appropriate mitigation strategies to be drawn up to ensure the protection and/or the excavation and recording of any surviving archaeological remains.

h) Infrastructure

In accordance with Local Development Plan Policy Del 1 the applicant will be required to satisfy the infrastructure requirements as set out in the Action Plan. In addition to the transport requirements noted above, the following is required;

Education

The applicant will be required to enter into a legal agreement to contribute to Education Infrastructure at a cost of £3,216 per flat and £16,186 (as index linked form Q4,2017). Additional funds are required for land at £476 per flat and £2042 per house (not index linked). Based on the proposed scheme a sum of £1,669,632 (index linked) and a land contribution of £213,168 are required.

Affordable Housing

The applicant will be required to enter into a legal agreement to ensure that a minimum of 25% of the proposed units are affordable housing.

Health Care

The Local Development Plan Action Plan was updated in January 2019. With reference to the Local Development Plan Primary Care Appraisal the Ratho Health Care provision was completed in 2018 and no further contributions are to be sought.

i) Material representations or community council comments raise issues to be addressed

Scheme 1

The original scheme received 1 letter of support from Ratho Community Council, one letter of objection from Spokes and one letter of comment from Edinburgh Airport.

Scheme 2

The revised scheme 2 received 61 letters of representation, 5 support, 1 comment and 51 objections.

Scheme 3

The revised scheme 3 received 63 letters of representation, 5 comments and 57 objections. Ratho and District Community Council support the proposal subject to recommended transport upgrades and additional community facilities.

In summary the representations received relate to the following;

Support

- Support in principle, new homes wanted, will improve the facilities of Ratho village;
- Proposal will reduce speed limit from 70mph to 40mph which will ease traffic on the A8;
- welcome the loss of the unmanaged vegetation over to new homes and
- Access from the A8 will aid access in and out of the site, although access should be allowed through Ratho Station it should not be the sole access for the 124 dwellings.

Objection

Traffic, Highway Safety and Access

- the revisions through scheme 2 and 3 have generated a very strong concern regarding access through Hillwood Rise; concern that the development will result in rat running to avoid Newbridge roundabout (addressed in section 3.3e)
- the proposal will result in a significant increase in traffic on the surrounding road network already over capacity, there is currently excessive on street parking and narrow roads (addressed in section 3.3e)
- the increased traffic from the development will impact upon the safety of cyclists, pedestrians, pets and school children, and children playing in the streets (addressed in section 3.3e)
- the development will result in significant car parking by visitors on residential roads adjacent to the site, (addressed in section 3.3e)
- concern regarding access for emergency vehicles as surrounding roads are too narrow, (addressed in section 3.3e)

- further information is required regarding the upgrading of the surrounding roads and traffic interventions on Glasgow Road are required, including a signalised junction on the A8 and improved pedestrian access across the A8, strategies to keep heavy traffic, lorries and vans from rat running through the village, village roads in very poor repair with pot holes (addressed in section 3.3e)
- public transport improvements are required to support the new development (addressed in section 3.3e)
- the traffic surveys with regards to the new access road through Ratho Station were done during the day and should be done in the evening when everyone is at home (addressed in section 3.3e)

Ecology

- Loss of significant landscape features and rural appearance of the area (addressed in section 3.3f)
- Loss of forest area (addressed in section 3.3g)
- Impact on local wildlife (addressed in section 3.3h)

Amenity

- loss of green outdoor area popular with dog walkers, runners and local residents (addressed in section 3.3d)
- proposal will effectively double the size of the village putting a stain on local services (addressed in section 3.3d)
- currently lack of amenities in the village, 1 local store and a post office/café, will lead to driving out of the village for services (addressed in section 3.3d)
- More people will result in more noise and more traffic (addressed in section 3.3d)
- Noise and light pollution (addressed in section 3.3d)
- change in outlook/overlooking/overshadowing/loss of privacy/impact of footpaths on resident's amenity (addressed in section 3.3d)
- increase in environmental pollution (addressed in section 3.3d)

Design

- the development will resemble army barracks a design out of step with the existing properties (addressed in section 3.3c)

infrastructure

- the proposal will impact on local facilities, schools, doctors, dentist, shop (addressed in section 3.3 k)
- impact on drainage (addressed in section 3.3k)

Non-material

- The Council should compensate the residents for ruining their quality of life and affecting house prices;
- More houses will bring more trouble and crime.
- Local roads not maintained properly during snow periods.
- Impact on construction.

Conclusion

The application site falls within the West Edinburgh Direction and any application requires referral to Scottish Ministers who will decide whether to call the proposals in for determination.

The application for full planning permission (as revised) proposes 132 dwellings and complies with the Local Development Plan proposal HSG 5 to deliver housing on this site. The proposal meets with many of the aspirations of the West Edinburgh Strategic Design Framework. The overall design is of an appropriate standard providing much needed mixed style of housing with affordable housing provision for the city. Amenity issues for existing and future residents have been addressed through the supporting statements and appropriate mitigation can be achieved on site.

The proposals comply with the Edinburgh Local Development Plan and the non-statutory guidance. There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. The following noise protection measures to the proposed development, as defined in the ITP Energised 'Noise Assessment' report (Ref EDI_888), dated 02/10/2019:
 - The Proposed Development shall include a 4.5 m high acoustic barrier between the remaining landscape buffer and the proposed houses in the north of the Proposed Development. The location, extent and geometry of the noise barrier is highlighted in Figure 2 of the noise assessment. The barrier shall be constructed continuously ensuring there are no air gaps, either between the boards or at the barrier base a dry mass density of 32 kg/m² as a minimum (detailed in Appendix F of the noise assessment).
 - The Proposed Development shall include a 1.8 m high acoustic barrier between the proposed houses. The location, extent and geometry of the noise barrier is highlighted in Figure 2 of the noise assessment. The barrier shall be constructed continuously ensuring there are no air gaps, either between the boards or at the barrier base a dry mass density of 12 kg/m² as a minimum.

- Glazing units serving the habitable rooms overlooking the A8 Glasgow Road shall have a minimum sound reduction level of 43 dB_{rw} double glazing with acoustic ventilation (specific units highlighted on figure 2 of the noise assessment).
- All roofs shall have a minimum 100mm mineral wool insulation on plasterboard installed prior to occupation.

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

2. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, metal detecting survey, analysis & reporting, 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.
 - 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.
4. The residential parking space highlighted on drawing number 02/01/K dated January 2018 shall be served by 7Kw (32amp) Type 2 electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.

All private driveways shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be installed and operational in full prior to the completion of the development.

5. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:
- monitoring of any standing water within the site temporary or permanent sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)
 - management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 3 'Wildlife Hazards.'
 - reinstatement of grass areas
 - maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
 - which waste materials can be brought on to the site/what if any exceptions e.g. green waste
 - monitoring of waste imports (although this may be covered by the site licence)
 - physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
 - signs deterring people from feeding the birds.

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

6. No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Planning Authority, details must comply with Advice Note 3 'Wildlife hazards' (available at <http://www.aoa.org.uk/operations-safety/>). These details shall include:
- any earthworks
 - grassed areas
 - the species, number and spacing of trees and shrubs
 - details of any water features
 - drainage details including SUDS - Such schemes must comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)
 - others that you or the Authority may specify and having regard to Advice Note 3: Wildlife Hazards.

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

7. Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 3 'Wildlife Hazards'. The submitted Plan shall include details of:
 - Attenuation times
 - Profiles & dimensions of water bodies
 - Details of marginal planting

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

8. Prior to the commencement of development, a plan detailing satisfactory drainage requirements, approved first by SEPA, shall be submitted to the Planning Authority for approval. The approved works will be implemented prior to the occupation of the first dwelling.
9. Prior to the commencement of works detailed plans shall be submitted for approval by the Local Authority which show a road layout that complies with the Edinburgh Street Design guidelines (ESDG) with respect to the following;
 - a) Corner radii - the maximum on local roads is 3m, with 6m on secondary roads (e.g. A8 junction).
 - b) Footways adjacent to end on parking bays should be a minimum of 2.5m.
 - c) The streets should be designed to 20-mph standard.
 - d) The remote paths throughout the development (e.g. those linking to Ratho Station Park) should be a minimum of 4m in width to allow for shared cycle-pedestrian use.

The plan approved shall be fully implemented prior to the occupation of the first dwelling house.

10. Prior to the commencement of works the applicant shall submit a plan for the approval of the Planning Authority to include a minimum of 76 cycle parking spaces and a minimum of 6 Motorcycle parking spaces; (1 per 25 units). The plan hereby approved shall be fully implemented prior to the occupation of the first dwelling.
11. Sample/s of the proposed materials shall be submitted to and approved in writing by the Planning Authority before work commences on site.
12. Full details of the proposed upgrade to Ratho Station Park and associated management plan shall be agreed with CEC Parks and Services and subsequently submitted to the Planning Authority for agreement prior to the commencement of works on the site.

13. Prior to the commencement of works on the site the applicant is required to design, procure and construct a Toucan Crossing on the A8 (Glasgow Road) at a location to be confirmed by the Planning Authority, the design of which to be approved in writing by the Planning Authority prior to commencement of any works on the development site and fully commissioned prior to occupation of any dwelling house.

Note that the design will likely require the upgrading of the street lighting in the vicinity of the crossing and speed activated advanced warning signs on each approach.

Reasons: -

1. In order to protect the amenity of the occupiers of the development.
2. In order to safeguard the interests of archaeological heritage.
3. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
4. To reduce impact upon local air quality.
5. To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of birds and an increase in the bird hazard risk of the application site.
6. To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of birds and an increase in the bird hazard risk of the application site.
7. To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)
8. To ensure the development does not lead to localised flooding.
9. In order to safeguard the interests of road safety.
10. To ensure adequate on-site provision for the parking of sustainable modes of transport.
11. In order to enable the planning authority to consider this/these matter/s in detail.
12. In order to ensure a satisfactory level of amenity for existing and proposed residents and ongoing maintenance of the open space.
13. To ensure that the residents of the new development can safely access public transport services on the A8.

Informatives

It should be noted that:

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

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

2. Consent shall not be issued until a suitable legal agreement has been concluded to make a financial contribution to Children and Families to alleviate accommodation pressures in the local catchment area.

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

3. Permission should not be issued until the applicant has entered into a suitable legal agreement to ensure that affordable housing is provided in accordance with Council policy.

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

4. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
5. 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.
6. 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.
7. The applicant is advised that 600mm freeboard should be added to finished floor levels.
8. The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building.

Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Edinburgh Airport Airside Operations staff. In some instances, it may be necessary to contact Edinburgh Airport Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Scottish Natural Heritage before the removal of nests and eggs.

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).

Lighting

The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting' (available at (<http://www.aoa.org.uk/policy-campaigns/operations-safety/>)). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

9. The applicant should note that the Council will not accept maintenance responsibility for underground water storage/attenuation.
10. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity.
11. In accordance with the Council's LTS Travplan 3 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.
12. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed.

The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details.

13. Given the lapse of the of time the applicant is advised of the need to update the necessary ecology surveys prior to the commencement of works.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

Scheme 3

A revised application was received and advertised in the Edinburgh Evening News on 17 January 2020.

A further 15 letters of representation were received, 2 support and 13 objections.

Objections from neighbours remain, supported by Councillor Work and Christine Jardine MP, in respect of the connecting road linking the development through Hillwood

Rise to Ratho station village. Concerns regarding the loss of existing car parking spaces along Hillwood Rise, and the risk of increase traffic to children, elderly, cyclists and pets.

Scheme 2

Additional information was received with respect to landscape and access details in September 2018.

The revised application was advertised on 21 September 2018.

A further 61 letters of representation were received, 5 letters of support, 51 letters of objection and 1 letter of comment.

Objections were received from Cllr Kevin Lang, Cllr Louise Young, Cllr Norman Work, Christine Jardine MP and Alex Cole-Hamilton MSP; in summary they accept the principal of housing but object to the change in application through scheme 2 requiring the connecting road linking the development to the village as this will result in rat-running from Glasgow road to avoid New bridge Roundabout, this link is against developer wishes and if complying with the 2010 West Edinburgh Design Framework then the proposal should drop the access from the A8. The proposed traffic calming measures will not provide a suitable solution.

The reason for support are largely as scheme 1 with enthusiasm for new housing in this locality.

Scheme 1

The application was advertised on 21 October 2016.

One letter of support from Ratho Community Council, one letter of objection from Spokes and one comment from Edinburgh Airport.

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

The comments from Ratho and District Community Council can be found in the consultation 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 an allocated housing site in the Edinburgh Local Development Plan, HSG 5.

The Local Development Plan Action Programme of January 2019 identifies Transport requirements to deliver HSG 5.

The West Edinburgh Strategic Design Framework is also a material consideration.

Date registered

10 October 2016

Drawing numbers/Scheme

1a, 2c-72c,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Elaine Campbell, Team manager

E-mail: elaine.campbell@edinburgh.gov.uk

Links - Policies

Relevant Policies:

LDP Policy Hou 10 (Community Facilities) requires housing developments to provide the necessary provision of health and other community facilities and protects against valuable health or community facilities.

The West Edinburgh Planning Framework seeks to protect and enhance the national interests in West Edinburgh by setting out a strategic context for investing in transport and development, to facilitate improvement of the environment, living conditions, accessibility and overall quality in the area, and to safeguard and nurture the long term potential for West Edinburgh to become an internationally competitive business location

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.

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

Relevant policies of the Local Development Plan.

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

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

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

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

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

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

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

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

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

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

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

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

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

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

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

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

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

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

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

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

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

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

Appendix 1

Application for Planning Permission 16/04861/FUL At Land Adjacent To 132, Glasgow Road, Newbridge Erection of 132 dwellings with associated roads, SUDS, landscaping & ancillary works, formation of vehicular accesses to the A8 Glasgow Road and Hillwood Rise (Amended description)

Consultations

Edinburgh Urban Design Panel

Executive Summary

The proposal for review is a housing development to the east of Ratho Station village.

The Panel welcomes the opportunity to review the proposal at this early stage of the design process and consider this site to offer an opportunity to deliver a place specific design which will connect and build on the character of the existing Ratho Station village.

Main Report

Introduction

The site known as West Mains or Hillwood Road lies immediately to the east of Ratho Station village and approximately 1km to the east of Newbridge Roundabout. The northern edge of the site is adjacent to the A8, Glasgow Road, Edinburgh Airport runway lies beyond this with the Royal Highland Showground to the north east. The land to the east and south of the site is designated as Green Belt and comprises arable agricultural land.

The site is broadly triangular in shape and occupies 4.58 hectares. The main part of the site to the west comprises recreational grassland with semi-mature woodland to the northern, eastern and southern edges. This was implemented as Millennium Woodland planting c. 2000.

The existing settlement to the west of the site comprises low rise suburban development, this being mainly post-war terraces and semi-detached housing. The Ratho Station Park which includes playing fields, children's playground and car parking lies immediately to the west of the site and is designated in the Local Plan as Open Space.

The Rural West Edinburgh Local Plan Alteration (RWELP) 2011 identifies the site as Strategic Housing Allocation Proposal, HSP 4. This allocation is reflected in the Second Local Development Plan (LDP) 2014 which identifies the site as Housing proposal, HSG 5. This suggests an estimated capacity of 50-100 units with an opportunity for community facilities (either provided on site or elsewhere in Ratho Station).

This is the first time that the proposals have been reviewed. No declarations of interest were made by any Panel members in relation to this scheme. This report should be read in conjunction with the pre meeting papers which provide illustrative materials of the proposals and site analysis. This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the Panel forming a differing view about the proposals at a later stage.

Masterplan and Landscape Framework

The Panel noted that the development of this site will almost double the size of the existing settlement and therefore will change the character of Ratho Station village. Therefore, it is important that the design coming forward is a place led response.

The Panel supported the appointment of a Landscape professional at this stage of the design process as an appropriate landscape structure could help link the site to both the wider landscape and existing settlement.

The existing amenities for Ratho Station village are located on Ratho Station Road to the west of the site. The Panel noted that the proposed site presented a design challenge as to how the new development will connect and add to the existing village core. Improved connectivity to this area is therefore vital and the Panel encouraged both the improvement of both Ratho Station Road and the introduction of good east west connections to be made.

In terms of the proposed edge condition to the A8 Glasgow Road the Panel understood the rationale of not reinforcing the established spatial pattern to this road. The proposal to back properties to the road was considered an appropriate design approach in this case. However, the design of the edge will have to be carefully considered with respect to both visual and acoustics requirements.

The edge to the east and south requires careful consideration given it will form an edge to the greenbelt. The Panel encouraged a soft, less dense approach to these edges with the colour and texture of building materials carefully considered to sit with the landscape edge.

Given the change in level across the site, sectional information should be provided in support of a planning application to allow the design to be fully understood in the context.

The Panel recognised the Design Team's aspiration to achieve a design led approach for the site which fully embraces the Scottish Government's Policy document Designing Streets and the Council's Street Design Guidance and promotes place before movement.

The Panel encouraged the design team to consider a courtyard layout to some areas of the site.

Open Spaces

The use and design of the proposed open spaces will form a key element of the design and therefore a clear understanding of how these spaces will be used and maintained should form part of the information submitted as part of a planning application for the site. Of particular concern is how the central park will be used as this green space will sit at the heart of the village.

The environment (sunlight, noise etc) of the green spaces should be considered at an early stage of the design process to inform where these spaces are best located and designed given the challenging environmental constraints on this site. For example the private gardens adjacent to the A8 Glasgow Road have north facing back gardens and south facing front gardens. Sunlight analysis to these space will help to inform the best design for these spaces to ensure they are usable pleasant spaces.

Environment

The proximity of this site to both Edinburgh Airport and the A8 Glasgow Road imposes challenging environmental constraints on the site. These constrains require to be fully considered as part of design concept and layout for the site.

There is a requirement to reduce the noise from both the A8 Glasgow Road and Edinburgh Airport. The proposal should fully consider this constraint and integrate any mitigation into a design for the site.

Sunlight and daylight to both the residential units and external spaces require to be fully analysed and tested. This will help to inform the orientation, siting and layout of the residential blocks and green spaces.

Connectivity and Movement

The local facilities are located to the west of the site. Therefore, it is important that the new street patterns are fully integrated with the wider network and connect easily and safely to the existing shops, schools, transport hubs etc. This should be fully considered as part of the proposals. The forming and strengthening of the links to the existing village core will play an important as part of a place making led design.

Another important consideration is how pedestrians and cyclist cross safely and easily over the very busy A8 Glasgow Road. Consideration should also be given as to how this connection links to both the bus stop and cycle route. It was noted that an existing section 75 agreement is in place for this site to cover the above works.

The Panel were not convinced that a new vehicular access road to the east of the site is required. The need for this should be fully considered as part of the design development.

The Panel supported the linking to the existing pedestrian/cycle network around the site.

Sustainability

The Panel noted that it has been proven that if the design is based on sustainable criteria for it will achieve better place making. Therefore the Panel encouraged the design team to consider this as part of the development of the design for the site.

Local Centre and Facilities

This proposal will change the demographic makeup of the existing area. The Panel noted that a study should be carried out to ensure that local facilities like the school can accommodate this change.

The Panel noted that this village may not just function as a commuter area and that there is an opportunity for some members of the community to live and work in Ratho Station.

This opportunity for the community should be considered in the development on the design.

Affordable Housing

The Panel noted that affordable housing will be provided. The Panel advocate a 'tenure blind' approach for the design of the affordable housing. It should be ensured that this housing is fully integrated into the overall layout for the site.

Recommendations

In developing the design, the Panel supports the following aspects and therefore advocates that these should remain in the proposals:

The Landscape led approach for the masterplan.

Linking to the existing cycle/pedestrians route to be developed

Providing affordable housing on the site

In developing the proposals the Panel suggests the following matters should be addressed:

The design should fully embrace the Scottish Government Place making and the Council's Designing Streets guidance.

The environmental site constraints.

The edge designs particularly to the Green Belt.

Reconsider the new vehicular access to the site.

Consider a sustainable approach for the site.

Reinforce the connections and linkages particularly to the existing facilities and across the A8.

Archaeology

Archaeological evidence has also demonstrated that the Ratho Station/Newbridge area has been the focus of intensive occupation for over 6000 years. The most obvious example is the nationally important monuments of Ratho Station standing stone and Huly Hill, an upstanding prehistoric burial mound and stone circle situated on and dominating the eastern side of Newbridge. This prehistoric monument, which is likely to date from the early 2nd millennium BC, was constructed within the centre of a stone circle which is likely to date from the earlier Neolithic period (3rd millennia BC).

Recent excavations at Newbridge, in particular those undertaken by Headland Archaeology at Interchange Park (2001) and AOC Archaeology at the former Grampian Foods factory in between 2003 & 2016, have provided new and direct evidence for the nature of this prehistoric occupation and later Roman and medieval occupation. The excavated remains included isolated prehistoric pits and post-holes, a post-defined enclosures, round -houses, a ring-ditch cemetery and a nationally important Iron Age chariot burial dating to c. 450BC. The 2007/8 excavations by AOC have also revealed the remains of a Roman Road which may be linked to the Roman 2nd century AD milestone discovered in 1699 to the North of this site at Ingliston. A second Roman carved stone fragment (that of the body of a Roman Eagle) is incorporated within the fabric of the south gable of West Ingliston Farmstead.

Based on the historical and archaeological evidence the site has been identified as occurring within an area of archaeological significance. Accordingly this application must be considered under the terms of Historic Environment Scotland Policy Statement 2016 (HESPS), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh's Rural West Edinburgh Local Plan Policy E30 and ELDP Second proposed plan (2014) policy ENV9.

As stated the site has the potential for containing significant archaeological remains dating back to prehistory, including possibly evidence for a Roman/medieval Road, the precursor to the modern day Glasgow Road. Having assessed the likely archaeological impact of development it has been concluded that it has potentially significant, but overall low-moderate archaeological impact.

It is therefore recommended that a programme of archaeological works is undertaken prior to development. In essence this will see a phased archaeological programme, the initial phase being a 10% archaeological evaluation of the site linked to a programme of metal detecting. The results of which would allow for the production of appropriate mitigation strategies to be drawn up to ensure the protection and/or the excavation and recording of any surviving archaeological remains.

It is recommended that the following condition is attached to ensure that this programme of archaeological works is undertaken:

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

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

Archaeology updated comment

Further to your consultation request I would like to make the following comments and recommendations concerning this amended (2018) application for the erection of 133 dwellings with associated roads, suds and ancillary works. These have remained essentially the same as my earlier response of the 20th October 2016 but have been updated in terms of policy and reviewed in terms of recent work in the area

Archaeological evidence has also demonstrated that the Ratho Station/Newbridge area has been the focus of intensive occupation for over 6000 years. The most obvious example is the nationally important monuments of Ratho Station standing stone and Huly Hill, an upstanding prehistoric burial mound and stone circle situated on and dominating the eastern side of Newbridge. This prehistoric monument, which is likely to date from the early 2nd millennium BC, was constructed within the centre of a stone circle which is likely to date from the earlier Neolithic period (3rd millennia BC).

Recent excavations at Newbridge, in particular those undertaken by Headland Archaeology at Interchange Park (2001) and AOC Archaeology at the former Grampian Foods factory in between 2003 & 2016, have provided new and direct evidence for the nature of this prehistoric occupation and later Roman and medieval occupation. The excavated remains included isolated prehistoric pits and post-holes, a post-defined enclosure, round -houses, a ring-ditch cemetery and a nationally important Iron Age chariot burial dating to c. 450BC. The 2007/8 excavations by AOC have also revealed the remains of a Roman Road which may be linked to the Roman 2nd century AD milestone discovered in 1699 to the North of this site at Ingliston. A second Roman carved stone fragment (that of the body of a Roman Eagle) is incorporated within the fabric of the south gable of West Ingliston Farmstead.

Based on the historical and archaeological evidence the site has been identified as occurring within an area of archaeological significance. This application must therefore be considered therefore under terms Scottish Government's Our Place in Time (OPIT) and Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) policies ENV8 & 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 has the potential for containing significant archaeological remains dating back to prehistory, including possibly evidence for a Roman/medieval Road, the precursor to the modern-day Glasgow Road. Having assessed the likely archaeological impact of development it has been concluded that it has potentially significant, but overall low-moderate archaeological impact.

It is therefore recommended that a programme of archaeological works is undertaken prior to development. This will see a phased archaeological programme, the initial phase being a 10% archaeological evaluation of the site linked to a programme of metal detecting. The results of which would allow for the production of appropriate mitigation strategies to be drawn up to ensure the protection and/or the excavation and recording of any surviving archaeological remains.

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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.

Waste Services comment

The requirements from our point of view relate to:

Compliance with Waste Strategy

The provision of a full recycling service is mandatory in Scotland, so that developers must make provision for the full range of bins (either individual Containers for each property, or communal bins for multiple properties). These must be stored off street at all times, except on the day of collection (in the case of individual bins).

Given the area and the waste management arrangements for neighbouring properties, I would have assumed that the waste collection for the houses will be by kerbside collection, so that the residents are responsible for presenting the waste on the street on the correct collection days, and removing the containers afterwards.

The bins provided would be for: landfill waste (140 litre bin), mixed recycling (240 litre bin), glass, batteries, small electricals, and textiles (small box), food (small box) and -in this area- garden waste (240 litre bin).

I would assume that the waste collection for the flats shown will be by communal bins, so that the residents are not responsible for presenting the waste on the street on the correct collection days, and removing the containers afterwards. Assuming that this is the case, the waste collection teams will require safe and efficient access to these, and therefore cognisance must be taken of my comments below in relation to operational viability. While there is mention of bin stores, I am unable to identify their location or size, and would need to ensure that they are suitable for the correct arrangement of bins.

The bins provided for communal waste collections would be for: landfill waste, mixed recycling for paper and packaging, glass, and food.

Key points are:

-each bin store must accept the full range of materials in bins, segregated as outlined above. It is not acceptable to have some types of bin and others in a different collection point, as recycling is a fully integrated part of the service;

- the maximum size of a food bin is 500 litres; and that of a glass bin is 660 litres, which are both smaller than other types of waste, due to weight issues;

- provision must be made for the storage and disposal of bulky wastes such as furniture produced by the residents, and indeed access to those by our collection teams.

Operational Viability

Developers need to ensure that services are accessible so that our collection crews can provide the service in a safe and efficient manner, taking account of turning circles, length and width of vehicles, distance bins must be pulled, surfaces, slopes and so on. Obviously sufficient capacity must also be provided to allow successful collection of each segregated waste stream.

Developers need to speak to us to ensure that our requirements for safe access are complied with, as well as to ensure that there is sufficient off street storage for the containers. I would recommend they do so as soon as possible.

Transport Scotland comment

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

Transport Scotland's response is made on the understanding that the traffic generated by the application site has been incorporated as part of the traffic modelling undertaken for the West Edinburgh Transport Appraisal (WETA), and that it's associated traffic impact on the trunk road network has therefore been taken into consideration in the provision of a contribution towards the associated works at Newbridge Junction.

Environmental Assessment

The applicant has submitted an updated noise impacts assessment which has been assessed by Environmental protection. The applicant has submitted the updated noise impact in response to the previous consultation response provided by Environmental Protection. Environmental Protection have provided comments on a Planning Permission in Principle (10/02737/PPP) for a residential lead development on this site. The following comments were made in relation to that PPP application.

'As stated the site is also affected by transport noise from the A8 road and airport in close proximity. The applicant undertook a detailed site noise monitoring assessment and the acoustic report provided (also from The Airshed) indicated that the proposed buildings would require protection to meet the internal noise requirements set out by PAN 56. This planning guidance states internal sound levels for day/night time to be achieved within bedrooms and living rooms of new developments. Due to the elevated levels of road traffic noise, acoustic window glazing is required on some facades facing the A8. Furthermore, due to the location of the airport runway there is potential for aircraft noise to affect the residential units at the north end of the site. Therefore, some increased acoustic insulation maybe required in the roof construction to deal with aircraft noise penetrating bedrooms from above. The final design specification should be reviewed to ensure that the construction is sufficient to deal with these noise issues. Finally, the noise levels in any external residential garden space should also be at a level which allows residents to enjoy the use of that outdoor space. WHO noise guidance states that 55db should be the target for outdoor amenity enjoyment. At the north end of the site the acoustic report indicates that a 3m high bund with acoustic fencing is necessary to help protect the residential units from A8 traffic noise. Again, as this is a PPP application the final design of such features will need to be submitted for approval and a condition to this effect will be recommended. This department also recommends that any garden space for residential units closest to the A8 be placed on the south side of the building so that the gardens are given more acoustic protection by the building mass. Also it is recommended that bedroom windows should not be on the façades facing the A8 and airport runway where possible.'

The applicants noise impact assessment has proposed a number of mitigation options in the form of various acoustic barriers none of which include what was previously proposed in the 2010 planning application which proposed a 3m bund with acoustic fencing;

3 m barrier along the northernmost residential properties;
3.5 m barrier along the northernmost residential properties;
4 m barrier along the northernmost residential properties;
3.5 m barrier along the northernmost residential properties, additional 3.5 m barrier north of the SUDS area and 1.8m close boarded fence/walls;
3.5 m barrier along the northern redline boundary, additional 3.5 m barrier north of the SUDS area and 1.8m close boarded fence/walls;
4 m barrier along the northern redline boundary, additional 4 m barrier north of the SUDS area and 1.8m close boarded fence/walls;
4.5 m barrier along the northern redline boundary, additional 4.5 m barrier north of the SUDS area and 1.8m close boarded fence/walls.
Non-WETA 3.5 m barrier along the northernmost residential properties; and
Non-WETA 4 m barrier along the northernmost residential properties.

The applicant has also made reference to the following from BS8288 - 'For traditional external areas that are used for amenity space, such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB LAeq,T, with an upper guideline value of 55 dB LAeq,T which would be acceptable in noisier environments. However, it is also recognized that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited.'

The 2010 residential lead development had proposed the use of a 3m earth bund with acoustic barrier erected at the top. This would be demonstrating a design to achieve the lowest practicable levels along with not including amenity space inside the airport noise contours.

However, it should also be noted that the World Health Organisation Guidelines for Community Noise also makes reference regarding external amenity space.

'To protect the majority of people from being seriously annoyed during the daytime, the sound pressure level on balconies, terraces and outdoor living areas should not exceed 55 dB LAeq for a steady, continuous noise. To protect the majority of people from being moderately annoyed during the daytime, the outdoor sound pressure level should not exceed 50 dB LAeq. These values are based on annoyance studies, but most countries in Europe have adopted 40 dB LAeq as the maximum allowable level for new developments (Gottlob 1995). Indeed, the lower value should be considered the maximum allowable sound pressure level for all new developments whenever feasible.'

This was highlighted in the previous consultation response provided by Environmental Protection.

In all scenarios presented in the amended noise impact assessment the following plots appear to have the entire garden area breaching the higher-level external noise criteria; Plots 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 26,25,31, 30, 29, 28, 27, 26, 25

and 24. The following plots have approximately 50% of the gardens affected by transport noise; plots 1, 2, 8 and 9.

Railway noise from the Edinburgh to Linlithgow railway; which lies approximately 100m to the south of the proposed development site was found to be a marginal contributor to ambient noise levels than traffic noise from the A8 Glasgow Road and aircraft noise from Edinburgh Airport. Railway noise was therefore not included in the modelling exercise. Rail noise could be a significant factor especially when freight is using the line. The applicant has still not taken this into consideration or investigated the use of the track any further.

It is noted that the applicant had submitted details of an acoustic 120 Economy Green barrier woven willow and mesh, it not clear where this would be located. Over all the mitigation measures proposed are not adequate and furthermore lack detail. Environmental Protection are required to recommend conditions to Planning. To do this Environmental Protection require specific details on any proposed mitigation measures. For example, details on minimum glazing units and trickle ventilation are required and should include the specification of glazing (thickness) and locations highlighted on a submitted drawing with reference number. This would be the same for any other proposed noise mitigation measures such as acoustic barriers and bunds.

The level of car parking on the site is excessive 214 parking spaces for 124 dwellings. It is noted that the site is located in close proximity to the Glasgow Road Air Quality Management Area. This has been declared due to high levels of pollution caused by transport. Car parking numbers should be reduced. The development is reasonably well located to take advantage of local amenities and public transport network. The applicant will be required to provide a minimum of 36 (7Kw type two) electric vehicle (EV) charging points as required in the Edinburgh Design Standards. Environmental Protection recommend that 100% provision is provided. It is noted that the drawing number 02/01/K dated January 2018 highlights the location of only twenty charging points. The applicant must install all thirty-six EV charging points. They must be fully installed and operational prior to occupation. The applicant is proposing 98 driveway spaces, these must all be served with a 7KW (Type 2) 32amp electric vehicle charging point and be fully operational prior to occupation. It is noted that the installation of twenty chargers is below the minimum requirement as detailed in the Edinburgh Design Standards so therefore no addition mitigation is being proposed for a site located near the Glasgow Road AQMA.

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

Therefore, Environmental Protection recommend the application is refused due to the poor standards of external amenity that will be achieved by this development. The applicant has not considered all the possible mitigation measures available to reduce the noise from transport and rail noise down to acceptable levels. This may include a combination of an earth bund and acoustic barriers; however Environmental Protection require specific details on these mitigation measures and we need to be confident that the supporting noise impact assessment is robust enough. The applicant may also need to consider the layout of the site and the individual units this could have positive impacts for acoustics and local air quality impacts. Environmental protection believes the level of

carparking is excessive and only installing the minimum number of EV charging points is not something that can be supported.

Environmental Assessment updated response

Following submission of the April 2019 noise impact assessment Environmental Protection raised concerns due to the poor standards of external amenity that will be achieved by the original proposals.

As part of the April 2019 assessment, further noise modelling was undertaken by the applicant, using baseline data measured in 2016 and projected 2017 traffic data. The use of this data resulted in difficulties in verification of the noise model against measured levels, such that there was insufficient confidence in proposed mitigation measures. The mismatch between measured and predicted levels resulted in predicted future noise levels within the site above the agreed target noise levels. Environmental Protection could not support the application based on this assessment.

The applicant therefore undertook a further baseline noise measurement and such that noise model predictions may be updated and correlated with 2019 surveyed traffic flows. An addendum including the updated noise assessment was submitted in May 2019.

Further to the submission of the May 2019 addendum Environmental Protection raised concerns about the potential exceedance of the noise criteria within gardens located within Edinburgh Airport noise contour. The applicant has subsequently amended their design such that no gardens are located within the Edinburgh Airport noise contour.

The previous assessment included the assessment of impacts upon existing noise sensitive receptors as it was previously agreed that the speed on the A8 Glasgow was going to be reduced to 40mph. The speed on the A8 Glasgow road has now been reduced to 40mph and any further noise reduction this has now been considered. The reduction in speed on this road has reduced noise levels affecting the site.

The Proposed Development includes a 4.5 m high acoustic barrier between the remaining landscape buffer and the proposed houses in the north of the Proposed Development. The location, extent and geometry of the noise barrier is shown on drawings 'Indicative Noise Barrier Sketch' dated 21 May 2019 with its exact location highlighted in Figure 2 (dated 16/5/2019) of the ITP Energised Noise assessment referenced EDI_888 (report dated 02/10/2019). This barrier will provide protection to the proposed outdoor amenity.

The habitable rooms on some facades of the proposed dwellings located immediately south of the A8 Glasgow Road will need to include acoustic glazing in habitable rooms (Livingroom and bed rooms) providing a reduction of approximately 43 dBRw to external noise levels and acoustic passive ventilation - providing a minimum reduction of 43 dBRw to external noise levels. Exact location highlighted in Figure 2 (dated 16/5/2019) of the ITP Energised Noise assessment referenced EDI_888 (report dated 02/10/2019). Environmental protection shall recommend a condition is attached to ensure the noise mitigation measures are included.

Some of the proposed dwellings in the north of the site are orientated such that their gable ends face the A8. There will be no windows for habitable rooms in the gable ends and these facades have therefore been excluded from predictions of internal noise levels. exact location highlighted in Figure 2 (dated 16/5/2019) of the ITP Energised Noise assessment referenced EDI_888 (report dated 02/10/2019).

Predicted garden and external amenity area noise levels provided in Figure 2 are shown to meet the 55 dBLAeq,16hr upper guideline level in all gardens. It is noted that some areas of the gardens of the properties in the northern part of the site are predicted to exceed the criteria by up to 1 dB. Gardens and external amenity areas with areas predicted to exceed the 55 dB LAeq,16hr criterion are shown in Figure 2. The applicants proposed acoustic barriers both the 4.5 and 1.8m acoustic barriers will ensure outdoor amenity space is protected.

Noise from overflying planes are predominantly transmitted to the proposed properties via the roof. The applicant has proposed a sound reduction index of a typical pitched roof, comprising tiles on felt with 100 mm mineral wool on a plasterboard ceiling of $R_w = 43$ dB which will ensure noise from aircraft will not adversely impact amenity.

There are no proposed gardens within Edinburgh Airport 57 dB LAeq,16hr noise contour.Noise from passing trains has been re assessed and will not adversely impact the amenity of future tenants.

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

It is understood that the levels of car parking on the site remains at over 200; it was deemed excessive at 214 parking spaces for 124 dwellings with the original plan that was submitted. It is noted that the site is located in close proximity to the Glasgow Road Air Quality Management Area. This has been declared due to high levels of pollution caused by transport. Car parking numbers should be reduced. The development is reasonably well located to take advantage of local amenities and public transport network. The applicant will be required to provide a minimum of 36 (7Kw type two) electric vehicle (EV) charging points as required in the Edinburgh Design Standards. Environmental Protection recommend that 100% provision is provided. It is noted that the drawing number 02/01/K dated January 2018 highlights the location of only twenty charging points. The applicant must install all thirty-six EV charging points. They must be fully installed and operational prior to occupation. The applicant was proposing 98 driveway spaces, these must all be served with a 7KW (Type 2) 32amp electric vehicle charging point and be fully operational prior to occupation. It is noted that the installation of twenty chargers is below the minimum requirement as detailed in the Edinburgh Design Standards so therefore no addition mitigation is being proposed for a site located near the Glasgow Road AQMA.

Therefore, Environmental Protection offer no objection however Environmental Protection still believes the level of carparking is excessive and only installing the minimum number of EV charging points is not something that it can support. If consented Environmental Protection will require the following conditions to be attached;

1. *The following noise protection measures to the proposed development, as defined in the ITP Energised 'Noise Assessment' report (Ref EDI_888), dated 02/10/2019:*

o The Proposed Development shall include a 4.5 m high acoustic barrier between the remaining landscape buffer and the proposed houses in the north of the Proposed Development. The location, extent and geometry of the noise barrier is highlighted in Figure 2 of the noise assessment. The barrier shall be constructed continuously ensuring there are no air gaps, either between the boards or at the barrier base a dry mass density of 32 kg/m² as a minimum (detailed in Appendix F of the noise assessment).

o The Proposed Development shall include a 1.8 m high acoustic barrier between the proposed houses. The location, extent and geometry of the noise barrier is highlighted in Figure 2 of the noise assessment. The barrier shall be constructed continuously ensuring there are no air gaps, either between the boards or at the barrier base a dry mass density of 12 kg/m² as a minimum.

o Glazing units serving the habitable rooms overlooking the A8 Glasgow Road shall have a minimum sound reduction level of 43 dB_{rw} double glazing with acoustic ventilation (specific units highlighted on figure 2 of the noise assessment).

o All roofs shall have a minimum 100mm mineral wool insulation on plasterboard installed prior to occupation.

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

2. *Prior to the commencement of construction works on site:*

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

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

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

3. *The residential parking space highlighted on drawing number 02/01/K dated January 2018 shall be served by 7Kw (32amp) Type 2 electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.*

4. *All private driveways shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be installed and operational in full prior to the development being occupied.*

Environmental Assessment updated comment

The applicant has submitted slightly amended design which has increased the density on the site, however this is not significant. The supporting materials regarding noise, air quality (electric vehicles) and contaminated land have not and do not need to be amended. Therefore, the last comments submitted by Environmental Protection remain valid.

Following submission of the April 2019 noise impact assessment Environmental Protection raised concerns due to the poor standards of external amenity that will be achieved by the original proposals.

As part of the April 2019 assessment, further noise modelling was undertaken by the applicant, using baseline data measured in 2016 and projected 2017 traffic data. The use of this data resulted in difficulties in verification of the noise model against measured levels, such that there was insufficient confidence in proposed mitigation measures. The mismatch between measured and predicted levels resulted in predicted future noise levels within the site above the agreed target noise levels. Environmental Protection could not support the application based on this assessment.

The applicant therefore undertook a further baseline noise measurement and such that noise model predictions may be updated and correlated with 2019 surveyed traffic flows. An addendum including the updated noise assessment was submitted in May 2019.

Further to the submission of the May 2019 addendum Environmental Protection raised concerns about the potential exceedance of the noise criteria within gardens located within Edinburgh Airport noise contour. The applicant has subsequently amended their design such that no gardens are located within the Edinburgh Airport noise contour.

The previous assessment included the assessment of impacts upon existing noise sensitive receptors as it was previously agreed that the speed on the A8 Glasgow was going to be reduced to 40mph. The speed on the A8 Glasgow road has now been reduced to 40mph and any further noise reduction this has now been considered. The reduction in speed on this road has reduced noise levels affecting the site.

The Proposed Development includes a 4.5 m high acoustic barrier between the remaining landscape buffer and the proposed houses in the north of the Proposed Development. The location, extent and geometry of the noise barrier is shown on drawings 'Indicative Noise Barrier Sketch' dated 21 May 2019 with its exact location highlighted in Figure 2 (dated 16/5/2019) of the ITP Energised Noise assessment referenced EDI_888 (report dated 02/10/2019). This barrier will provide protection to the proposed outdoor amenity space along with other 1.8m acoustic barriers between the proposed units. These barriers will also provide a degree of protection to the proposed residential units.

The habitable rooms on some facades of the proposed dwellings located immediately south of the A8 Glasgow Road will need to include acoustic glazing in habitable rooms (Livingroom and bed rooms) providing a reduction of approximately 43 dBRw to external noise levels and acoustic passive ventilation - providing a minimum reduction of 43 dBRw to external noise levels. Exact location highlighted in Figure 2 (dated 16/5/2019) of the ITP Energised Noise assessment referenced EDI_888 (report dated 02/10/2019). Environmental protection shall recommend a condition is attached to ensure the noise mitigation measures are included.

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Predicted garden and external amenity area noise levels provided in Figure 2 are shown to meet the 55 dBLAeq,16hr upper guideline level in all gardens. It is noted that some areas of the gardens of the properties in the northern part of the site are predicted to exceed the criteria by up to 1 dB. Gardens and external amenity areas with areas predicted to exceed the 55 dB LAeq,16hr criterion are shown in Figure 2. The applicants proposed acoustic barriers both the 4.5 and 1.8m acoustic barriers will ensure outdoor amenity space is protected.

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There are no proposed gardens within Edinburgh Airport 57 dB LAeq,16hr noise contour. Noise from passing trains has been re assessed and will not adversely impact the amenity of future tenants.

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

It is understood that the levels of car parking on the site remains at over 200; it was deemed excessive at 214 parking spaces for 124 dwellings with the original plan that was submitted. It is noted that the site is located in close proximity to the Glasgow Road Air Quality Management Area. This has been declared due to high levels of pollution caused by transport. Car parking numbers should be reduced. The development is reasonably well located to take advantage of local amenities and public transport network. The applicant will be required to provide a minimum of 36 (7Kw type two) electric vehicle (EV) charging points as required in the Edinburgh Design Standards. Environmental Protection recommend that 100% provision is provided. It is noted that the drawing number 02/01/K dated January 2018 highlights the location of only twenty charging points. The applicant must install all thirty-six EV charging points. They must be fully installed and operational prior to occupation. The applicant was proposing 98 driveway spaces, these must all be served with a 7KW (Type 2) 32amp electric vehicle charging point and be fully operational prior to occupation. It is noted that the installation of twenty chargers is below the minimum requirement as detailed in the Edinburgh Design Standards so therefore no addition mitigation is being proposed for a site located near the Glasgow Road AQMA.

Therefore, Environmental Protection offer no objection however Environmental Protection still believes the level of carparking is excessive and only installing the minimum number of EV charging points is not something that it can support. If consented Environmental Protection will require the following conditions to be attached;

1. The following noise protection measures to the proposed development, as defined in the ITP Energised 'Noise Assessment' report (Ref EDI_888), dated 02/10/2019:

- The Proposed Development shall include a 4.5 m high acoustic barrier between the remaining landscape buffer and the proposed houses in the north of the Proposed Development. The location, extent and geometry of the noise barrier is highlighted in Figure 2 of the noise assessment. The barrier shall be constructed continuously ensuring there are no air gaps, either between the boards or at the barrier base a dry mass density of 32 kg/m² as a minimum (detailed in Appendix F of the noise assessment).

- The Proposed Development shall include a 1.8 m high acoustic barrier between the proposed houses. The location, extent and geometry of the noise barrier is highlighted in Figure 2 of the noise assessment. The barrier shall be constructed continuously ensuring there are no air gaps, either between the boards or at the barrier base a dry mass density of 12 kg/m² as a minimum.

- Glazing units serving the habitable rooms overlooking the A8 Glasgow Road shall have a minimum sound reduction level of 43 dB_{rw} double glazing with acoustic ventilation (specific units highlighted on figure 2 of the noise assessment).

- All roofs shall have a minimum 100mm mineral wool insulation on plasterboard installed prior to occupation.

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

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

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

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

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

3. The residential parking space highlighted on drawing number 02/01/K dated January 2018 shall be served by 7Kw (32amp) Type 2 electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.

4. All private driveways shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be installed and operational in full prior to the development being occupied.

SEPA comment

We object to this planning application on the grounds of a lack of information in relation to flood risk and surface water drainage. We will review this objection if the issues detailed in Section 1 and 2 below are adequately addressed.

1. Flood Risk

1.1 We have reviewed the information provided in this consultation and it is noted that, although the site appears to lie out with the SEPA Flood Map, the application site is adjacent to a small watercourse and consequently the site may be at risk of flooding.

1.2 Small watercourses are often poorly understood with respect to the severity of the flood hazard that can be generated on a catchment of this scale. SEPA holds a wealth of information on past small catchment flooding in Scotland which has led to significant impacts upon people and property.

1.3 We previously provided pre-application advice in February 2016 (PCS/144525) and this remains unchanged. No topographic information has been provided for the small watercourse compared with existing/ proposed site levels. As such we cannot confirm whether the development and associated SUDS infrastructure are out with 1:200 year flood extent associated with this small watercourse. No information has been provided on the location/ condition of any culverted sections of the watercourse and should capacity be exceeded or become blocked there is no information on the associated flow-paths. Therefore we object to this planning application on the grounds of a lack of information in relation to flood risk.

1.4 We would request the above information detailed in paragraph 1.3, in order to better understand the potential flood risk to the site.

1.5 Should this information not address our flood risk concerns, we may require a detailed Flood Risk Assessment be provided in support of the planning application.

1.6 There is an existing sewer which crosses the site. The Engineering Layout Sheet - 2 of 3 drawing (ref. no. ENG/004/02, dated August 2016) notes that this sewer is to be removed or grouted and abandoned. We would support this as we would have been unable to support development located on top of this structure if it was to remain operational.

1.7 We recommend that contact is made with your Flood Prevention Authority to glean any information/local knowledge that they may possess.

2. Surface Water Drainage

2.1 Due to a lack of information on surface water drainage we object to this application. The objection could be removed if appropriate information as detailed in paragraph 2.3 and 2.4 below is provided in order to demonstrate that a satisfactory Sustainable Drainage System (SUDS), with no unacceptable adverse impact on the water environment, can be accommodated on site.

2.2 We note from drawings ENG/004/01 (Engineering Layout Sheet 1 of 3) and ENG/004/02 (Engineering Layout Sheet 2 of 3) that there is a proposed surface water sewer throughout the site, which drains to the proposed SUDS basin prior to discharging

to the combined sewer. It is unclear from the drawings how two levels of treatment shall be achieved by the proposed SUDS. We require clarification the other levels of SUDS to be used (e.g. porous paving, swale, filter trench).

2.3 Applicants should be using the Simple Index Approach (SIA) Tool to determine if the types of SUDS proposed are adequate, and submit the SIA output with their proposals to demonstrate the suitability of SUDS proposals for the site.

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

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

3. Air Quality

3.1 The proposed development will be in an area that is currently not affected by poor air quality. An air quality modelling assessment has been undertaken and the findings are reported. We note and welcome the decision to use ADMS Roads to assess the impact of traffic on local air quality. The modelling assessment has shown that the completed development is unlikely to have a significant impact on local air quality.

Greenhouse gas emissions

3.2 We note that the development is located some distance from local amenities, therefore there is likely to be an increase in the number of journeys made by car. Whilst this figure may appear to be insignificant, when considered alongside other developments across Scotland, the cumulative increase in the distance travelled by car - and subsequent emissions of carbon dioxide - could undermine the Scottish Government's commitment to reduce emissions of greenhouse gases.

3.3 Scottish Planning Policy sets out an approach to integrating transport and land use planning by supporting a pattern of development and redevelopment that "reduces the need to travel and as a consequence reduce emissions from transport sources". It also states that "Planning permission should not be granted for significant travel-generating uses at locations which would increase reliance on the car and where the transport assessment does not identify satisfactory ways of meeting sustainable transport requirements."

3.4 Greenhouse gas emissions from road traffic are expressed as grams of carbon dioxide emitted per kilometre travelled (g/km), therefore every additional km travelled will increase the emissions of greenhouse gases. Road transport emissions account for 72.4% of all transport emissions of greenhouse gases and cars account for over half road

emissions. "The Climate Change (Scotland) Act 2009 sets a target of reducing greenhouse gas emissions by at least 80% by 2050, with an interim target of reducing emissions by at least 42% by 2020. Annual greenhouse gas emission targets are set in secondary legislation". Section 5 of the Scottish Government's Climate Delivery Plan describes the issue in detail.

Cumulative effects of development

3.5 When considered in isolation, a single development will appear to have a negligible impact on local air quality. However, when the same development is considered alongside other developments in the area, the cumulative impact could be more significant - particularly along main commuter routes.

SEStran has warned "the allocation of extensive new land for development underlines the importance of integrating land-use and transport planning in the SEStran area, building these links into the forthcoming City Region plan and other development plans. Failure to do so will lead to further significant increases in car use", and " It has been demonstrated that the SEStran area faces particular challenges in catering for the travel volumes and patterns resulting from the anticipated growth in population and employment in the area. In addition to the forecast increase in the number of jobs, the trend of dispersal of jobs, services and homes will, if it continues, bring further pressure to bear on the transport network." Transport Scotland advise: "With several proposals in close proximity, a more detailed Transport Assessment of the cumulative impact of the proposals may be more appropriate than one for each proposal in isolation".

3.6 It is therefore important that the Council is satisfied that the assessment has considered the cumulative impact of all development that will add traffic to the road network- particularly along main commuter routes. 'Land-Use Planning and Development Control: Planning for Air Quality' (Produced by Environmental Protection UK and Institute of Air Quality Management, 2015) explains how a cumulative impact should be undertaken.

Detailed advice for the applicant

4. Flood Risk

Caveats & Additional Information for Applicant

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

4.2 We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>. Please note that this document should be read in conjunction Policy 41 (Part 2).

4.3 Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from <http://www.sepa.org.uk/media/159170/flood-risk-assessment-checklist.xls>.

4.4 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.

4.5 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>.

5. Surface Water Drainage

5.1 Please note that we have lodged an objection to this application due to a lack of information to assess the acceptability of your proposals for surface water drainage. For this type of development, two levels of sustainable drainage (SUDS) surface water treatment will be required. We would request the submission of a scaled annotated site plan which demonstrates that an appropriate surface water (SUDS) scheme can be accommodated within the site layout. We also request the submission of the Simple Index Approach (SIA) Tool output to be submitted, as detailed in paragraph 2.3.

SEPA further comment

Thank you for your consultation email, in reference to Flood Risk Assessment (Nov2018) [dated 06/12/2018 on your planning portal], which SEPA received on 14 December 2018.

We appreciate that you were able to extend the consultation deadline until 16 January. Please note that this letter relates to flood risk. See our letter of 19 October 2018 for advice on other issues.

Advice for the planning authority

We object to this planning application on the grounds of a lack of information related to flood risk. We will review this objection if the issues detailed in Section 1 below are adequately addressed.

Flood risk

Executive Summary Outlining Policy Context

We maintain our objection to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy.

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 therefore wish to consider if this proposal falls within the scope of this Direction.

Technical Report

We most recently responded to this application on the 19 of October 2018. We objected due to lack of information and requested further information on flood risk. In the first instance, we requested topographic information but highlighted that if this information was insufficient we would request a detailed Flood Risk Assessment (FRA).

A FRA has been submitted in support of the application. Hydrological analysis has been undertaken and we would highlight that there are uncertainties with these flows due to the small catchment area of the watercourse in the north-western corner.

It is stated in section 3.5, of the FRA, that "water will inundate the area upstream of the culvert until overland flow onto Glasgow Road at a level of 37.36mOD occurs." Review of the topographic information supplied shows that the relief level of Glasgow Road is 38.36mAOD. The drawing titled "Levels Layout" indicates that ground levels will be lowered below existing ground levels and the minimal finished floor levels is set at 38.80mAOD. We would request that the flood extent is shown on a site plan, indicating the area of inundation up to the relief level of Glasgow Road, and that no built development, including SUDs, should be within this area. We would also request that finished floor levels are set a minimum of 600mm above the relief level of Glasgow Road.

We would strongly recommend that a cut off drain is incorporated into the design to capture surface water runoff from the field to the south of the proposed development.

Summary of Technical Points

In summary, we wish to receive clarification on the following points before we would consider removing our objection to the proposed development:

Flood extent is shown on a site layout

No built development within the flood extent, including SUDs

Finished Floor Levels set a minimum of 600mm above the relief level of Glasgow Road

Caveats & Additional Information for Applicant

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/>

We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk

Assessments and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>. Please note that this document should be read in conjunction Policy 41 (Part 2).

Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from <http://www.sepa.org.uk/media/159170/flood-risk-assessment-checklist.xls>.

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SEPA further comment

Executive Summary Outlining Policy Context

We maintain our objection to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy.

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 therefore wish to consider if this proposal falls within the scope of this Direction.

Advice for the planning authority

1. Flood risk

Technical Report

1.1 We previously responded to this application on the 19th of October 2018 and most recently on the 15th of January 2019. We maintained our objection and requested the following; flood extent is shown on a site layout, no built development within the flood extent including SUDs and finished floor levels set a minimum of 600mm above the relief level of Glasgow Road.

1.2 A letter from Terrenus Land & Water has been submitted since our previous response. Within this letter the flood extent has been shown on a site location plan.

1.3 We are unable to support built development, including SUDs within this flood extent and therefore continue to request that the SUDs basin is located outwith the area of inundation as shown within the topographic survey provided.

1.4 We continue to strongly recommend that a 600mm freeboard is applied to finished floor levels.

Summary of Technical Points

1.5 In summary we wish to receive clarification on the following points before we would consider reviewing our objection to the proposed development:

- o No built development within the flood extent, including SUDs.

Detailed advice for the applicant

2. Flood risk

Caveats & Additional Information for Applicant

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

2.2 We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>. Please note that this document should be read in conjunction Policy 41 (Part 2).

2.3 Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from <http://www.sepa.org.uk/media/159170/flood-risk-assessment-checklist.xls>.

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2.5 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>

SEPA further comment

Advice for the planning authority

We are now in a position to remove our objection to the proposed development on flood risk grounds. Notwithstanding the removal of our objection, we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.

1. Flood Risk Technical Report

1.1 We most recently responded to this application on the 11th of April 2019. We maintained our objection and requested that no built development within the flood extent, including SUDs.

1.2 Since our previous letter further information has been submitted from Terrenus in the form of a letter dated the 8th of March 2019. It is proposed that a swale feature is installed to the south of the A8 Glasgow Road to direct any ponded water towards the proposed drainage underneath the A8. This will reduced the area of inundation and therefore the proposed SUDs feature will be outwith the flood extent.

We continue to strongly recommend that a 600mm freeboard is applied to finished flood levels.

Detailed advice for the applicant

2. Flood risk

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

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

The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>

SEPA updated comment

We have previously provided advice on the planning application and understand we have been reconsulted for input on revised site designs. These alterations comprise a change in the number and composition of the proposed dwellings (as described in the Design and Access Statement dated December 2019). It also appears that a swale feature which was proposed to direct ponded water to the culvert below Glasgow Road is not included on the current drainage design (Drawing No. 2381-20-4 Rev D).

We were able to remove a previous flood risk objection to the application (letter dated 23 April 2019 under PCS/164990) on the basis of the installation of the swale. This measure was described by Terrenus Land & Water Ltd in their letter of 08 March 2019. Whilst we have no additional comments on the amendments to the layout of the dwellings, as the swale no longer forms part of the proposal we object to the application on the grounds of lack of information. This feature was necessary to reduce the area of water inundation to the North West of the site and therefore ensure the proposed SuDS feature will be outwith the flood extent.

If an amended drainage design is issued showing the reinstatement of the swale, we will be happy to reconsider our position. Please note it also appears that the new foul drainage pipe work (between MH F100 and F7) is to be routed beneath bunding proposed around the SuDS feature and we recommend that this be reconsidered. Access and maintenance of this foul drainage pipework may become difficult if bunding is proposed on top. The council Flood Officers should comment on these proposals.

Please refer to our previous responses for further advice pertinent to this proposal.

Ratho + District Community Council comment ' Scheme 1

Ratho & District Community Council supports this application but wishes to comment on the following related issues:

a) Access into and egress from the development on Glasgow Road is proposed on the basis of turn left into the site only and turn left out of the site only. The Community Council recommends that consideration be given to the provision of a fully signalised junction thus enabling controlled right turn and left turn access to/egress from the development.

b) The existing footbridge (DDA non-compliant) enabling safe pedestrian access to the north side of Glasgow Road is located some considerable distance from the development site. The Community Council therefore recommends that consideration be given to the provision of a signalised pedestrian crossing adjacent to the proposed development thus allowing safe access to city-bound bus services.

c) The Community Council supports the need for improved community facilities in Ratho Station and recognise that this need will increase by the addition of 133 new dwellings in that community.

Edinburgh Airport comment

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below:

Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:

- o monitoring of any standing water within the site temporary or permanent*
- o sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).*
- o management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached*
- o reinstatement of grass areas*
- o maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow*
- o which waste materials can be brought on to the site/what if any exceptions e.g. green waste*
- o monitoring of waste imports (although this may be covered by the site licence)*
- o physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste*
- o signs deterring people from feeding the birds.*

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.

Height Limitation on Buildings and Structures

No building or structure of the development hereby permitted shall exceed 30m AGL.

Reason: Development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) surrounding Edinburgh Airport and endanger aircraft movements and the safe operation of the aerodrome. See Advice Note 1 'Safeguarding an Overview' for further information (available at <http://www.aoa.org.uk/operations-safety/>).

Submission of SUDS Details

Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS). The submitted Plan shall include details of:

- o Attenuation times*

- o Profiles & dimensions of water bodies
- o Details of marginal planting

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

Reason: To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)' (available at <http://www.aoa.org.uk/operations-safety/>).

We would also make the following observations:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/operations-safety/>)

Lighting

The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes' (available at <http://www.aoa.org.uk/operations-safety/>). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above conditions are applied to any planning permission.

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Edinburgh Airport, or not to attach conditions which Edinburgh Airport has advised, it shall notify Edinburgh Airport, and the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding of Aerodromes Direction 2003.

Edinburgh Airport updated comment

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below:

Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:

- o monitoring of any standing water within the site temporary or permanent*
- o sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)*
- o management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 3 'Wildlife Hazards.'*
- o reinstatement of grass areas*
- o maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow*
- o which waste materials can be brought on to the site/what if any exceptions e.g. green waste*
- o monitoring of waste imports (although this may be covered by the site licence)*
- o physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste*
- o signs deterring people from feeding the birds.*

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Edinburgh Airport Airside Operations staff. In some instances it may be necessary to contact Edinburgh Airport Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Scottish Natural Heritage before the removal of nests and eggs.

Submission of Landscaping Scheme

No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Planning Authority, details must

comply with Advice Note 3 'Wildlife hazards' (available at <http://www.aoa.org.uk/operations-safety/>). These details shall include:

- o any earthworks
- o grassed areas
- o the species, number and spacing of trees and shrubs
- o details of any water features
- o drainage details including SUDS - Such schemes must comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)
- o others that you or the Authority may specify and having regard to Advice Note 3: Wildlife Hazards.

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

Reason: To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of birds and an increase in the bird hazard risk of the application site.

Submission of SUDS Details

Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 3 'Wildlife Hazards'. The submitted Plan shall include details of:

- o Attenuation times
- o Profiles & dimensions of water bodies
- o Details of marginal planting

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

Reason: To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

We would also make the following observations:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).

Lighting

The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting' (available at (<http://www.aoa.org.uk/policy-campaigns/operations-safety/>)). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Edinburgh Airport, or not to attach conditions which Edinburgh Airport has advised, it shall notify Edinburgh Airport, and the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding of Aerodromes Direction 2003.

Scottish Water comment

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following;

Water

There is currently sufficient capacity in the Marchbank Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Infrastructure within boundary

According to our records, the development proposals impact on existing Scottish Water assets. The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team 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.

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 sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

Waste Services initial comment

Waste Management Responsibilities

The Waste and Cleansing Services will be responsible for managing the waste from households and any Council premises only. I am assuming this would include this development.

Compliance with Waste Strategy (Domestic Waste Only)

The provision of a full recycling service is mandatory in Scotland, so developers must make provision for the full range of bins (either individual containers for each property, or communal bins for multiple properties). These must be stored off street at all times, except on the day of collection (in the case of individual bins).

The waste collection teams will require safe and efficient access to these from the earliest occupation, and therefore cognisance must be taken of my comments below in relation to operational viability.

For high density properties such as the apartments, we would recommend communal waste containers for landfill waste, mixed recycling for paper and packaging, glass, and food. Since there are four terrace houses in between the two bin stores, these properties would find it most convenient to use the bin stores. The number of bins required is calculated on the number of properties using each bin store, so if 11 properties (9 flats and 2 of the terrace houses) are to use each bin store, there would need to be 2 residual 1280L, 2 mixed recycling 1280L, 1 glass 360L and 1 food 240L. Information showing the dimensions of the communal containers has already been provided for your information

in the Architect Instructions, which should be used to ensure bin stores are of an adequate size.

However, it should be noted that due to changes within the service over the next three years, the communal bin requirements will change, and you should review these with us prior to starting work.

It is usually most appropriate for townhouses to have individual kerbside collections. This provides each property with landfill (140 litres); mixed recycling (240 litres), glass (box), food bin and kitchen caddy. Brown bins are not part of the standard set any longer, since residents will have to register and pay for the garden waste service separately. All of these must be presented at the agreed location on the day of collection before a specified time and removed thereafter. They must otherwise be stored within the curtilage of the property at all times.

Developers can either source their own bins in line with our requirements, or can arrange for us to do so and recharge the cost - this will probably be most convenient for them. We require 12 weeks' notice for bin orders, in order to arrange for the ordering, manufacture and delivery of bins.

Although there is no details of any commercial aspect, for completeness, it would be the responsibility of any third party commercial organisations using the site to source their own trade waste uplifts and comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling.

Operational Viability

Developers need to ensure that services are accessible so that our collection crews can provide the service in a safe and efficient manner, taking account of turning circles, length and width of vehicles, distance bins must be pulled, surfaces, slopes and so on. Sufficient space must be provided to allow independent collection of each segregated waste stream.

There are some issues on the swept path analysis provided, where the overhang encroaches on the verge or footpath, and there is no clear exit at the bottom of the site. Other issues have been identified, and an agreement on the waste strategy would be subject to these issues being addressed.

I would recommend further contact with me to ensure adequate provision of segregated household waste bins include all of the above and suitable access for the refuse collectors is arranged.

SEPA comment

Advice for the planning authority

We object to this planning application on the grounds of a lack of information in relation to flood risk. We will review this objection if the issue detailed in Section 1 below are adequately addressed.

Flood Risk

We previously commented on this site in November 2016 and no additional information has been submitted to address our concerns. As such we have included our previous comments below and recommend we are re-consulted once this additional information has been submitted.

We have reviewed the information provided in this consultation and it is noted that, although the site appears to lie out with the SEPA Flood Map, the application site is adjacent to a small watercourse and consequently the site may be at risk of flooding.

Small watercourses are often poorly understood with respect to the severity of the flood hazard that can be generated on a catchment of this scale. SEPA holds a wealth of information on past small catchment flooding in Scotland which has led to significant impacts upon people and property.

We previously provided pre-application advice in February 2016 (PCS144525) and this remains unchanged. No topographic information has been provided for the small watercourse compared with existing/ proposed site levels. As such we cannot confirm whether the development and associated SUDS infrastructure are out with 1:200 year flood extent associated with this small watercourse. No information has been provided on the location/ condition of any culverted sections of the watercourse and should capacity be exceeded or become blocked there is no information on the associated flow-paths. We would request this information to better understand the potential flood risk to the site. Should this information not address our flood risk concerns, we may require a detailed Flood Risk Assessment be provided in support of the planning application.

There is an existing sewer which crosses the site. The Drainage Layout drawing (ref. no. 2381-20-2 B, dated 06/04/2018) notes that this sewer is to be removed or grouted and abandoned. We would be unlikely to support development located on top of this structure if it was to remain operational.

We recommend that contact is made with your Flood Prevention Authority to glean any information/ local knowledge that they may possess.

Drainage

We provided an email to all local authorities on 30 March 2017 confirming that from May 2017 our standing advice for SUDS would be extended to include major developments and that we would no longer be providing site specific SUDS advice on major developments, excluding EIA. We therefore refer your authority to our standing advice on SUDS.

Detailed advice for the applicant

Flood Risk

Caveats & Additional Information for Applicant

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/flooding/flood_maps.aspx.

We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from www.sepa.org.uk/flooding/planning_flooding.aspx. Please note that this document should be read in conjunction Policy 41 (Part 2).

Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from http://www.sepa.org.uk/flooding/planning_flooding/fra_checklist.aspx

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.

The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from www.sepa.org.uk/planning/flood_risk.aspx.

SEPA Comment 5 November 2020

Thanks for sharing the email from Taylor Wimpey East Scotland, which includes an updated Drainage Layout (Drawing No. 2381-20-6 Rev F), in response to our letter of 23 January 2020. We have considered this, in conjunction with our flood risk team, and can confirm that we can remove our objection to the planning application on this basis. We note the SUDS pond has been moved outwith the functional floodplain and away from the swale to the north.

Flood Prevention comment

We have looked at the application and have the following comments.

- o Planning Committee on 30 March 2017 approved the permanent implementation of the certification procedure in the assessment of the flooding impact of new development during the planning application process.*
- o The applicant has not completed a self-certification checklist or declaration for this application covering the design of the surface water network. The checklist should be completed to provide a summary of the information submitted in support of the application. As this development is classed as a major development under Planning*

definition then an independent consultant is required to check the design and submission. They must then sign the required declaration for inclusion with the application prior to issue to CEC Flood Prevention. Template attached.

o The applicant has not completed a declaration for this application covering the flood risk assessment. As this development is classed as a major development under Planning definition then an independent consultant is required to check the design and submission. They must then sign the required declaration for inclusion with the application prior to issue to CEC Flood Prevention. Template attached.

o Could the applicant provide an updated version of drawing 2381-20-2 or similar drainage layout drawing, showing the connection into the Royal Highland Showground drainage system.

o Could the applicant confirm they have permission to connect into the Royal Highland Showground Drainage system?

o We note on drawing 1702-204-002 (dated 03/05/18) that the proposed surface water discharge rate is 8l/s. This is accepted by CEC flood prevention.

o Could the applicant please identify proposed surface water flow paths on drawings? This can be achieved by over-marking arrows to denote falls on the post-development arrangement. This should include runoff from outwith the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. Firstly to understand if there is any significant re-direction of surface flows to surrounding land and secondly to identify if surface water will flow towards property entrances.

o Please provide hydraulic modelling outputs for all underground pipework including rainfall data, manhole and pipe schedules (to mAOD), pipe surcharge report for all underground pipe connections. The manholes in the calculation should be cross-referenced to the drainage drawing to enable interpretation. The results should include the 30 year and 200 year plus climate change results. Should the model identify flood or flood risk in the system then drawings will be required to indicate where exceedance flow will be directed, how it will be contained within the site and lastly how it will be drained once the event has subsided.

o Please stipulate who will adopt and maintain the surface water network, including any SUDS

o CEC's default position is to achieve 600mm freeboard above 200+30% climate change flood levels for finished floor levels in buildings. This is in line with SEPA who request 600mm freeboard independent of climate change (Technical Flood Risk Guidance for Stakeholders- SEPA requirements for undertaking a Flood Risk Assessment).

o Initially we would request that the finished floor level (FFL) is raised to achieve 600mm freeboard, but we appreciate that this is not always possible based upon topography and other elements of design. A justification should be provided in the documents to describe why the FFL cannot be raised.

o *If the FFL cannot be raised then the applicant should work through the Environment Agency Accounting for Residual Uncertainty methodology (formerly known as fluvial freeboard guide) to demonstrate that a lower freeboard is applicable based upon the confidence of the data used in production of the FRA. The minimum freeboard that CEC Flood Prevention will accept is 300mm.*

o *Can you describe the process used to determine the peak flood level of 38.36mAOD?*

Flood Prevention updated comment

The applicant has not provided a Surface Water Management Plan (SWMP) report. A SWMP should be provided in line with the self-certification scheme - details of which can be found at the link in my signature below. A self-certification checklist and declaration should be provided to support the application. I have attached copies of the checklist and declaration to be completed by the applicant. Once this has been submitted, I can review and provide comment on the documents already submitted on the portal.)

Flood Prevention updated

All information has now been submitted as requested. There is no flood risk remaining.

Communities+Families comment

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (August 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2019).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the finalised Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (August 2018).

Assessment and Contribution Requirements

Assessment based on:

36 Flats

96 Houses

This site falls within Sub-Area W-1 of the 'West Edinburgh Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.

The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed.

The proposed development is therefore required to make a contribution towards the delivery of these actions based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.

If the appropriate infrastructure and land contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required:

£1,669,632

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Total land contribution required:

£213,168

Note - no indexation to be applied to land contribution.

Roads Authority Issues comment

The road layout must comply with the Edinburgh Street Design guidelines (ESDG) and requires amendment with respect to;

- a) Corner radii ' the maximum on local roads is 3m, with 6m on secondary roads (e.g. A8 junction). There are many junctions with radii of well in excess of this which is not acceptable. This will be subject to swept path considerations, but the general presumption is that corner radii should comply with these design principles.;*
- b) Footways adjacent to end on parking bays should be a minimum of 2.5m (to allow for vehicle overhang);*
- c) The streets should be designed to 20-mph standard (the designer should refer to ESDG for guidance on this);*
- d) The remote paths throughout the development (e.g. those linking to Ratho Station Park) should be a minimum of 4m in width to allow for shared cycle-pedestrian use;*
- e) Car parking should be designed to have a minimal visual impact on the streetscape. Large expanses of end on parking bays in particular are not desirable;*
- f) The proposal is to provide 219 car spaces (out of a maximum of 233) which is very much at the upper end of the parking standards. This should be reviewed in line with the EDG and alternative provision/layout considered (including a possible reduction in on street parking numbers).*

In addition to the above, the following points need to be addressed;

- a) There are several areas where the footway layout is poor, with the footway ending with no obvious connection, not on desire lines, etc. The footway layout should be reviewed to ensure there is a linked and coherent footway layout throughout the site;*

- b) Several roads are shown as block paved with a footway on one side, but it is not clear if these are to function as a shared space. Generally, there should be a footway on both sides of the road where it is not a shared space arrangement. I would expect to see footways on most of the roads here, a few of the shorter cul-de-sacs can be a shared space layout. Many of the grass verges (service strips) will have to be changed to 2m wide footways;
- c) The layout of the parking bays on the road off the A8 (adjacent blocks 79-84) is nonstandard and will need further consideration;
- d) Given the increase in the number of units, we require a brief update (addendum) to the transport assessment confirming that the effect on the traffic generation is not significant;
- e) The junction at the A8 'the island here should be a pedestrian refuge island and allow for accommodating the cycle/pedestrian path on the south side of the A8. This preferably should be a priority crossing for cycles-pedestrians at this junction;
- f) The Council may introduce a peak hour, no left turn (possibly evenings 16:00 ' 18:00) from the A8 into the development to address residents' concerns about potential rat running. This can be discussed further with the applicant to consider the implications for the development access arrangements;
- g) In addition to the above measure, the north-south road off the A8 should be re-designed to no longer be a through route. This will result in all traffic entering or egressing the site having to navigate the internal roads. Whilst this may result in a minor inconvenience to residents, it will likely further discourage any through commuter traffic from the A8;
- h) Cycle Parking; There should be a total of 76 spaces to serve the apartment blocks (2 per dwelling unit). This must include a suitable design and space for non- standard cycles (e.g. bike trailers) within the overall provision (note ' wall hanger type not acceptable). The facility must be suitable for easy access. The cycle parking stores proposed for the apartment blocks are not acceptable. The layout is poor and does not allow for proper access and will likely not be usable in the form shown;
- i) Some of the grass verges will need footway links (but see point 2(b) regarding grass service strips);
- j) The junction design proposed at the A8 will require further consideration and discussion. The existing parking lay-by on the A8 will have to be amended to take into account the new junction. The sightlines will have to be checked to ensure compliance with DBRB standards on junction visibility.

The applicant will be required to;

- a. Design, procure and construct a Toucan Crossing on the A8 (Glasgow Road) at a location to be confirmed by Head of Planning, at no cost to the Council. Design to be approved in writing by Head of Planning prior to commencement of any works on the development site and fully commissioned prior to occupation of any dwelling house. Note that the design will likely required the upgrading of the street lighting in the vicinity of the crossing and speed activated advanced warning signs on each approach. (Reason; for residents of the new development to safely access public transport services on the A8 ' reference policies in LDP Del 1 and Tra 1 and LTS Walk1);
- b. Contribute the sum of £2,000 to progress a suitable order to introduce a no left turn (peak hour) on the A8;
- c. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;

d. Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council.

(Note- The applicant should be advised that the successful progression of any Order is subject to statutory consultation and advertisement and cannot be guaranteed);

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

The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;

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;

The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

The application has been assessed under the 2017 parking standards. (zone 3),

These permit;

Car parking spaces:

A maximum of 233 spaces (1.5 per unit for 3 rooms, 2 spaces for 4+ rooms).

Number of spaces proposed is 219, comprising 119 on street (communal) spaces and 100 garage/driveway spaces.

See point 1(f) above with regard to the overall number of car parking spaces.

Motorcycle parking spaces;

A minimum of 6 spaces required (1 per 25 units)

These should be provided on street.

Cycle parking spaces;

A minimum of 76 spaces required. These are for the apartment blocks, the houses will have suitable space within the curtilage of the unit.

The cycle parking layout is not acceptable (see point 2(h) above).

EV Spaces;

The standards require 1 in 6 communal spaces to have EV charging points which would equate to 20 spaces for the 119 on street/parking court spaces.

The provision for the 100-private driveway/garage parking should comprise provision for suitable charging points.

The developer is proposing 20 on street EV spaces, which is in line with the parking standards and provision for charging within the garage/driveways.

It is noted that CEC Environmental Protection have made recommendations relating to EV charging in their consultation response dated 13.02.20 these should be included in conditions or informatives as appropriate.

Note on Transport Assessment

A transport assessment has been submitted in support of the application. This has been assessed by transport officers and is considered a reasonable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments. An addendum to the assessment has been requested to take cognisance of the increase in the number of units.

Affordable Housing comment

1. Introduction

I refer to the consultation request from the Planning service about this planning application.

Housing Management and Development are the statutory consultee for Affordable Housing. Housing provision is assessed to ensure it meets the requirements of the city's Affordable Housing Policy (AHP).

o Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing.

o 25% of the total number of units proposed should be affordable housing.

o The Council has published Affordable Housing Guidance which sets out the requirements of the AHP, and the guidance can be downloaded here:

<https://www.edinburgh.gov.uk/affordable-homes/affordable-housing-policy/1>

2. Affordable Housing Provision

This current proposal is for a development of 132 homes, comprising a mix of houses and flats. The applicant has stated that 33 homes (25%) will be an approved affordable housing tenure. This accords with the requirements of the AHP.

The application was first submitted in 2016. Housing Management and Development provided a consultation response in December 2018. An amended scheme and revised Affordable Housing Statement were submitted in October 2020. This consultation response reflects on the changes that have been made.

The number of homes proposed on the site has increased from 124 to 132. The number of affordable homes has increased from 31 to 33 to reflect the increased density. The mix of affordable housing tenure, type and size has also changed.

Tenure

The amended scheme has a much-improved mix of affordable housing tenures. The number of homes to be delivered by a Registered Social Landlord (RSL) is 24, all of which are expected to be delivered for social rent (73% of the affordable homes).

The previous scheme proposed 21 homes to be delivered by a RSL (12 homes for social rent and 9 for mid-market rent). This significant increase in homes delivered for social rent is welcome as this is the highest priority tenure. It exceeds the expectation of 'Affordable Housing' guidance that 70% of affordable homes should be delivered as social rent.

The applicant has recently engaged with a RSL who is willing to deliver homes for social rent on the site, but the parties are yet to enter into contract. It should therefore be noted that it is yet to be confirmed that the homes will be sold to the RSL at price that would enable social rent.

The other 9 affordable homes (27%) will be provided as Golden Share (homes sold at 80% of market value). This is acceptable as when the application was first submitted the affordable housing guidance that was in place at the time only sought to limit the proportion of affordable homes delivered as Golden Share to below 30%.

Housing Mix and Location

To meet the full range of local housing needs and create more diverse and integrated communities, the Council's guidance on 'Affordable Housing' guidance states that 'a representative mix of house types and sizes should be provided'.

The proposed affordable housing is now comprised of 18 flats (in two connected blocks of nine flats) and 15 houses. There will be 2 one-bed, 22 two-bed and 9 three-bedroom affordable homes. Most of the affordable homes will be in the north-west corner of the site with good access to the public park and public transport links.

The number of three-bedroom affordable units has increased from 8 to 9 in the amended scheme which is a welcome, although small, improvement. However, the proportion of affordable homes that are houses with a private garden rather than flats has fallen from 71% to 45% (15 out of 33 of the affordable homes), in comparison to 82% of the market homes.

The amended scheme is not in line with the Council's guidance on 'Affordable Housing' as the mix of affordable house types and sizes is not representative of the wider development.

It is understood that the high proportion of affordable flats is in response to concerns raised by the Council's Environmental Assessment service about having houses with private gardens in the north-west corner of the site within the airport noise contour. 18 affordable flats with a communal garden are now proposed in this location.

Housing Management and Development asked the applicant to review the proposed mix to see if a more representative mix can be achieved. However, the applicant has stated that the mix can be justified as after several years it is the solution that achieves the best fit with all the objectives and planning and environmental policy requirements. The proposed mix of affordable house types and sizes is supported by a RSL.

Overall assessment

The amended scheme does not meet the requirements of the Council's guidance on 'Affordable Housing' as the mix of affordable house types and sizes is not representative of the wider development.

However, the amended scheme will deliver an increased number of affordable homes on a long-standing housing site in Ratho Station. The amended scheme has a much-improved mix of tenure types, with a significant increase in homes expected to be delivered for social rent across a range of house types and sizes. The proposed mix of affordable house types and sizes is supported by a RSL.

On balance, the provision of affordable housing proposed in the amended scheme is acceptable to Housing Management and Development.

The affordable homes are required to be tenure blind, fully compliant with latest building regulations and informed by guidance such as Housing for Varying Needs and relevant design guides.

It is important to note that this response is on the basis that the future occupants of the 18 affordable flats that are now within or close to the airport noise contour will have appropriate amenity.

3. Summary

The applicant is proposing to provide the 25% (33) of on-site affordable homes in accordance with LDP Policy Hou 6. If planning permission is to be granted this should be secured through a S75 legal agreement.

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Affordable Housing ' Updated Final Response

Housing Management and Development are the statutory consultee for Affordable Housing.

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Housing Mix and Location

To meet the full range of local housing needs and create more diverse and integrated communities, the Council's guidance on 'Affordable Housing' guidance states that 'a representative mix of house types and sizes should be provided'. The proposed affordable housing is now comprised of 18 flats (in two connected blocks of nine flats) and 15 houses. There will be 2 one-bed, 22 two-bed and 9 three-bedroom affordable homes. Most of the affordable homes will be in the north-west corner of the site with good access to the public park and public transport links.

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Overall assessment

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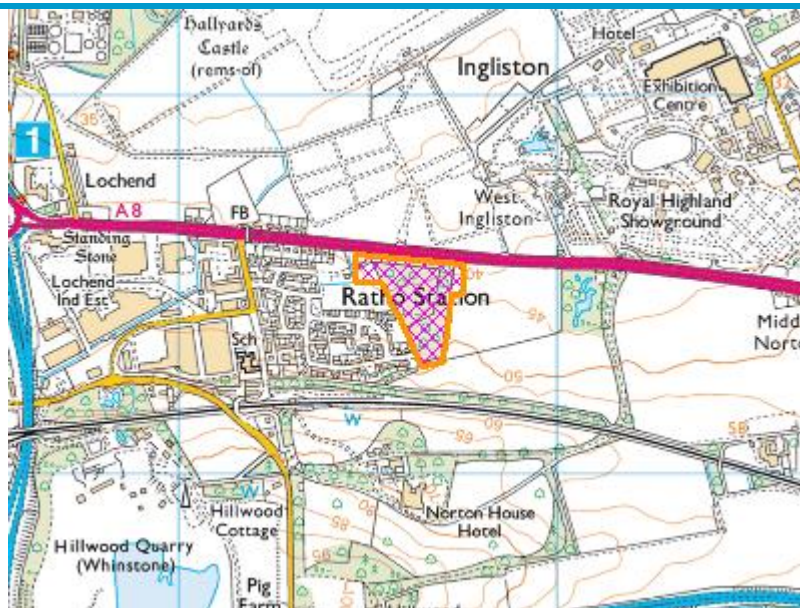
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Location Plan



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END

Development Management Sub Committee

Wednesday 25 November 2020

**Application for Planning Permission 20/01854/FUL
at 23 - 27 Gylemuir Road, Edinburgh, EH12 7UB.
Residential development comprising 126 units, associated
landscaping, access and other ancillary works (as amended).**

Item number

Report number

Wards

B06 - Corstorphine/Murrayfield

Summary

The principle of the residential development in this location is acceptable and complies with the Edinburgh Local Development Plan.

Its approach to design, scale and density is compatible with the surrounding area. The development will provide a good level of amenity to future occupiers and will not adversely impact upon neighbouring amenity or be to the detriment of the natural environment.

The proposal promotes a reduced reliance on car usage and promotes walking, cycling and sustainable modes of transport and therefore, on balance, the proposed design is considered acceptable in terms of Road Safety.

Links

[Policies and guidance for this application](#)

LDPP, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, LDES01, LDES05, LDES06, LDES07, LDES08, LDES11, LEN09, LEN12, LEN16, LEN21, LEN22, LDEL01, NSG, NSGD02,

Report

Application for Planning Permission 20/01854/FUL at 23 - 27 Gylemuir Road, Edinburgh, EH12 7UB. Residential development comprising 126 units, associated landscaping, access and other ancillary works (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 is a 0.93 hectare brownfield site within the urban area to the south of Glasgow Road. The former care home that occupied the site was recently demolished.

The site is bounded on three sides by modern residential flatted developments and townhouses.

To the south and west of the site there are a series of four storey blocks of flats, dating from the early 1990s using a range of materials including brickwork, harling, timber cladding and pitched roof tiles. Further flats built circa 2000, reach four-five storeys and are finished with buff stone, render and flat roofs.

To the north of the site, a development of pitched roof three-storey flats and two-storey houses in buff brick and harling were completed in 2000.

Opposite the north western corner of the site, a small terrace of three- storey townhouses in white render with metal clad mansard style roofs was completed in 2015.

The eastern boundary is formed by Tesco Supermarket with an area of surface parking.

The site is located to the south west of the Corstorphine Local Centre. Gyle Park lies to the west of the site and Gylemuir Primary to the south.

2.2 Site History

25 May 1995 planning permission granted to erect nursing home (planning reference: 95/00540/FUL).

Main report

3.1 Description of the Proposal

The proposal is for the erection of a residential development providing 126 units accommodated within a proposed perimeter building which is focused around a single, large courtyard garden incorporating a communal growing area, a lawn, woodland garden and courtyard.

Accommodation will comprise of the following mix of 93 units for mainstream sale: -

- 10 x one-bedroom units (54 sq.m);
- 50 x two-bedroom units (72/75 sq.m);
- 33 x three-bedroom units (100/107 sq.m)

The proposal will also provide 33 affordable homes (26%) with the following breakdown:

- 14 x one-bedroom units (54 sq.m);
- 12 x two-bedroom units (72/75 sq.m); and
- 7 x three-bedroom units (100/107 sq.m).

The perimeter building encloses the garden to the north and eastern boundary, with the majority of apartments having direct views over the garden.

The proposed block will be predominantly five-storey, dropping to three and four storeys at the northern boundary and rising to six storeys at two locations along the eastern boundary to provide roof level apartments.

The upper two storeys of the eastern, western and southern frontages have a set -back mansard roof. Along the northern boundary, the three-storey section has a series of pitched roofs with gable ends expressed onto Gylemuir Road and the courtyard elevations.

The proposed palette is warm, buff brick. The mansard roofs will be finished in standing seam metal in a complementary colour, with the pitched roofs on the northern elevation finished in standing seam metal similar to the mansards, and brick for the expressed gables. Windows are proposed to be aluminium clad timber, finished to match the roof and mansard metalwork.

A double height external pend bisects the plan on axis with the approach from Gylemuir Road to create visibility into the central courtyard and provide direct access to residents. A 'wally close' is proposed for each of the entrances. These will be clad in glazed green tiles. A secure metalwork gate will control access to the central garden.

A total of 1865 square metres of external amenity space provision will be provided through both the shared central garden and private gardens for ground floor properties. Private terrace gardens are also provided for upper floor flats, all overlooking the central garden.

Inside the central garden, the courtyard is bound by private gardens, facing south and west. These gardens sit 600 mm higher than the courtyard and have green- roofed bike stores incorporated within.

Private garden boundaries will be formed by hedges and timber privacy screens and each garden has stepped access to the courtyard garden, with step free access via the communal cores.

A landscaped shared courtyard will also be formed on the eastern side of the building, accommodating the majority of the development's car parking provision. Entrance to this area is from Gylemuir Road, from the north eastern corner of the site. This is the primary access to the site. This will be a shared space, with the ground surface delineated using changes in paving colour, texture and orientation.

Street trees and planting will create green boundaries along Gylemuir Road, with on street parking and city car club spaces proposed. Again, the private gardens sit 600 mm above the road and accessed via steps

A two-way vehicular access is proposed from the north eastern corner on Gylemuir Road, via Meadow Place Road., with a one-way service vehicle only access from the south. A primary pedestrian and cycle route will run from the north eastern corner to the western side of the development. The proposal has been designed to promote pedestrian and cycle priority, directing people to the courtyard pend access, with entrance trees marking the site entrance for all north, south and west site entrances.

301 cycle spaces are proposed in total (162 spaces in secure lockers, 120 spaces in weatherproof pavilions storage spaces, 3 Cargo bike spaces within the courtyard and 16 visitor cycle parking spaces).

The proposal provides for 51 car parking spaces in total (4 car club bays, 5 on-street parking spaces, 5 private accessible bays with EV charging, 1 on-street accessible bay and 36 private car parking spaces with EV charging).

Refuse stores are located in the parking courtyard on the eastern side. These will have green facades and climbing plants. Servicing arrangements are proposed within this area.

Previous Scheme

The proposal was revised to reduce car parking levels and amend parking arrangements. Revised plans were submitted to reflect these changes.

Supporting Documents

The following supporting documents were submitted as part of the application: -

- Design and Access Statement;
- PAC Report;
- Residential Inclusive Design and Access Statement;
- Daylight and Sunlight Analysis;
- Planning Statement;

- Noise Impact Assessment;
- Affordable Housing Statement;
- Flood Risk Assessment;
- Drainage and Surface Water Statement;
- Geo Environmental Report;
- Ecological and Biodiversity Report;
- Tree Survey;
- Sustainability Statement and
- Servicing Strategy.

These documents are available to view on the planning portal.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposed development is acceptable in principle in this location;
- b) the scale, design and materials are acceptable;
- c) the proposal will provide satisfactory amenity for future residents;
- d) the proposal will adversely affect neighbouring amenity;
- e) the proposal will result in road safety issues;
- f) the proposal will have an adverse effect on air quality;
- g) the necessary infrastructure to support the development is secured;
- h) suitable affordable housing provision is secured;
- i) any flooding and surface water management issues have been addressed;
- j) the proposed development will have any adverse impact upon the ecological importance of the site;
- k) the proposed development will adversely impact upon existing trees on site;
- l) the proposal will have any archaeological implications;
- m) the proposal is sustainable and
- n) issues raised in public comments are have been addressed.

a) Principle

The application site is located in the urban area as designated in the Local Development Plan (LDP). Proposals in the urban area must accord with relevant policies in the LDP.

LDP Policy Hou 1 (Housing Development) prioritises the delivery of housing land supply and the relevant infrastructure and identifies four criterions on where this can be achieved.

Policy Hou 1 d) prioritises the delivery of housing on other suitable sites in the urban area in recognition that windfall sites can contribute to land supply. To comply with Hou 1 d), proposals must be compatible with other policies in the plan.

The site is surrounded by a mix of commercial and residential uses and is well connected by existing public transport links within the locality. The site is within cycling distance of the city centre and is an appropriate and sustainable location for housing.

LDP Policy Hou 2 (Housing Mix) promotes a mix of house types where practical to meet a range of housing needs and having regard to the character of the surrounding area and its accessibility. Edinburgh Design Guidance states that at least 20% of total number of homes should be designed for growing families, with three bedrooms or more. The proposal provides for 40 three-bed units (31%) which exceeds the requirements.

LDP Hou 4 (Density) seeks an appropriate density of development having regard to its characteristics and those of the surrounding area, the need to create an attractive residential environment, accessibility and its impact upon local facilities.

The proposal achieves a density of 135 dwellings per hectare. There is no defining density characteristic of the area. Low to medium density housing is present in the wider area along Glasgow Road, West Craigs and East Craigs. Examples of higher density developments are present within the immediate area with flatted development blocks bounding the site.

The proposal will introduce a high-density development on this site. The development will occupy the majority of the site with an area of external open space in the centre and on the eastern edge of the site. The proposal ensures full use of the site and will create an attractive environment for its residents. A high-density development in this location will help to sustain local facilities including the Corstorphine Local Centre. The site has good public transport links to the city centre.

As such, introducing a development of this density is considered compatible with the higher densities being achieved on brownfield sites in the area, contributing to the viability of the local area, and complying with policy Hou 4.

LDP Policy Hou 3 (Private Green Space in Housing Development) seeks to ensure adequate provision of green space will be provided to meet the needs of future residents. In flatted developments where communal provision will be necessary this is based on a standard of 10 square metres per flat (excluding units that are provided private gardens), a minimum 20% should be useable greenspace.

Each of the 23 ground floor dwellings is provided with a private garden. For flats without a private garden, the courtyard will provide 1790sq.m of amenity space, equating to 17.5 sq.m per flat, in excess of Edinburgh Design Guidance. Overall, the private gardens and central garden provide a combined 1865sq.m of greenspace, equating to 20% of the 0.93h site, in compliance with Hou 3.

The site is also adjacent to Gyle Park with pedestrian links to it.

Overall, the proposal provides an opportunity to provide new housing in a sustainable location, in compliance with LDP Policy Hou 1. The development proposed makes best use of this site by developing at high density whilst still being compatible with LDP policies Hou 2, Hou 3, and Hou 4.

b) Design, Scale, Layout and Materials

LDP Policy Des 1 (Design Quality and Context) supports new development where the design reflects the positive characteristics of the area. LDP Des 4 (Design- impact on Setting) requires new development proposals to have similar characteristics to the surrounding urban grain, paying close attention to scale, height and positioning of buildings, materials and detailing.

The Edinburgh Design Guidance (EDG) sets out key aims for new development to have a positive impact to the immediate surroundings, through its height and form; scale and proportions; positioning of the buildings and site materials and detailing.

The surrounding area is of mixed character which varies in style and material palette with no prominent architectural style in the area. There is a mix of modern, post war and older buildings in the area.

The proposal, in terms of layout and form, has been designed to define the northern and eastern edges and create a block with a large garden in the centre, and a landscaped courtyard running along the eastern side of the development. This approach contributes to the urban form by continuing a strong active frontage along Gylemuir Road, with private gardens for ground floor properties providing a green edge to the site boundary.

LDP Policy Des 7-Layout and Design seeks a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces. The proposed layout will encourage walking and cycling through the scheme. A footway/cycle route will run through the development and connect to the existing public footway on the western edge of the development, ensuring permeable access to residents and neighbouring residents.

Shared spaces are proposed between pedestrians, cyclists and motorised traffic, with textured surfaces and street furniture ensuring convenient access and movement and around the development, largely in compliance with Des 7.

With regards to height and mass, the development has been designed in response to the height and domestic scale of these adjacent properties. The proposed residential block will be predominantly five-storey, dropping to three and four storeys at the northern boundary where residential properties are adjacent. The building will rise to six-storeys at two locations along the eastern boundary to provide roof levels apartments where the site is bound by a commercial use.

The upper two storeys of the eastern, western and southern frontages have a set-back mansard roof that reduces the visual impact of the building,

The proposed buildings have been designed to respect the adjacent neighbouring uses which it bounds. Overall, it is appropriate in height given the context of the site and the various heights of existing flatted developments within the locality.

A study of views was submitted as part of the application and confirm that the proposal will not impact upon any protected views in line with LDP Des 11 (Tall Buildings). Furthermore, local view illustrations have been submitted to show the proposed development in the context of its surrounds, and the development will not appear visually incongruous within the street-scene.

In terms of materials, the proposed palette is appropriate for residential development and is compatible with the area. The articulation of materials on the elevations, creating texture to the lower floors and finishing the top floors with a contrasting material finish successfully reduces the visual massing of the elevations of the buildings.

Overall, the design respects the surrounding urban pattern, scale and height and massing and creates an active and attractive frontage, in compliance with LDP Policies Des 1, Des 4, Des 7 and Des 11 and the Edinburgh Design Guidance.

c) Creation of a Satisfactory Living Environment

Policy Des 5 (Development Design- Amenity) states that development will be permitted where future occupiers have acceptable levels of amenity.

The proposed has been designed around providing quality amenity and green space for residents. The proposal complies with Hou 3 (Private Green Space in Housing Development) and exceeds the requirements of the Edinburgh Design Guidance, ensuring a good quality living environment for future residents. The proposed units all comfortably exceed the minimum internal floor areas set out in guidance.

In terms of daylight, submitted analysis confirms that the proposed rooms will achieve a satisfactory level of daylight complying with Vertical Sky Component and Average Daylight Factor methods, in compliance with Edinburgh Design Guidance. Apartments have full height windows to inhabitable rooms and the majority of the properties have one or more aspects.

The courtyard garden has an open south western aspect which will maximise sunlight. Sunlight analysis was submitted which confirmed the courtyard will achieve sufficient sunlight with more than 50% of the proposed area receiving at least three hours of sunlight during the throughout the day during the Spring Equinox. Given the dense urban location and its accessibility to public greenspace, this is acceptable.

A Noise Impact Assessment was undertaken to assess the potential impact of the adjacent commercial use on the amenity of future occupiers. This included the potential noise disturbance caused by the Tesco supermarket, rooftop refrigeration plant and air source heat pumps and the car garage.

The submitted NIA concludes that noise disturbance is unlikely and that noise from the supermarket will not impact upon the proposed development.

Two air source heat pumps will be located on the roof of the new development. These will be located behind screens. These screens will conceal the proposed properties both visually and partially from noise and be located approximately 40m from any adjacent property. The noise impact assessment considers the plant noise and specifies maximum allowable noise levels at 1m from each plant enclosure to ensure compliance with the Council's required NR 25 criteria. An informative is recommended to ensure compliance with this criterion.

In terms of waste collection and storage, the proposal does not raise any issues and is in compliance with LDP Policy Des 5.

Overall, the proposal will result in the creation of a satisfactory residential environment and complies with LDP Policy Des 5. The proposal will provide quality amenity space for residents, in compliance with LDP Policy Hou 3 and Edinburgh Design Guidance.

d) Impact upon Neighbouring Amenity

LDP Policy Des 5 (Design-Amenity) supports proposals that have no adverse impact on neighbouring developments.

In this instance, the proposed windows comply with Edinburgh Design Guidance in relation to required distance to neighbouring windows and therefore raise no privacy issues. The proposed development completes the street elevation and is characteristic of the typical distances between properties across the urban street.

The proposal will not adversely impact upon daylight into neighbouring residential properties. Assessment of the impact upon existing properties adjacent to the site, included properties to the along Gylemuir Road.

This modelled the existing condition and the proposed condition. The modelling confirmed that no additional windows fall below the minimum Visible Sky Component to the North and West and only one ground floor window falls below, to the South on Gylemuir Road. Notwithstanding this, modelling shows that for windows that remain below, the VSC is greater than 0.8 of its former value and therefore compliant with policy.

The proposal therefore achieves the required level of daylighting via the Vertical Sky Component method.

In terms of overshadowing, sunlight analysis was carried out upon neighbouring properties and is acceptable for a site in the urban area. More than 50% of the existing garden ground of the neighbouring properties receiving at least three hours of sunlight during the Spring Equinox, in compliance with policy. No residential properties will therefore be adversely affected by the proposal.

Overall, the proposal is compliant with LDP Policy Des 5 and the Edinburgh Design Guidance and will not be to the detriment of neighbouring residential amenity.

e) Road and Pedestrian Safety

The site is accessed by vehicles from Glasgow Road, via Meadow Place Road onto Gylemuir Road. Pedestrian footways run along this route, as well as having direct access to Glasgow Road via an existing footway through a housing development to the north of the site.

The site is accessible by public transport- Lothian service 1, 12, 21 on Meadow Place Road and Lothian service 12, 26, 31, Airlink 100, Scottish Citylink 909 on St John's Road and Glasgow Road.

A transport statement has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network.

The submitted document is generally in line with the published guidelines on transport assessments. A total of 46 vehicular trips (two-way) are predicted during the weekday AM peak hour and 31 during the weekday PM peak hour. The modelling predicts that Gylemuir Road/Meadow Place Road junction will operate under capacity with RFC 0.33 and a queue of 1pcu for the Gylemuir Road right turn movement during the evening peak hour.

LDP Policy Tra 2 (Private Car Parking) requires proposed car parking levels to not exceed the maximum levels stipulated in Council's guidance. Developers are encouraged to pursue lower levels of parking.

The proposal provides for 51 car parking spaces (4 car club bays, 5 on-street parking spaces, 5 accessible bays with EV charging, 1 on-street accessible bay and 36 car parking spaces with EV charging).

The proposed level of car parking is justified by the sites accessibility to public transport including bus and rail services and easy access to surrounding services and amenities. The proposed level of parking provision falls below the maximum standards set out in the Council's parking standards which is encouraged.

The applicant proposes 301 cycle spaces, to be stored within secure cycle lockers, weatherproof pavilions, Cargo bike spaces within the courtyard and visitor parking spaces. This complies with the Council's minimum cycle parking requirement of 292 cycle spaces for a development of this scale. As such, the proposal complies with LDP Policy Tra 3 (Private Cycle Parking).

As such, the proposal complies with the relevant LDP policies in terms of car parking and cycle parking provision.

Notwithstanding the above, the Roads Authority has raised concerns with regards to the proposed car parking arrangements, particularly relating to layout and design.

LDP Policy Tra 4 (Design of Off-Street Car Parking and Cycle Parking) require proposed cycle and storage provision to comply with the standards set out in council guidance. The design is contrary to this policy as it states the design of surface car parking or entrances to car parking in buildings should not compromise pedestrian safety and should assist their safe movement to and from parked cars, for example, by the provision of marked walkways. In this instance, there is not a designated route for pedestrians through the landscaped private car parking area on the eastern edge of the site. As such, the Roads Authority has objected to the proposal as it does not provide footway connectivity.

Further, Policy Tra 9 Cycle and Footpath Network Planning permission will not be granted for development which would obstruct or adversely affect a public right of way or other route with access rights unless satisfactory provision is made for its replacement. Concern was raised that the internal footway linking Gylemuir Road is designed as private access and does not provide/guarantee public right of access to both prospective tenants and general public. This is an important active travel route which provides direct access to the TESCO supermarket.

In light of the above comments, it is acknowledged that the proposed design does not fully comply with the principles of both Edinburgh Street Design Guidance and Local Development Plan, Alternative design options were submitted by the applicant in effort to alleviate these concerns, with this proposed plan being considered the most suitable design for the site.

The layout offers an existing pedestrian route around the site, as well as a safe permeable route through the development for use of both residents and the public from the west to north eastern corner. The applicant proposes to impose a perpetuity covenant to ensure this access is always open to the public as a through route for cycles and pedestrians.

Whilst car parking provision is located within a shared space and not separate designated spaces, effort has been made to promote this route for safe access and walking through the use of street textures, colours and paving. A condition is recommended requiring full details of these surface finishes to be submitted to allow these to be fully considered by the planning authority to ensure pedestrian safety is achieved.

Neighbouring properties to the south are able to walk on the existing footway along the western side of the development, and continue on for access to Glasgow Road, or use the proposed footway through the development from the western entrance to the north eastern corner to access amenities to the east. Furthermore, the route running north to south on the eastern side of the development will provide a direct route through for the households from the south whom already enjoy a direct access into Tesco's Car park

Overall, the proposal promotes a reduced reliance on car usage and promotes walking, cycling and sustainable modes of transport, with bus stops located along St Johns and Glasgow Road, a short walk away, as well as access to primary cycle routes which connect to city centre. The proposed development will be more permeable than the previous development on the site.

Therefore, on balance, the proposal is considered to be an acceptable design approach for this location.

The Council's Waste Service is satisfied with the proposals for Waste and Servicing arrangements.

f) Air Quality

The site is within a designated Johns Road Air Quality Management Area.

LDP Policy Env 22 (Air Quality) aims to ensure that no development will result in significant adverse effects for health, environment or air quality and appropriate mitigation measures can be provided to minimise the adverse impacts. Reducing the need to travel and promoting the use of sustainable modes of transport are key principles identified in the local development plan.

Environmental Protection was consulted on the proposal. The site has excellent public transport links and so a development within an air quality management area would be expected to at the very least attempt to ensure that the development was impact neutral. Its location adjacent to St Johns Road has potential to adversely impact upon congestion in the locality.

The development has been designed to mitigate operation impacts through the provision of cycling spaces and limited car parking which is good practice. The application was amended to provide less car parking spaces which is supported by Environmental Protection.

A Green Travel Plan will be prepared by the applicant which promotes sustainable transport modes. As such the proposal meets the requirements of LDP Env 22.

g) Developer Contributions

This site falls within Sub-Area W3 of the 'West Education Contribution Zone'. A contribution of £196,350.00 is sought for additional educational infrastructure to support the projected increase in school rolls as a result of the development.

In terms of healthcare provision, the site falls within the West Edinburgh (Area 12). At £1,050 per dwelling, a contribution of £132,300 is required towards new practice accommodation in the area.

A legal agreement will be required to secure these funds.

The proposals comply with Policy Del 1 (Developer Contributions).

h) Affordable Housing

Policy Hou 6 (Affordable Housing) in the Edinburgh Local Development Plan states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing. 25% of the total number of units proposed should be affordable housing.

There is a requirement for a minimum of 25% (31) homes of approved affordable tenures.

The applicant has submitted an Affordable Housing Statement which confirms that 33 affordable homes will be provided on-site. This exceeds the minimum requirement at 26%.

The application was submitted on the basis of five 3-bedroom properties. This has been increased to seven 3- bedroom; the inclusion of the two additional 3-bedroom units.

Affordable Housing will be provided with in the following mix: -

- 14 x one -bedroom flats
- 12 x two-bedroom houses
- 7 x three- bedroom houses

The proposed tenure split was for 19 units to be for social rent and 14 units to be for mid-market rent. Liaison with the CEC Affordable Housing Team has confirmed that commuted sums funding will be available to allow all 33 units to be secured for social rent. This exceeds policy requirements which asks for at least 70% of affordable units on site to be social rent.

This is not entirely representative of the mix on the wider site. However, the proposal and this mix is fully supported by the Affordable Housing Team.

The housing mix above meets the priority housing needs as identified in the HNDA and includes the following:

- a) a mix of housing size and type that is acceptable to Dunedin Canmore and is representative of that provided by the market housing;
- b) is tenure blind and
- c) will provide 100% Social Rent (highest priority).

In the interests of delivering mixed, sustainable communities, the affordable homes will be integrated and "tenure blind" in appearance. The flatted units will be contained in one block and accessed from a single stair core to allow effective management. 31 of the 33 units will delivered in a discrete stairwell to the south of the site, in line with Dunedin Canmore management requirements. The final two units are located on the ground floor with private access.

The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal. The tenure of the affordable housing is required to be agreed by the Council and this would be outlined in a Section 75 Legal Agreement.

The proposal is in compliance with LDP Policy Hou 6 Affordable Housing.

i) Flood Risk and Surface Water Management

Policy Env 21 (Flood Prevention) states that planning permission will not be granted for development that would increase a flood risk or be at a risk of flooding itself, impeded the flow of flood water or be prejudice to existing or planned flood defence systems.

Scottish Environmental Protection Agency (SEPA) initially objected to the proposal on the grounds of potential flood risk.

A detailed Flood Risk Assessment (FRA) demonstrating that the built development will be located outwith the functional floodplain and there will be flood free access and egress for residents was requested. Further information including an assessment of the Stank Burn Culvert and hydrological information for the site was also requested, reviewed and accepted by SEPA.

In light of the above, SEPA subsequently removed their objection. The Council's Flood Prevention Team is satisfied with the proposal and raises no objection.

Green roofs are proposed throughout the development to attenuate surface water. A condition is recommended requiring the submission of a maintenance schedule for SUDS infrastructure, for the approval of the Planning Authority.

Overall, the proposal has been designed to mitigate potential flood risk and accords with LDP Policy Env 21.

j) Ecology

LDP Policy Env 16 (Species Protection) aims to ensure development will not be to the detriment to the maintenance of a protected species and suitable mitigation is proposed. An Ecological and Biodiversity Report as undertaken and submitted as part of the application. This includes potential enhancement measures to improve the scheme for biodiversity.

The proposal is in compliance with LDP Env 16.

k) Trees

LDP Policy Env 12 (Trees) ensures the protection of trees.

There are existing mature trees on site. As such a tree survey was undertaken and trees removed as per its findings.

There is no Tree Preservation Order in place and as such the existing trees are not protected. Notwithstanding this, a tree protection plan has been submitted to ensure the protection of the remaining trees on the site during construction.

The proposal includes new planting to provide new trees throughout the development, which exceeds the existing number of existing trees on site. Street trees are proposed along Gylemuir Road, with trees proposed at each entrance to create an attractive streetscene. Various tree types are proposed within the woodland garden.

As such, the proposal complies with Env 12.

l) Archaeology

LDP Policy ENV 9 (Development Sites of Archaeological Significance) aims to protect archaeological remains.

Accordingly, the aim should be to preserve archaeological remains in situ as a first option.

A condition is recommended that a programme of archaeological work is undertaken during the demolition/development of this area to fully excavate, record and analysis any significant remains that may be uncovered.

m) Sustainability

The applicant submitted a sustainability statement in support of the application.

The site is located in an urban area with excellent public transport links, allowing a reduced reliance upon the car. Parking provision includes 100% charging points for electric vehicles and 100% on-site cycle storage further encourages sustainable modes of transport to the residents.

The inclusion of greens roofs utilised throughout to make use of rainwater and provide enhanced biodiversity.

The proposal accords with LDP Policy Des 6 'Sustainable Buildings'.

n) Public Comments

Material Comments- Objections

- Potential Flood Risk. This matter is addressed in Section 3.3j;
- Car parking levels: not enough parking and too much parking. This matter is addressed in Section 3.3e;
- Concern regarding `Blue parking spaces on north side of development and proximity to corner, 90- degree bend and limited visibility. Revised plans submitted to remove these spaces;
- Pedestrian Safety. This matter is addressed in Section 3.3e;
- Traffic congestion and impact on air quality and road safety. This matter is addressed in Section 3.3e and 3.3f;

- Concern regarding the One- Way system within development will not be a good idea as it then forces all vehicles to exit past existing houses and using it as a rat run through the site. This matter is addressed in Section 3.3e;
- Concern relating to collection of traffic data collected and if collected during Covid-19 restrictions that may underestimate traffic levels. This matter is addressed in Section 3.3e. Survey carried out prior to Covid-19 Lockdown;
- Inclusion of single aspect flats. This matter is addressed in Section 3.3c;
- Over-intensification and density. This matter is addressed in Section 3.3a, 3.3b;
- Height and design out of character. This matter is addressed in Section 3.3b;
- Daylight and Overshadowing. Addressed in Section 3.3d;
- Impact upon outlook and privacy. This matter is addressed in 3.3d;
- Removal of trees. This matter is addressed in Section 3.3k;

No programme of archaeological works submitted. This matter is addressed in Section 3.3j;

- Concern raised that only one PAN event held and proposed second event cancelled. This meets the PAN requirements. Any additional events are at the developer's discretion. Public comments were able to be submitted as part of the application process;
- Impact on healthcare and school infrastructure. Contributions sought towards additional provision. This matter is addressed in Section 3.3g; and
- Lack of EV chargers. This matter is addressed in Section 3.3e and Section 3.3f;

Material Comments- Support

- This is a great development which considers environmental and social aspects of day-to-day life;
- Inclusion of cycle parking provision;
- Welcomed EV charging facilities;
- Usage of communal space, approach to car usage and other initiatives are in line with what us, local residents, would want to see in any future projects; and
- Expressed desire for more developments like this around city.

Non-material Comments

- Impact upon existing views. Not a planning matter;
- Impact of construction vehicles on road traffic, noise and dust during construction. Not a matter controlled though the planning process;
- Addition of so many unknown residents could be harmful to community;
- Bike sheds will encourage crime in area; and
- Concern regarding removal of double yellow lines removed from the north. This matter is not controlled through the planning process.

Conclusion

The principle of the development in this location is acceptable and complies with the Local Development Plan. The proposed scheme will create a sustainable residential development.

Its approach to design, scale and density is compatible with the surrounding area. The development will provide a good level of amenity to future occupiers and will not adversely impact upon neighbouring amenity or be to the detriment of the natural environment.

The proposal promotes a reduced reliance on car usage and promotes walking, cycling and sustainable modes of transport and therefore, on balance, the proposed design is considered acceptable in terms of Road Safety.

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

3.4 Conditions/reasons/informatives

Conditions: -

1. Prior to the commencement of work, a detailed specification, including trade names where appropriate, of all proposed external materials shall be submitted to and approved in writing by the Planning Authority. Note, sample panels may be required.
2. Prior to the commencement of construction works on site:
 - (a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - (b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning

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

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

4. Prior to commencement of development, the developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority. The approved schedule shall thereafter be implemented.
5. Prior to commencement of development, full details of proposed road surface finishes within the shared space (including paving, texture and colour) shall be submitted to the Planning Authority and agreed in writing. Sample panels may be required.

Reasons: -

1. In order to enable the Planning Authority to consider these matters in detail.
2. In the interests of public safety.
3. In order to safeguard the interests of archaeological heritage
4. In order to enable the Planning Authority to consider this/these matter/s in detail.
5. In the interest of pedestrian safety.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation all of those matters identified in the proposed Heads of Terms. -

These matters are:

A total of 33 units are proposed for Affordable Housing units, equating to 26% in accordance with LDP Policy Hou 6 'Affordable Housing'. The units will be tenure blind.

The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal. The tenure of the affordable housing is required to be agreed by the Council and this would be outlined in a Section 75 Legal Agreement. The applicant has engaged with a Registered Social Landlord (RSL) about the affordable housing delivery, the intention is that all 33 of the proposed affordable homes will be available for social rent.

This site falls within Sub-Area W3 of the 'West Education Contribution Zone'. A contribution of £196,350.00 is sought for additional educational infrastructure to support the projected increase in school rolls as a result of the development.

In terms of healthcare provision, the site falls within the West Edinburgh (Area 12). At £1,050 per dwelling, a contribution of £132,300 is required towards new practice accommodation in the area.

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

- 1 The applicant will be required to;
 - a. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
 - b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
 - c. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £23,500 (£1,500 per order plus £5,500 per car) towards the provision of 4 car club vehicles in the area;

A legal agreement will be required to secure these funds.

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

5. Environmental Protection Informatives

All private parking spaces shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be installed and operational in full prior to the development being occupied (as shown on Rowanbank Gardens Parking proposals Summary and dated 25 August 2020).

6. Roads Authority Informatives

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

The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;

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), 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;

Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;

Works affecting adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation.

A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

7. Scottish Water Informatives

A drainage impact assessment (DIA) will be required to assess the impact of this development on our network. A water impact assessment may be required but this will be determined upon receipt of a Pre-Development Enquiry form.

The applicant should be aware that we are unable to reserve capacity at our water and/or wastewater 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.

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal 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.

8. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

There have been 87 representations made in relation to the proposal.

Support (5)

General (2)

Objections (80)

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 Adopted Edinburgh Local Development Plan.

Date registered

1 May 2020

Drawing numbers/Scheme

01 ,02, 03A, 04, 05B, 06A, 07A, 08A, 09A, 10A, 11-20, 21A, 22A, 23A, 24A,25,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:**Relevant policies of the Local Development Plan.**

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

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

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

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

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

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

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

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

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

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

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

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

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

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

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

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

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

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

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

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.

Appendix 1

Application for Planning Permission 20/01854/FUL At 23 - 27 Gylemuir Road, Edinburgh, EH12 7UB Residential development comprising 126 units, associated landscaping, access and other ancillary works (as amended).

Consultations

Archaeology comment

The recording of lacustrine deposits with bands of peat by Geovia with at least three of boreholes (see BH 1, 2 & 4 within their Geo-environmental Desktop report dated Nov 2019) suggest that the site overlies the site of the former Gogar Loch/Gogarmire. The true extent of this feature is not fully understood as it was finally drained during the 17th century, however this shallow body of water formed an important landscape feature between South Gyle and the medieval village of Corstorphine dictating the location of settlements and transport routes. Excavations around which have shown it to be not only a focus for prehistoric and early medieval settlement and farming but the loch deposits themselves are also regarded as an important source of historic environmental information dating back to the last Ice-Age.

Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, HES's Historic Environment Policy for Scotland (HEPS) 2019 and 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.

Although the area has been significantly affected by the construction and demolition of the recent care-home, the recording of probable deposits relating to the former prehistoric is archaeologically significant. Such deposits are archaeologically important, as they can provide significant information in mapping the extent of this important body of water through time and regarding both past environment and land-use changes in West Edinburgh perhaps as far back as the last Ice-Age, c.12,000BC. It is recommended therefore that prior to development that a programme of archaeological work is undertaken to excavate, record and analyse these Palaeo-loch (lacustrine) deposits.

It is recommended that this programme of archaeological works is secured by the following CEC condition;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis, reporting

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.

SEPA comment

Advice for the planning authority

We object to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy.

In summary we wish to receive clarification on the following points before we would consider removing our objection to the proposed development:

o A detailed Flood Risk Assessment (FRA) demonstrating that the built development will be located outwith the functional floodplain and there will be flood free access and egress for residents.

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 therefore wish to consider if this proposal falls within the scope of this Direction.

1. Flood risk

1.1 We previously requested, during pre-application discussions with the applicant, that a detailed Flood Risk Assessment (FRA) be carried out and detailed development plans be provided in support of any planning application.

1.2 Review of the SEPA Flood Map (Scotland) 200-year flood outline (i.e. the flood with a 0.5% chance of occurring in any single year) indicates that this area lies within this envelope and as such is potentially at risk of fluvial flooding from the Gogar Burn. A small watercourse called The Stank flows to the south of the site within a culvert. The SEPA flood maps do not take into account small catchments below 3km² as noted in our caveats. Consequently, the application site may be at flood risk from this watercourse although not shown on the SEPA Flood Map. The risk from this watercourse will need to be investigated further through a detailed Flood Risk Assessment (FRA).

1.3 We therefore suggest that the applicant undertakes a detailed FRA. Model output should include the 1 in 200 year flood levels and extents from both the Gogar Burn and The Stank. The results of this FRA should inform the developable area and minimum finished floor level (FFL) as the avoidance of risk is the cornerstone of sustainable flood risk management. The FRA should take into account appropriate

culvert blockage scenarios. Please note that FFLs should also take into account climate change allowances for the location in addition to appropriate freeboard allowance.

1.4 As the care home no longer exists at this location, we consider this to be an increase in vulnerability (from vacant site, to highly vulnerable) according to SEPA vulnerability guidance.

1.5 The Planning Statement states that a stage 1 FRA was undertaken for the site. It proposed that finished floor levels are raised by 600mm from existing site levels. The SEPA Flood Map only provides an indication of areas at risk to flooding and should not be used to inform development layout or finished floor levels as noted in our caveats. We do not support development within the functional floodplain as this may impact upon the storage and conveyance capacity and increase the risk of flooding elsewhere. We will consider removing our objection, should a satisfactory detailed flood risk assessment demonstrate that the development will be outwith the functional floodplain and there is flood free access and egress for residents. Please be aware that a detailed FRA may only serve to confirm that this site is not suitable for residential development

Detailed advice for the applicant

2. Flood risk

2.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland.

2.2 We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments. Please note that this document should be read in conjunction with Policy 41 (Part 2).

2.3 Our Flood Risk Assessment Checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process.

2.4 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.

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

SEPA comment updated

Further to receiving an assessment of the Stank Burn Culvert, confirmation that the suite of scenarios in the assessments have been run with conservative estimates and further information regarding the hydrological information for the site, notably the catchment area, we are now in a position to remove our objection to the proposed development on flood risk grounds.

Notwithstanding the removal of our objection, we would expect the City of Edinburgh Council to undertake their responsibilities as the Flood Risk Management Authority.

Communities+Families comment

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (August 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (February 2020).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the finalised Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (August 2018).

Assessment and Contribution Requirements

Assessment based on:

102 Flats (24 one bedroom flats excluded)

This site falls within Sub-Area W-3 of the 'West Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.

The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed.

The proposed development is therefore required to make a contribution towards the delivery of these actions based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.

If the appropriate infrastructure and land contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required:
£196,350

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Roads Authority Issues

The application should be continued.
Reasons:

I. The internal road linking Gylemuir Road to the north and south is required to be road and RCC will be required. Exit for service vehicle only can not be enforced because such order does not exist. The link further serves an important walking route and cannot be private access contrary to Policy Des 7 Layout and Design- pedestrian route could be restricted by private access (Gated community by default of being private access). The implication is that all the parking spaces along the road becomes on-street parking spaces and can not be allocated to the development.;

II. The design is dominated by parking and compromises pedestrian movement along the internal road. The applicant should consider reducing the level of car parking spaces and increase soft landscape area - street scene should not be dominated by parking as recommended by EDG and is contrary to Policy Tra 4 Design of Off-Street Car and Cycle Parking and Policy Des 7 Layout and Design. The area is adjacent St John's Road Air Quality Management Area and lower car parking provision and more EV charging spaces are encouraged;

Should you be minded to grant the application, the following should be included as conditions or informative as appropriate;

1. The applicant will be required to;
 - a. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
 - b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
 - c. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £23,500 (£1,500 per order plus £5,500 per car) towards the provision of 4 car club vehicles in the area;
2. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
3. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;

4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

5. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;

6. Works affecting adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits
http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

7. 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;

Note:

a) A transport assessment has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments. A total of 46 vehicular trips (two-way) are predicted during the weekday AM peak hour and 31 during the weekday PM peak hour. The modelling predicts that Gylemuir Road/Meadow Place Road junction will operate under capacity with RFC 0.33 and a queue of 1pcu for the Gylemuir Road right turn movement during the evening peak hour.

b) The applicant proposes 55 car parking spaces, including 4 car club bays, 5 accessible bays and 9 EV charging spaces in Zone 2.

c) The applicant proposes 301 cycle spaces, (secure cycle lockers=162 spaces, weatherproof pavilions storage spaces = 120 (4X30), Cargo bike spaces within courtyard=3, visitor cycle parking spaces= 16) and does comply with the Council's minimum cycle parking requirement of 292 cycle spaces;

d) The site is accessible by public transport- Lothian service 1, 12, 21 on Meadow Place Road and Lothian service 12, 26, 31, Airlink 100, Scottish Citylink 909 on S't John's Road),

e) The applicant proposes continuous footway on the site access junction with Ferrymuir Road to prioritise pedestrian movement.

Roads Authority Issues updated

The application should be refused.

Reasons:

1. The design is contrary to LDP Policy Des 7 Layout and Design - Planning permission will be granted for development where:

a) a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces, services and SUDS features has been taken

b) new streets within developments are direct and connected with other networks to ensure ease of access to local centres and public transport and new public or focal spaces are created where they will serve a purpose

c) the layout will encourage walking and cycling, cater for the requirements of public transport if required and incorporate design features which will restrict traffic speeds to an appropriate level and minimise potential conflict between pedestrians, cyclists and motorised traffic

e) safe and convenient access and movement in and around the development will be promoted, having regard especially to the needs of people with limited mobility or special needs

f) public open spaces and pedestrian and cycle routes are connected with the wider pedestrian and cycle network including any off-road pedestrian and cycle routes where the opportunity exists.

2. The design is contrary to LDP Policy Des 5 Development Design - Amenity Planning permission will be granted for development where it is demonstrated that:

d) a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms

3. The design is contrary to Policy Tra 4 Design of Off-Street Car and Cycle Parking

d) the design of surface car parking or entrances to car parking in buildings should not compromise pedestrian safety and should assist their safe movement to and from parked cars, for example, by the provision of marked walkways.

4. Policy Tra 9 Cycle and Footpath Network Planning permission will not be granted for development which would:

c) obstruct or adversely affect a public right of way or other route with access rights unless satisfactory provision is made for its replacement

Explanation - the design does not comply with above LDP Policies due to the following reasons;

i. The internal footway linking Gylemuir Road to the north and south is designed as private access and does not provide/guarantee public right of access to both prospective tenants and general public,

ii. This important active travel route which provides direct access to the TESCO supermarket and other important facilities can be blocked/stopped by the applicant after planning application is granted despite assurances given by applicant to guarantee public rights of access;

iii. The design will not be built to RCC standards to ensure that the footway is built to Council's standards for public safety.

iv. The design is driven by applicant's desire to have private parking spaces instead of respecting designing principles of both Edinburgh Street Design Guidance and the

Designing Streets Guidance which prioritise walking and cycling over car use by ensuring that new developments are well connected to the existing by active travel routes;

v. Other design options submitted by the applicant to alleviate transport concerns are contrary to other planning policies and the proposed internal east west route is considered complementary but not substitute for this important active travel route;

vi. The current proposal could lead to gated community, restricted pedestrian access and sub-standard active travel route with concerns for pedestrian safety.

Should you be minded to grant the application, the following should be included as conditions or informative as appropriate;

1. The applicant will be required to;

a. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;

b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;

c. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £23,500 (£1,500 per order plus £5,500 per car) towards the provision of 4 car club vehicles in the area;

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

3. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;

4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

5. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;

6. Works affecting adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

7. 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;

Note:

- a) A transport assessment has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments. A total of 46 vehicular trips (two-way) are predicted during the weekday AM peak hour and 31 during the weekday PM peak hour. The modelling predicts that Gylemuir Road/Meadow Place Road junction will operate under capacity with RFC 0.33 and a queue of 1pcu for the Gylemuir Road right turn movement during the evening peak hour.*
- b) The applicant proposes 51 car parking spaces (4 car club bays, 5 on-street parking spaces, 5 accessible bays with EV charging, 1 on-street accessible bay and 36 car parking spaces with EV charging) in Zone 2.*
- c) The applicant proposes 301 cycle spaces, (secure cycle lockers=162 spaces, weatherproof pavilions storage spaces = 120 (4X30), Cargo bike spaces within courtyard=3, visitor cycle parking spaces= 16) and does comply with the Council's minimum cycle parking requirement of 292 cycle spaces;*
- d) The site is accessible by public transport- Lothian service 1, 12, 21 on Meadow Place Road and Lothian service 12, 26, 31, Airlink 100, Scottish Citylink 909 on S't John's Road),*
- e) The applicant proposes continuous footway on the site access junction with Ferrymuir Road to prioritise pedestrian movement.*

Flood Prevention comment

I have reviewed the updated FRA and have the following comments. I have also included my previous comments that I believe are yet to be addressed.

- 1. It may be useful to conduct some sensitivity tests on the Stank Burn flood risk assessment to help manage uncertainty in the assessment and help inform the freeboard and finished floor level.*
- 2. Could you confirm the proposed finished floor level of the development?*
- 3. The Gogar Burn flood risk assessment considers a 35% uplift to account for climate change. Our latest guidance requests a 40% uplift be used to consider climate change. Could you confirm the site is also outside of the Gogar Burn 1:200-year+40%CC flood extent?*
- 4. Please confirm who will adopt and maintain the surface water system, including SuDS and the underground storage tank.*

Flood Prevention comment updated

I have reviewed the additional information provided by the applicant. This satisfies CEC Flood Prevention's comments. However, we would recommend speaking with SEPA to confirm whether the updated FRA satisfies their concerns. This application can proceed to determination, with no further comments from our department.

Affordable Housing comment

1. Introduction

I refer to the consultation request from the Planning service about this planning application.

Housing Management and Development are the statutory consultee for Affordable Housing. Housing provision is assessed to ensure it meets the requirements of the city's Affordable Housing Policy (AHP).

o Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing.

o 25% of the total number of units proposed should be affordable housing.

o The Council has published Affordable Housing Guidance which sets out the requirements of the AHP, and the guidance can be downloaded here:

<https://www.edinburgh.gov.uk/affordable-homes/affordable-housing-policy/1>

2. Affordable Housing Provision

This application is for a development comprising 126 residential flats. There is an AHP requirement for a minimum of 25% (31) homes of approved affordable tenures.

The applicant has submitted an 'Affordable Housing Statement' which confirms that 33 affordable homes will be delivered on-site. This is welcome as it exceeds the minimum requirement of the AHP. The 33 homes are in one block at the southern end of the site.

The number of affordable homes that are proposed increased from 31 during the application process. The applicant responded positively to a concern raised by Housing Management and Development that the mix of affordable home sizes was not entirely representative of the wider site by providing two additional three-bedroom affordable homes on the ground floor.

7 (23%) of the affordable homes required by the AHP now have three-bedrooms, in comparison to 33 (35%) of the market homes. Although the proportion of three-bedroom affordable homes is not entirely representative of the market homes, the applicant has worked with a Registered Social Landlord (RSL) to maximise the number of three-bedroom affordable homes that will be viable for the RSL. It is welcome that three of the three-bedroom affordable homes will be on the ground floor as they will be particularly suitable for families with children because of the direct access to outside space.

In order that the increased number of affordable homes could all be delivered by the RSL, 19 were to be delivered as social rent and 14 flats as mid-market rent. However, Housing Management and Development has worked with the applicant and RSL to identify an approach that will allow all 33 units to be delivered as social rent, the Council's highest priority tenure. The use of a commuted sum payment of £100,000 will make it viable for the RSL to deliver the 14 homes that were proposed as mid-market as social rent. This works out at just over £7,000 per unit.

The site is within the Cortsorphine / Murrayfield ward where commuted sum payments have been accepted in lieu of on-site provision for several sites. Housing Management and Development consider that enabling the delivery of 14 more homes for social rent than would otherwise have been achieved through the AHP is a good use of the commuted sums received from the area.

It should be noted that the applicant has not yet entered into contract with the RSL, however there has been agreement over the price that the units would be sold to the RSL to enable them all to be delivered for social rent.

In the interests of delivering mixed, sustainable communities, the affordable homes will be well integrated with the rest of the development and "tenure blind" in appearance. The design of affordable housing should be informed by guidance such as Housing for Varying Needs and relevant Housing Association Design Guides. The affordable units will be contained in one block and accessed from a single stair core to allow effective management.

The affordable home residents will have access to shared communal garden spaces. Public transport links are in easy walking distance. An equitable and fair share of cycle and vehicle parking, consistent with the relevant parking guidance, should be provided for the affordable homes.

3. Summary

The applicant has made a commitment to provide a minimum of 25% on site affordable housing, as required by the City's Affordable Housing Policy (AHP). A Section 75 legal agreement will be required to secure the affordable housing element of this proposal.

The applicant has set out the proposed approach to delivering the affordable homes in an Affordable Housing Statement. This approach is supported by Housing Management and Development.

The applicant has proposed to deliver 33 on-site affordable homes. This is two more than the minimum required under the AHP.

Although the overall mix of affordable home size is not entirely representative of the market homes, the applicant has worked with a Registered Social Landlord (RSL) to maximise the number of three-bedroom affordable homes that will be viable for the RSL. The number of three-bedroom affordable homes increased from five to seven during the application. Three three-bedroom affordable homes will be on the ground floor and particularly suitable for families with children because of the direct access to outside space.

Housing Management and Development has worked with the applicant and RSL to identify an approach that will enable all 33 of the affordable homes to be delivered for social rent, the Council's highest priority tenure. This will be possible with the use of commuted sums that have been paid by other sites within the Corstorphine/Murrayfield ward.

The flats will be identical in appearance to the market housing units, an approach often described as "tenure blind", and designed and built to the RSL design standards and requirements.

We would be happy to assist with any queries on the affordable housing requirement for this application.

Environmental Protection comment

Environmental Protection does not object to the application.

The application proposes the erection of 126 residential properties on the site of a former care home.

The application proposes 41 private parking spaces all with electric vehicle charging infrastructure, 4 car club spaces and 6 on street parking spaces for 126 residential units. Whilst this complies with the parking standards, the development feeds traffic into the St Johns Road Air Quality Management Area and could impact upon that area by way of traffic pollution and congestion. This section would have much rather seen a car free development in this position and are disappointed not see that since the site is so well placed for use of public transport, walking, cycling and localised employment. However, the applicant has updated and improved their original plans by making all private parking spaces to include electric vehicle infrastructure and slightly reduced the parking numbers which is seen as a positive development.

On balance, the parking is not excessive, complies with the parking standards, has provided 100% electric vehicle charging points, a Green Travel Plan for residents and 4 Car Club spaces and so this section feels unable to recommend refusal on air quality grounds. In addition, the development includes no fossil fuel spatial and water heating sources by using electrically driven air source heat pumps. However, it should be noted that this team is disappointed that the developer did not provide a car free development.

A noise impact assessment has been provided in support of the application which assesses noise impacts from the adjacent supermarket and the proposed air source heat pumps on the proposed development.

The agent advises that a maximum of two air source heat pumps will be located on the roof of the new development. These heat pumps will be located behind screens. These screens will conceal the proposed properties visually and partially from noise. They also advise that the heat pumps will likely be some 40m or so from any adjacent property. In this regard the noise impact assessment considers the plant noise and specifies maximum allowable noise levels at 1m from each plant enclosure to ensure

compliance with the Council's required NR 25 criteria. A condition is recommended below to that effect.

The report also advises that noise from the supermarket will not impact upon the proposed development.

Information has been provided in support of the application which considers site investigation and remediation. In this regard, it is deemed prudent to recommend a condition which will ensure that the site is made safe for the proposed end use.

Therefore Environmental Protection does not object to the development and recommends the following conditions:

1. The air source heat pump plant with maximum allowable noise level specifications (measured at 1 metre from the plant), as defined in the RMP report (R-8715-ST2-RGM) and dated 10th June 2020, should be installed prior to start of operations.

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

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

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

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

3. All private parking spaces shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be installed and operational in full prior to the development being occupied (as shown on Rowanbank Gardens Parking proposals Summary and dated 25 August 2020).

Waste Services comment

Having reviewed the information provided, I can now confirm that Waste would have no objection to this proposal, according to the drawings provided. I can confirm that this development would be accepted for waste and recycling collections at the planning stage with the waste strategy plan provided. The final agreement letter for this development would be subject to a site visit prior to collections being agreed to confirm all aspects of our guidance had been adhered to.

Scottish Water Comment

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

There is currently sufficient capacity in the GLENCORSE Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

This proposed development will be serviced by EDINBURGH PFI Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via our Customer Portal or contact Development Operations.

Please Note

A drainage impact assessment (DIA) will be required to assess the impact of this development on our network. A water impact assessment may be required but this will be determined upon receipt of a Pre-Development Enquiry form.

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.

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

Scottish Water asset plans can be obtained from our appointed asset plan providers:

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.

If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

Please find information on how to submit application to Scottish Water at our Customer Portal.

Next Steps:

All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal 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

Location Plan



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END

Development Management Sub Committee

Wednesday 25 November 2020

**Application for Planning Permission 20/01598/FUL
at 540A Lanark Road, Edinburgh, EH14 5EL.
Change of use from Class 2 (Bank) to Class 1 (Permitted
Development) and to extend the existing Class 2 use
premises to form a new Hot Food Takeaway (Sui Generis).**

Item number

Report number

Wards

B02 - Pentland Hills

Summary

The proposal is an acceptable form and scale of development within the local centre and accords with Local Plan Policy and non-statutory guidance. The scale and design of the proposed development would not result in an adverse impact on the character and appearance of the conservation area or result in a harmful loss of amenity to neighbouring properties. The proposed development would not result in adverse traffic impacts. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDES05, LDES12, LEN06, LRET05, LRET11, LTRA02, LTRA03, NSG, NSBUS, OTH, CRPJGR,

Report

Application for Planning Permission 20/01598/FUL at 540A Lanark Road, Edinburgh, EH14 5EL Change of use from Class 2 (Bank) to Class 1 (Permitted Development) and to extend the existing Class 2 use premises to form a new Hot Food Takeaway (Sui Generis).

Recommendations

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

Background

2.1 Site description

The application site lies on the north side of Lanark Road at the junction with Baberton Avenue. The site is occupied by a single storey building, positioned behind a low stone wall, which was previously in use as a bank and is now vacant. To the front of the building is a tarmacked area used as a parking area. Access to the site is from Lanark Road and Baberton Avenue. The area is a mixture of residential and commercial uses. This application site is located within the Juniper Green Conservation Area.

2.2 Site History

25 April 2018 - Planning permission refused for the extension of Existing Class 2 Use Premises to form new Class 3/Hot Food Takeaway (Sui Generis). (application number 17/04434/FUL).

20 September 2018 - Appeal determined by the DPEA and dismissed at appeal. The reporter concluded that given the prominent position of the site within the conservation area, the proposed design would have an adverse impact on the conservation area. The change of use element was accepted in terms of amenity and transport issues (appeal reference PPA-230-2233).

19 June 2019 - Planning permission refused for the extension of Existing Class 2 Use Premises to form new Class 3/Hot Food Takeaway (Sui Generis). (application number 18/10239/FUL).

16 August 2019 - Appeal determined by the DPEA and dismissed at appeal. The reporter concluded that the proposed ventilation flue would introduce a visually intrusive feature, adversely impacting on the appearance of the property and surrounding area. The proposed extension and change of use were accepted in terms of design, amenity and transport issues (appeal reference PPA-230-2286).

Main report

3.1 Description of the Proposal

The application is for a change of use from class 2 (bank) to class 1 (Retail) within the existing unit. A single storey extension is proposed to the side of the existing building to form a separate new hot food takeaway unit.

The extension measures 7.5 metres wide by 15.4 metres in length, with a flat roof, measuring 3.8 to the eaves and 5.2 metres overall. A flue projecting one metre above the flat roof is to be located in the centre of the building.

Materials proposed are facing brick, Trespa panels and aluminium glazed screens.

Supporting Information

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

Planning statement and
Design and access statement.

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

3.2 Determining Issues

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

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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 proposals would have a detrimental impact upon the local retail centre;
- b) the proposal is of an appropriate scale, form and design and would not detract from the character and appearance of the conservation area;
- c) the proposal would result in an unreasonable loss of neighbouring amenity;

- d) the proposal would be acceptable in terms of road safety;
- e) any impacts on equalities or human rights are acceptable and
- f) comments raised have been addressed.

a) Local Centre

In isolation, the change of use from class 2 (financial, professional and other services) to retail class 1 within the existing building is permitted development under Class 10 of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). As part of this proposal, the change of use would be an appropriate and compatible development within the context of the local centre.

The following assessment covers the proposal to erect a single-storey extension on the east elevation of the existing property to form a separate hot food takeaway unit.

The proposed site lies within the Juniper Green Local Centre. Edinburgh Local Development Plan (LDP) Policy Ret 5 applies and sets out five requirements for acceptability:

- i) can be satisfactorily integrated into the centre
- ii) is compatible, in terms of scale and type, with the character and function of the centre
- iii) makes a positive contribution to the shopping environment and appearance of the centre
- iv) would not have a significant adverse impact on the city centre retail core or any town or local centre
- v) is easily accessible by public transport, foot and cycle.

Proposals for non-retail development in a local centre which would have a detrimental impact on the function of the centre will not be permitted.

The Non-Statutory Business Guidance support hot food takeaways in existing shopping centres as long as the property is not within an area of restriction, there is not an excessive concentration of uses and there will be no adverse impact on residential amenity.

The proposal for a hot food takeaway would comply with the criteria set out in Policy Ret 5; it would be a modest addition in terms of scale, and it would form a compatible use that would make a positive contribution to the character and vitality of the centre. It is accessible by public transport and is located in a relatively central location, that is easy to access by foot or bicycle.

The appeal decision (PPA-230-2286), in relation to an earlier application for this property, reflects this; it concluded that the area is a busy centre, providing a mix of services to meet local needs. It noted that whilst there was a number of eating/ hot food outlets in the vicinity, these did not dominate the area.

The reporter stated that an additional hot food takeaway, of the size proposed, would not have a detrimental impact on the function of the Juniper Green local centre and that the impact of the proposed takeaway on residential amenity would be acceptable.

It is an appropriate use in principle and would complement the function of the local retail centre. The proposal complies with LDP Policy Ret 5 and the Non-Statutory Guidance for Business.

b) Scale, Form and Design and Impact on the Conservation Area

The Juniper Green Conservation Area Character Appraisal states that it has 'A wide and interesting mix of architectural styles and form, ranging from original farm buildings with vernacular construction, to Georgian, Victorian Edwardian and modern developments.'

LDP Policy Env 6 requires development to preserve or enhance the special character and appearance of the conservation area and to contribute positively to the character of the area.

Policy Des 12 Alterations and Extensions states that planning permission will be granted for alterations to existing building which in their design, positioning and materials are compatible with the character of the existing building and will not be detrimental to neighbourhood character.

The existing building, erected in the 1960s/70s, does not make a significant or positive contribution to the character of the conservation area. The scale and form of the extension has been designed to be subservient to the original building, creating a modest addition that will neither challenge the appearance of the original building nor create an unsympathetic element within the immediate streetscape. The extension to the building would project into what is currently open space used for additional car parking within the curtilage of the site and would create a new building line on the east elevation. There is currently no distinct or uniform building line in the street and the introduction of the development would not adversely affect the character of the immediate vicinity. The use of matching materials to the existing building will provide a visual continuity to the benefit of the wider character of the area.

The proposed flue has been reduced in height (from two metres to one metre) when assessed against the previous scheme and would be relocated to a more central point on the roof to reduce its visual impact at ground level from both Lanark Road and Baberton Avenue. The new scheme has successfully addressed concerns raised by the previous appeal decision by moving the flue to a less prominent position and by reducing the height of the ventilation flue.

The proposal would not have an adverse impact on the character and appearance of the conservation area and complies with LDP Policies Env 6 and Des 12.

c) Amenity

The extension would not result in overshadowing to the neighbouring residential properties and no privacy issues arise from the proposal.

The property is located adjacent to other commercial uses and in close proximity to residential properties. The applicant has submitted a Noise Impact Assessment (NIA) to assess the noise from the kitchen ventilation extraction system.

Environmental Protection raised no objections to the application subject to conditions relating to ventilation, hours of operation and deliveries. A suspensive condition has been attached to control the ventilation operations within the kitchen.

However, as the application site is located on a main thoroughfare, which is characterised by a mix of uses, including an adjacent public house and other takeaways, many of which can lawfully operate without restrictions on delivery times, any restriction on this unit would be unreasonable, as it would have no meaningful effect on the protection of residential amenity.

Noise and public order outside the premises cannot be controlled by Planning and any issues of anti-social behaviour would be a matter for Police Scotland.

The site is not located within an area of restriction as set out in the Non-Statutory Business Guidance. Therefore, a condition on hours of operation is not appropriate, as there are other late night uses within the Local Centre.

The proposal complies with LDP Policies Des 5, Des 12 and the Non-Statutory Guidance for Business.

d) Road Safety

A parking survey was submitted in support of the application. This survey indicated that there were sufficient on street parking spaces available in the vicinity during the proposed period of operation. The Roads Authority has raised no objections to the application. The former use (class 2) provided one disabled space and approximately four additional spaces on the site. Current Council parking standards (October 2017) permit up to 1 space per 14 square metres for hot food takeaway use.

The total proposed floor area is estimated at 300 square metres, including the additional 82 square metres extension, and this would permit up to 21 spaces. Therefore, the provision of one disabled space and four other spaces within the site is acceptable.

No details of cycle parking provision have been submitted, and this will be controlled through a suspensive condition.

e) Equalities and Human Rights

This application was assessed in terms of equalities and human rights. No impact was identified.

f) Public comments

The material objections raised were:

- too many takeaways - addressed in section 3.3 a).
- design is out of character with the area - addressed in section 3.3 b).
- cooking odours - addressed in section 3.3 c)
- noise and disturbance - addressed in section 3.3 c).
- on street parking is inadequate - addressed in section 3.3 d).

Conclusion

The proposal is an acceptable form and scale of development within the local centre and accords with Edinburgh Local Development Plan policies and the Council's non statutory guidance. The scale and design of the proposed development would not result in an adverse impact on the character and appearance of the conservation area and the change of use would not result in a harmful loss of amenity to neighbouring properties. The proposed development would not result in adverse traffic impacts. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the hot food takeaway use being taken up, the kitchen ventilation extract system shall be capable of a minimum of 30 air changes per hour by volume and a minimum efflux velocity of 15m/s.
2. Prior to the hot food takeaway use being taken up, the kitchen extract system shall be fitted with the following odour mitigation measures as outlined in report: Airshed: AS 0737 Juniper Green, 31 March 2020.
 - a) Coarse and fine filters to arrest particle and fume.
 - b) Secondary fine filtration e.g. electro-static precipitation (ESP) to further eliminate particle and fumes.
 - c) Tertiary treatment to provide minimum of 90% odour reduction either by carbon filtration with a residence time of 0.4 seconds or system using O3 or combined O3/UV to achieve equivalent abatement.
3. Prior to the hot food takeaway use being taken up, the ventilation extract fan installed, shall produce no more noise at any octave band frequency than the model proposed and used in the Noise Impact Assessment, R-8045-ST2-RGM, 9th March 2020; (Vent Axia, Black Sabre Slim: BSC500/4).

4. Prior to the hot food takeaway use being taken up, a silencer of the same specification as that detailed in the Noise Impact Assessment, R-8045-ST2-RGM, 9th March 2020; (Silencer - VentDirect CP03-C*P-0500-2D) shall be installed.
5. Prior to the initiation of development, details of on-site, cycle parking provision shall be submitted to and approved by the Planning Authority. The cycle parking shall be implemented and operational before the use is taken up.

Reasons: -

1. In order to safeguard the amenity of neighbouring residents and other occupiers.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
4. In order to safeguard the amenity of neighbouring residents and other occupiers.
5. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

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

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:

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 5 May 2020. A total of 11 letters of representation were received. 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

Edinburgh Local Development Plan - Local Centre.

Date registered

9 April 2020

Drawing numbers/Scheme

01-05,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Adam Gloser, Assistant Planner

E-mail: adam.gloser@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

LDP Policy Ret 5 (Local Centres) sets criteria for assessing proposals in or on the edge of local centres.

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

LDP Policy Tra 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.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

Other Relevant policy guidance

The Juniper Green Conservation Area Character Appraisal emphasises the traditional village character, and the wide and interesting mix of architectural styles and forms.

Appendix 1

Application for Planning Permission 20/01598/FUL At 540A Lanark Road, Edinburgh, EH14 5EL Change of use from Class 2 (Bank) to Class 1 (Permitted Development) and to extend the existing Class 2 use premises to form a new Hot Food Takeaway (Sui Generis).

Consultations

Roads Authority

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

- 1. The applicant should be required to provide a minimum of 2No. cycle parking spaces;*
- 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.*

Note:

Current Council parking standards (January 2020) permit up to 1 space per 14m² for Class 3 (hot food takeaway). The total proposed space is estimated at 300m², including the additional 99m², permitting a maximum of 21 spaces. The existing 200m² Class 2 (former bank) would permit up to 4 spaces and currently provides 1 formal space with approximately 4 additional informal spaces on site. Given the nature and scale of the development, its location and the provision of cycle parking, the proposed 1 disabled space is considered acceptable.

A parking survey was submitted in support of the application. This survey indicated that there were sufficient on street parking spaces available in the vicinity during the proposed period of operation.

Environmental Protection

Environmental Protection has no objections to this planning application, subject to the following conditions:

Conditions

1. *The kitchen ventilation extract system shall be capable of a minimum of 30 air changes per hour by volume and a minimum efflux velocity of 15m/s.*
2. *The kitchen extract system shall be fitted with the following odour mitigation measures as outlined in report: Airshed: AS 0737 Juniper Green, 31 March 2020.*
 - a) *Coarse and fine filters to arrest particle and fume.*
 - b) *Secondary fine filtration e.g. electro-static precipitation (ESP) to further eliminate particle and fumes.*
 - c) *Tertiary treatment to provide minimum of 90% odour reduction either by carbon filtration with a residence time of 0.4 seconds or system using O3 or combined O3/UV to achieve equivalent abatement.*
3. *The ventilation extract fan installed, shall produce no more noise at any octave band frequency than the model proposed and used in the Noise Impact Assessment, R-8045-ST2-RGM, 9th March 2020; (Vent Axia, Black Sabre Slim: BSC500/4).*
4. *Prior to the Class 3 use being taken up, a silencer of the same specification as that detailed in the Noise Impact Assessment, R-8045-ST2-RGM, 9th March 2020; (Silencer - VentDirect CP03-C*P-0500-2D) shall be installed.*
5. *The hours of operation of the premises shall be restricted to between the hours of 07.00 hours and 23.00 hours.*
6. *Deliveries and collections, including waste collections, to be restricted to between the hours of 07.00 hours and 21.00 hours; Monday to Saturday and between 09.00 hours and 21.00 hours on Sundays.*

Assessment

Planning application 20/01598/FUL is for the extension of an existing Class 2 premises, to form a new class 3 hot food takeaway. The proposed change of use of the existing part of the building from Class 2 to Class 1 is permitted development. It is a resubmission of application 17/04434/FUL and 18/10239/FUL which were refused and where subsequent appeals were dismissed.

The development site is an existing detached single storey, flat roofed property which was previously used as a Bank. The building is positioned on the corner of Lanark Road and Baberton Avenue in the village of Juniper Green. Juniper Green is a relatively quiet suburban village on the outskirts of Edinburgh. Lanark Road is a main thoroughfare and traffic can be busy at peak times. Therefore, the predominant background noise in the area during the daytime will be traffic noise.

Immediately to the south west of the site on the same side of Lanark Road, is a Public House over two and ½ storeys, this adjoins to a hairdressing salon with what appears to be a residential flat located above. Further south west are a hairdressers and bookmakers with residential accommodation on the two floors above.

Immediately to the north and north east, behind the development site are two semi-detached one and a half storey residential properties at Baberton Park. To the east, on

the other side of Baberton Park is a hairdressing salon with what appears to be residential accommodation on the floor above. Heading further north east along Baberton Park is a two storey residential building adjoining a 2 and a half storey residential accommodation.

On the opposite side of Lanark Road to no. 540a, to the south is a restaurant and chip shop. Further east, directly opposite the site is a one and a half storey residential property. This is adjacent to a vacant single storey building formerly used as a public toilet. Further east is a single storey bike repair shop.

The main concerns regarding this application relate to noise from associated activities as well as odour from cooking affecting neighbouring residential accommodation. In relation to the last application, the position of the extract duct on the roof has been moved and the duct reduced in height. An odour assessment has been submitted with the application.

It is Environmental Protection's position that the only acceptable method to protect the amenity of nearby residents from cooking odour is to require that the ventilation extract duct height is 1m above the eaves or ridge height of residential accommodation within a 30m radius. (Depending on the style of construction.) This ensures satisfactory dilution and dispersal of the cooking effluvia. The current proposal does not meet this requirement, in particular for the property at 1 Baberton Park which has dormer windows. The odour impact assessment concludes that the odour from the proposed development requires the satisfactory implementation of odour control measures such as fine filtration or electrostatic precipitation (ESP) to prevent any significant adverse impacts on local residential amenity.

However, Environmental Protection's experience of such systems is that these mitigation measures have been found to be ineffective in protecting amenity and therefore are not accepted by Environmental Protection.

With regard to noise, the agent has revised the Noise Impact Assessment (NIA) from the last application which assesses the noise from the kitchen ventilation extraction system. The NIA concludes that a silencer is required to ensure compliance with our noise standard. Therefore, the same specification of fan and silencer have been recommended as conditions.

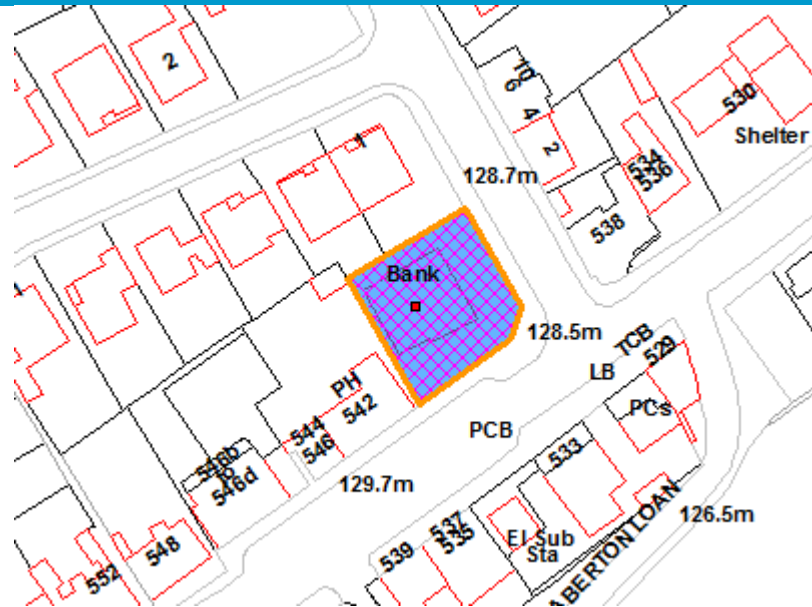
No information has been provided concerning trading hours. Take-aways can generate significant late-night street noise with delivery vehicles arriving and leaving as well as noise from customers etc. It is not possible to mitigate against this type of street noise. After 23.00 hours, Juniper Green is very quiet with little traffic to mask this noise. Therefore, if the application is granted, it is considered appropriate to recommend a condition to protect nearby residents from late night noise.

Similarly, early morning / late night deliveries or waste collections can also cause noise disturbance to residents that is difficult to mitigate against, therefore a condition is recommended.

In summary, Environmental Protection cannot support this application due to the potential impact on the amenity of local residents that cooking odour can have.

However, if it is decided to grant the application, appropriate conditions have been recommended.

Location Plan



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Development Management Sub Committee

Wednesday 25 November 2020

**Application for Planning Permission 20/02976/FUL
at 7 Lower Gilmore Place, Edinburgh.
Demolition of existing buildings and erection of student
residential development with associated landscaping.**

Item number

Report number

Wards

B11 - City Centre

Summary

The proposal is of an appropriate location and will not result in an excessive concentration of students in the locality. It is of an appropriate scale, form and design and will not have a detrimental impact on the conservation area. The proposal will result in a satisfactory residential environment for future occupiers, will not have a negative impact on neighbouring amenity and complies with relevant parking standards. The proposal complies with relevant Local Development Plan policies and broadly complies with non-statutory guidance set out in Edinburgh Design Guidance, Student Housing Guidance and the Fountainbridge Development Brief. There are no material planning considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDEL02, LDES01, LDES02, LDES03, LDES04, LDES05, LDES10, LEN08, LEN06, LEN09, LEN12, LEN16, LEN21, LEN22, LEMP09, LHOU07, LHOU08, LTRA02, LTRA03, NSG, NSLBCA, NSGSTU, NSGD02, OTH, CRPMAR, DBFOUN,

Report

Application for Planning Permission 20/02976/FUL At 7 Lower Gilmore Place, Edinburgh, Demolition of existing buildings and erection of student residential development with associated landscaping.

Recommendations

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

Background

2.1 Site description

The application site comprises a mix of low rise commercial workshops, a martial arts school and the Pregnancy and Parents Centre. To the north, the site faces Lower Gilmore Place beyond which is the brick boundary wall of the Union Canal. To the east is a three storey brick tenement. To the west lies a three-storey office building, other, generally low rise, commercial buildings and sheds culminating in the four storey tenement terrace of Leamington Road. To the south lie the gardens of the terrace of residential properties in Gilmore Place.

This application site is located within the Marchmont, Meadows And Bruntsfield Conservation Area.

2.2 Site History

7 December 2017 - Application withdrawn: Demolition of all buildings on site and erection of office (Class 4) and flatted residential development with associated car parking, landscaping and public realm (application reference: 17/04234/FUL).

23 January 2018 - Application withdrawn: Complete Demolition in a Conservation Area (application reference: 17/04462/CON).

5 July 2018 - Non determination: Demolition of all buildings on site and erection of office (Class 4) and flatted residential development with associated car parking, landscaping and public realm (application reference: 18/00722/FUL).

20 August 2018 - Appeal against non-determination dismissed: Demolition of all buildings on site and erection of office (Class 4) and flatted residential development with associated car parking, landscaping and public realm (appeal reference: PPA-230-2227).

10 October 2019 - Planning permission refused: Demolition of all buildings on site and erection of office (Class 4) and flatted residential development with associated car parking and landscaping (application reference: 19/00789/FUL).

27 January 2020 - Appeal against refusal allowed: Demolition of all buildings on site and erection of office (Class 4) and flatted residential development with associated car parking and landscaping (appeal reference: PPA-230-2289).

Main report

3.1 Description of the Proposal

Planning permission is sought for the erection of a purpose-built student accommodation unit containing 74 studio flats. The proposal would involve the demolition of all the buildings currently on site. The proposed building would be four storey with basement and would be finished in dark brick with a zinc roof. No car parking is proposed on site. A bike store with space for 74 cycles is to be located in communal garden space located to the rear. This will be accessed via a private pend.

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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of development is acceptable;
- b) the proposals preserve or enhance the character or appearance of the conservation area;
- c) the scale, form and design are appropriate;
- d) impact on neighbouring amenity is acceptable;
- e) amenity for future occupiers is acceptable;
- f) the proposal will have any parking, traffic or road safety issues;
- g) there are any other material considerations; and
- h) any comments have been addressed.

a) Principle of development

The development is proposed entirely as purpose-built student accommodation. The site lies within the urban area and the principle of development needs to be assessed

under Local Development Plan policies Hou 8 (Student Accommodation) along with the non-statutory student housing guidance.

Student Accommodation

Policy Hou 8 (Student Accommodation) supports purpose-built student accommodation where:

- a) The location is appropriate in terms of access to university and college facilities by walking, cycling or public transport, and
- b) where the proposal will not result in an excessive concentration of student accommodation (including that in the private rented sector) to an extent that would be detrimental to the maintenance of balanced communities or to the established character and residential amenity of the locality.

The supporting non-statutory Student Housing Guidance provides additional locational and design guidance.

Location

The development site is in an appropriate central location and is within walking distance to campuses of Edinburgh and Napier Universities. Gilmore Place itself lies on a national cycle route connecting to a main campus of Edinburgh University and is further served by local and national cycle routes in the vicinity. There are frequent bus services on Gilmore Place and on nearby Home Street which provide access to other campuses, universities and college sites.

Concentration

Part b) of policy Hou 8 seeks to protect areas from an excessive concentration of student accommodation to maintain balanced communities or maintain the established character and residential amenity of the locality. The non-statutory guidance document *Student Housing Guidance* states that where the student population is dominant, exceeding 50% of the population, there will be a greater potential imbalance within the community.

However, neither the LDP or non-statutory guidance define a 'locality' as stipulated in part b) of the policy, which leaves open different interpretations of what constitutes a locality. In an addendum to the Planning Statement provided with this application, the applicant has taken a ward approach. Noting that the Community Planning (Locality Planning)(Scotland) Regulations 2016 defines a locality as no more than 30,000 people or an electoral ward and using data from the 2018 Ward Population Profiles (version 4i, updated 9 October 2018), the applicant assessed the City Centre Ward and the Fountainbridge/Craiglockhart Ward which is adjacent.

Since the 2011 census there have been 2,442 student accommodation spaces consented within the City Centre Ward, bringing the student population to 12,211 (including the 74 spaces proposed in this application). The total population of the ward is 34,649. The 12,211-student population represents 35% of this total and the current proposal would represent a 1% increase. Within the Fountainbridge/Craiglockhart Ward

the proposal would bring the student population to 6,066, a concentration of 22%. In both cases the figure is below the 50% figure outlined in guidance.

A different approach is undertaken by Tollcross Community Council who has objected to the proposal on the basis it will lead to an overconcentration of students in the area. Tollcross Community Council state that local people consider the area encompassing Tollcross, Fountainbridge and the residential part of North Bruntsfield to be a locality. The Community Council note there are four student residences in this area, all approximately 200 metres from the proposal. These have a total capacity for up to 836 students. There are a further eight other student residences close by (within 430 metres) which have a potential capacity of 2185. Utilising census data from 2011, the Community Council note that the application site is located within datazone SO1008665. In 2011, the student concentration was 36% (440 students and 746 non-students) in this area. Following the opening of Canal Point and the Vita residences within this area the concentration of students, in theory, increased to 57%. The proposed 74 studio apartments outlined in this application would increase that figure to 59%. The Community Council also note that using 2011 census data and considering built and approved numbers for student accommodation that surrounding data zones outwith the application site such as SO1008638 are at 42%, SO1008666 would be at 56% and SO1008661 reached 70% when Bainfield House opened. However, this does not include potential increases in the permanent residential population associated with planning applications submitted both within Fountainbridge and the surrounding area.

Given the differing approaches outlined above, a broad approach has been utilised to assess this application. The Council has considered 21 datazones from the 2011 census as well as all operational student residences within this area and all consented and pending consideration applications for further purpose-built student units. The datazones considered are as follows:

- S01008621 Marchmont West - 05
- S01008622 Marchmont West - 06
- S01008623 Marchmont West - 07
- S01008637 Merchiston and Greenhill - 06
- S01008638 Bruntsfield - 01
- S01008639 Bruntsfield - 02
- S01008640 Bruntsfield - 03
- S01008641 Bruntsfield - 04
- S01008642 Bruntsfield - 05
- S01008643 Bruntsfield - 06
- S01008644 Bruntsfield - 07
- S01008651 Dalry and Fountainbridge - 01
- S01008658 Dalry and Fountainbridge - 08
- S01008659 Tollcross - 01
- S01008661 Tollcross - 03
- S01008662 Tollcross - 04
- S01008663 Tollcross - 05
- S01008664 Tollcross - 06
- S01008665 Tollcross - 07
- S01008666 Meadows and Southside - 01
- S01008667 Meadows and Southside - 02

- The total population of this area in 2011 was 18,060 with students representing 6,553 of that number (36.3%). Since the census, 13 purpose-built student residences have become operational with a potential capacity of 3,679. A further two applications have been consented, with a potential capacity of 261. Two other applications are pending consideration with a potential total capacity of 82. This area encompasses Tollcross, Fountainbridge, North Bruntsfield outlined by the Community Council as the area considered by locals to constitute the locality for this area.

If all units become operational, there is potential for purpose-built student accommodation to increase the student population in this area by 4,022. Taking a worst case scenario approach where the full time residential population has not and will not increase at all, and that all population growth only occurs as a result of the new-purpose built accommodation, the total population for the area would increase by 4,022 to 22,082 and the student population would increase to 10,575. This would represent a student concentration in the area of 47.88%. This is below the 50% figure outlined in non-statutory guidance.

Moving away from a purely figures based approach, it is undeniable that a cluster of purpose-built accommodation has developed around the Fountainbridge area and more generally within the City Centre Ward. Recent population density maps prepared for the Choices for City Plan Monitoring Statement show the application site is located within an area with over 100 people per hectare. One of the highest population densities in the city. The surrounding area is also strongly characterised by residential development. Gilmore Place to the south is characterised by tenements. There are commercial uses in this area, but these are largely limited to the ground floor of buildings, with residential units on the upper floors. 11 guest houses are in operation on Gilmore Place, but this does not represent an over-proliferation of commercial uses. To the west, areas such as Viewforth, Leamington Terrace, Montpelier Park, Merchiston and Polwarth are strongly characterised by residential use. To the east, despite more commercial uses on Home Street, these are again limited to the ground floor of buildings, with residential use at the upper levels. There are residential clusters on Tarvit Street, Panmure Place and Lauriston. To the north, new residential development has been consented in Fountainbridge as part of ongoing mixed-use development and residential uses are evident across Dundee Street, Dundee Terrace and areas such as Gardiner's Crescent.

Given that the figures outlined above would suggest student concentrations across an area encompassing Fountainbridge, Tollcross, Bruntsfield, and Marchmont would not exceed 50% and that there is evidence of widespread residential use throughout the area, the proposed 74 student accommodation units would not have a negative impact on the established residential character of the area or existing residential amenity. The proposal complies with Hou 8 in this regard.

Loss of Employment Sites

LDP policy Emp 9 states that proposals to redevelop employment sites or premises in the urban area for uses other than business, industry or storage will be permitted provided:

- a) the introduction of non-employment uses will not prejudice or inhibit the activities of any nearby employment use; and
- b) the proposal will contribute to the comprehensive regeneration and improvement of the wider area.
- c) and if the site is larger than one hectare, the proposal includes floorspace designed for a range of business users.

The proposal accords with LDP policy Emp 9 as it will not prejudice the activities of any nearby employment use and will contribute to the regeneration of the wider area. The site is smaller than one hectare in size so there is no requirement to include floorspace for a range of business users.

Demolition

A small portion of the south west of the site falls within the conservation area and the buildings are not listed. Aside from this small section, the buildings are afforded no protection and demolition could be undertaken as permitted development. The buildings are of no architectural value and their loss is acceptable.

Loss of Housing

An objection has been raised in relation to a loss of housing. Consent was given for 20 residential units and office space on the site, linked to application 19/00789/FUL. However, this consent has not been initiated. The site currently hosts commercial units. The proposal will not result in a loss of housing.

Pressure on Local Services

Objections have expressed concern about the potential for 74 new residents to place pressure on local services. It is anticipated that users of the site would support local businesses in the same way as any other residents in the area. The proposal could have a beneficial impact in this regard.

The application site is located within the Polwarth Health Care Contribution Zone. A contribution of £11.34 per student is required for new development relating to student accommodation in this area. Based on 74 new students, the applicant would be required to pay a health care contribution of £839.16.

The proposal will not place unacceptable pressure on local services.

Fountainbridge City Centre Proposal Area CC 3

The application site is located with City Centre Proposal Area CC 3 outlined in the LDP. This area relates to the redevelopment of the area previously occupied by the Fountainbridge Brewery. The Development Principles for the area state proposals should provide mixed use development including a local centre, residential, office, small business units, retail, leisure, community and tourist/visitor facilities. Although this proposal is for the formation of student accommodation which is not a use explicitly identified within the brief, it is consistent with the mix of uses expected to be delivered on site and is acceptable.

The Development Brief emphasises the need for a mix of uses on site and identifies the provision of housing as a key component of this. Housing has been consented on site with work already underway. Permission in principle was also granted for a mixed-use development which will include a mix of uses including up to 330 residential units (application reference: 19/03097/PPP). The delivery of housing within the Fountainbridge Design Brief area remains important. However, the design brief does not state that every development should include a provision for new housing, nor would it be practical for this to be the case.

Overall, the proposal is consistent with proposal CC 3 and the Fountainbridge Development Brief.

The development is acceptable in principle subject to the consideration of other matters below.

b) Impact on Conservation Area

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

LDP Policy Env 6 (Conservation Areas - Development) states that development within a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.

A small area of the south west of the site falls within the Marchmont, Meadows and Bruntsfield Conservation Area. The buildings that are currently onsite are of no architectural value and are to be replaced with a building of a high-quality design. The regeneration of the site will have a positive impact on the wider area and therefore the proposal will enhance the character and appearance of the conservation area.

The proposal complies with LDP policy Env 6 and is acceptable in this regard.

c) Scale, Form and Design

Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area. Permission will not be granted for proposals that are inappropriate in design or for proposals that would be damaging to the character or appearance of the area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) states that planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated and enhanced through its design.

Policy Des 4 (Development Design - Impact on Setting) also requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regards to its height and form; scale and proportions, including the spaces between the buildings, position of buildings and other features on the site; and the materials and detailing.

Policy Des 10 (Waterside Development) requires proposals to provide an attractive frontage to the water in question, where appropriate maintain, provide or improve public access along the water's edge, maintain and enhance the water environment, its nature conservation or landscape interest and if appropriate, promote recreational use of the water.

The proposed building would be four storeys in height, though development in the roof ensures the building reads as 3.5 storeys. The proposal will sit no higher than 9.8 metres at eaves and 12.8 metres at ridge at the highest point from the pavement. This complies with the Fountainbridge Development Brief which states that new development in this area should not exceed 10 metres at eaves and 13 metres at ridge.

The palette of materials and the modern design of the building, equal ridged with Juliette balconies, will provide a high quality and attractive frontage to the canal. The bulk of the proposed building will be broken up by the proposed extensive fenestration and the saw toothed roof profile. The scale, form and detailed design of the proposal would draw upon positive characteristics of the locality and in particular, of the canal-side environment, which is evolving into an exciting, modern space.

The proposal complies with LDP policies Des 1, Des 3 and Des 4. The scale, form, design and choice of materials outlined in the proposal are acceptable and will not have a detrimental impact on the character of the area.

d) Neighbouring Amenity

Policy Des 5 (Development Design - Amenity) states that development will be permitted where the amenity of neighbouring development is not adversely affected.

Policy Hou 7 Inappropriate Uses in Residential Areas Developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted.

The Edinburgh Design Guidance (EDG) states - The pattern of development in an area will help to define appropriate distances between buildings and consequential privacy distances.

Daylight

Information has been submitted in the Design and Access statement showing that the vertical sky component (VSC) of the housing block to the east will be 80% or greater of the current VSC and therefore in compliance with the requirements of the Edinburgh Design Guidance.

Sunlight to existing garden and spaces

The removal of the existing buildings, that are currently hard to the boundary, would facilitate an improvement to sunlight to the rear gardens of Gilmore Place when using the 45-degree line method.

Privacy

The closest potential window to window distance is over 25 metres, so the proposal would not raise any issues regarding privacy in relation to neighbouring windows. The proposal is also acceptable in relation to the neighbouring gardens.

Noise

The applicant has submitted a supporting Noise Impact Assessment which has investigated the proposal and the predicted noise generated from the development, demonstrating it will be acceptable in terms of residential amenity. Existing industrial uses would be removed if this development is consented, resulting in the removal of more problematic noise generating sources. The noise impact assessment has assessed the potential noise impacts on the proposed residential properties. The applicant has identified that there may be minor exceedances of the required internal noise criteria set by Environmental Protection. However, it is accepted that there were confounding factors during the noise measurements taken that could not have been avoided such as construction noise from neighbouring development sites. Therefore, noise levels will reduce when construction noise ends.

Objections have also raised concern about nuisance noise associated with use of the rear garden space by those staying on the site. The residential nature of the site is in keeping with wider residential uses. Purpose-built student accommodation is supported in residential areas. Anti-social noise is addressed through legislation outside of the planning system.

e) Future Occupiers

Policy Des 5 (Development Design - Amenity) states that development will be permitted where future occupiers have acceptable levels of amenity.

The proposal includes 390 square metres of external amenity space. This represents 32% of the total site area. The Edinburgh Design Guidance and Student Housing Guidance do not set out minimum floorspace requirements in relation to student accommodation. However, each studio contains a kitchen and all necessary elements for independent living. Each studio is served by a window or rooflight, which given the simple studio layout of each unit, ensures adequate daylight. The private spaces are also complemented by 228 square metres of communal amenity space internally. The site is within walking distance of Bruntsfield Links and the Meadows to the east and is also close to Harrison Park to the west.

Technical Standards contained in the Building Regulations require the building to be completely accessible and for one in twenty rooms to be wheelchair accessible. The building has been designed to be accessible and four rooms have been designed to be wheelchair accessible. Wheelchair accessible facilities are also shown in the common

room. This will be a requirement of any building warrant and will be explored in more detail and finalised as part of that process.

Future occupiers will have an acceptable level of amenity.

f) Traffic and Parking

Policy Tra 2 states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance.

Policy Tra 3 states that planning permission will be granted for development where proposed cycle parking and storage provision complies with the standards set out in Council guidance.

The proposed secure bike store for 74 cycles is accessible at ground floor level through a pend. The bike store is covered and incorporates Sheffield style racks. The proposal complies with Parking Standards in this regard. The applicant proposes no car parking on the site. This complies with Parking Standards and is in keeping with the Council's aspiration of reducing reliance on private cars. National Cycle Route 75 passes along the site frontage (Lower Gilmore Place) and it is well linked to the various university campuses. The site is well served by public transport and it is not anticipated the proposal should place any pressure on parking in the area.

The Council has produced a preliminary design for Cycle Priority Street on Lower Gilmore Place. The proposal includes widening of the footways on each side of Lower Gilmore Place to 2.2m, raised crossings on both ends of Lower Gilmore Place and road markings and signs to improve walking and cycling. The Council do not have a cost estimate for the improvements to this street and therefore cannot reasonably require contributions from this development.

The proposals comply with LDP policies Tra 2 and Tra 3.

g) Other Planning Matters

Trees

There are no trees on the site, although there are trees in the adjacent land that may be affected by the development. The applicant has submitted details of root protection plans. A condition has been attached to ensure that any part of the trees falling within the site are adequately protected.

The proposal accords with LDP policy Env 12.

Scheduled Monument

Historic Environment Scotland made no comment with regards to the proposals impact on the Union Canal Scheduled Monument. Impacts on the scheduled monument are acceptable.

Protected Species

No objection has been raised with regards to protected species. Impacts on protected species are acceptable.

Environmental Protection

In line with comments received from Environmental Protection regarding a contaminated land survey and electric charging points at parking spaces a condition requiring a site survey and potential remedial work is proposed.

Archaeology

A condition is attached requiring an archaeological programme of works is undertaken prior to work commencing on site.

The proposal accords with LDP policy Env 9.

h) Public Comments

Material Representations - Objection

- Over concentration of students in the area; this is addressed in 3.3a.
- Loss of housing; this is addressed in 3.3a.
- Overlooking and loss of privacy; this is addressed in 3.3d.
- Loss of daylight/sunlight; this is addressed in 3.3d.
- Noise; this is addressed in 3.3d.
- The development is contrary to the Fountainbridge Development Brief; this is addressed in 3.3a and 3.3c.
- Inappropriate scale, form, design and use of materials; this is addressed in 3.3c.
- Detrimental impact on existing community; this is addressed in 3.3a.
- Inappropriate Location; this is addressed in 3.3a.
- No provision for users with disabilities; this is addressed in 3.3e.
- Pressure on parking; this is addressed in 3.3f.
- Pressure on local services; this is addressed in 3.3a.
- Impact on Scheduled Monument; this is addressed in 3.3g.

Material Representation - Support and Neutral

- Existing buildings are poor and do not contribute to the area; this is addressed in 3.3c.
- Cycle parking should be secure and easily accessible; this is addressed in 3.3f.

Tollcross Community Council

- Tollcross Community Council objected to the application for the following reasons:
- Over concentration of student accommodation in the area and increasing transient population; this is addressed in section 3.3a.
- Inappropriate location of proposal; this is addressed in section 3.3a.
- Inappropriate scale and massing of proposal; this is addressed in section 3.3c.
- Loss of privacy; this is addressed in section 3.3d

Non-Material Representations

- The area needs more affordable homes not commercial lets and other transient uses; each application is assessed on its own merit.
- Loss of kung fu school; this issue is not covered by planning policy.
- Local businesses are catering to transient population; this is not a planning matter.
- The proposed units may be used as short-term lets over the holidays; the proposal is for student accommodation and has been assessed against relevant policies and guidance.
- Clutter on streets when students arrive/leave for term; this is not a planning matter.
- Proposal will result in excessive litter; this is not a planning matter.
- Students may not return due to Covid-19 pandemic; there is no planning policy covering this issue.
- Community should be given the opportunity to develop a local place plan for the site; the application must be assessed against existing policy and guidance.
- Potential increase in anti-social behaviour; this is a matter for the police.
- The proposal should include a swift nest; this is not a planning matter.

CONCLUSION

The proposal is of an appropriate location and will not result in an excessive concentration of students in the locality. It is of an appropriate scale, form and design and will not have a detrimental impact on the conservation area. The height of the building slightly exceeds the recommendations set out in the Fountainbridge Development Brief; however, this is a minor infringement of guidance. The proposal will result in a satisfactory residential environment for future occupiers, will not have a negative impact on neighbouring amenity and complies with relevant parking standards. The proposal complies with relevant Local Development Plan policies and broadly complies with non-statutory guidance set out in Edinburgh Design Guidance, Student Housing Guidance and the Fountainbridge Development Brief. There are no material planning considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions :-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. 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.
 - c) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
4. Any part of trees falling within the development site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 " Trees in relation to design, demolition and construction".

Reasons: -

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to safeguard public safety.
3. In order to safeguard the interests of archaeological heritage.
4. In order to safeguard protected trees.

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. The applicant will be required to pay a health care contribution of £839.16.
5. The applicant should investigate the installation of further renewable energy technology and storage to ensure no fossil fuels are required to service heat and energy demands for the units.
6. Construction Mitigation
 - i) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.
 - ii) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.
 - iii) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.
 - iv) Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.
 - v) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.

- vi) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.
- vii) This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.
- viii) No bonfires shall be permitted.

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 meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The original application was advertised in local press on 7 August 2020. The application received eighty-six comments, eighty three objecting, two taking a neutral stance, one in support.

Background reading/external references

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

**Statutory Development
Plan Provision**

Edinburgh Local Development Plan.

Date registered

29 July 2020

Drawing numbers/Scheme

01-12,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Christopher Sillick, Planning Officer

E-mail:christopher.sillick@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

LDP Policy Del 2 (City Centre) sets criteria for assessing development in the city centre.

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

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

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

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

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

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

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

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

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

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

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

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

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

LDP Policy Hou 8 (Student Accommodation) sets out the criteria for assessing purpose-built student accommodation.

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.

Relevant Non-Statutory Guidelines

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

Non-statutory guidelines Student Housing Guidance interprets local plan policy, supporting student housing proposals in accessible locations provided that they will not result in an excessive concentration.

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

Other Relevant policy guidance

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal emphasises the well proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

The Fountainbridge Development Brief sets out planning and design principles intended to establish a comprehensive townscape and infrastructure framework for the Fountainbridge area.

Appendix 1

Application for Planning Permission 20/02976/FUL At 7 Lower Gilmore Place, Edinburgh, Demolition of existing buildings and erection of student residential development with associated landscaping.

Consultations

Tollcross Community Council

Tollcross Community Council(as an official consultee) would like to object to this planning application.

We consider that this development would lead to an even greater overconcentration of students in this locality. Furthermore, we believe that the location for this proposal is inappropriate. The scale of the proposed building is also inconsistent with local policies. We further believe that a residential development would be preferable. Also several neighbours to the proposal have complained about overlooking and loss of privacy.

Edinburgh City Council has produced planning guidance on all these issues, such as to prevent these over concentrations of students and to direct student residences to appropriate sites.

The aims are stated in Policy HOU 8 of the current LDP and in in Non-Statutory Guidance - Student Housing Guidance (2016). Policy HOU 1 also allude to the preference for residential developments. We support these policies and believe if upheld, this proposal will be rejected.

We have consulted widely in this area with residents' associations and individuals. Not a single person has approved of this development which reflects the complete local opposition to another student residence.

1. Local Concerns

For over a decade now, local people have been buying into development plans and master plans which have stated that the aim of developments in this area is to create a new community where people can live and work. What we should be seeing is mixed-use development that blends a combination of residential, commercial, and cultural uses, where those land uses are physically and functionally integrated, where there are active street level floor frontages and pedestrian connections to the surrounding area. Family, social and affordable housing should predominate, not student housing, hotels, apartment hotels or flatted blocks for commercial tourist type letting. Unfortunately, this vision of a new locality has not materialised. So far, we have seen the building of hotels, apart-hotels, a school, many student residences and the burgeoning of short-term let accommodation This means that the new population of the area is a transient one and not forming a sustainable community. The area is at risk of

becoming more a student campus, almost a student ghetto more than what it should be, a permanent residential urban community. Granting permission for another student residence can only make this situation worse.

Local opinion is not against students and acknowledges the vital role of higher education in Edinburgh. However, when the concentration of students in residential areas reaches a certain level it is felt to be a distorted demography which undermines community cohesion. There is ample evidence around the UK and elsewhere for the problems that this causes.

Our views are expressed in the CEC Student Housing Guidance: 'The concentration of students, as a proportion of the transient population, can undermine the social and physical fabric which defines a community and place. In recent years the development of a significant number of larger student developments, in the Old Town, South Side and Fountainbridge have been on sites where much needed housing would previously have been delivered. Balanced sustainable communities require the dominant residential component to be permanent and not transient.'

2. Quantifying the Overconcentration of Students

One problem is that a Locality is not defined in the planning guidance. Local people consider the area encompassing Tollcross, Fountainbridge and the residential part of North Bruntsfield to be a locality. It is where people meet, shop, live and find entertainment and recreation.

The developer's Planning Statement addresses the issue of student concentration by inventing a locality with the development on the very edge of this invented locality (p 18 Fig. 4). This locality contains mostly, the residential areas around Gilmore Place, Leamington Terrace, Viewforth and Bruntsfield. It excludes shops and leisure and recreation areas. They acknowledge 4 student residences in this area, all approximately 200 metres from the proposal. These have a total capacity of 836 students. There are several other student residences(built or approved) very close by which would be considered to be in any definition of, even a small locality. There are a further eight other student residences close by (within 430 metres) which have a student capacity of 2185. This is in addition to the 836 acknowledged by the developer and the students in non-purpose-built residents must also be added.

If you examined the data census area (a rather small area), SO1008665, in which the proposal sits then in 2011 the student concentration was 36% (440 students and 746 non students). When Canal point opened, this student percentage went up to 48% and when the Vita residence on Fountainbridge opened the percentage went up to 57% (1007 students and 746 non students). The current proposal would raise this further. Also, the St. Joseph's proposal, now approved, (230 students) is on the border of this data zone and is only 180 metres from the proposal.

Any reasonable person would see the developer's invented locality as an attempt to minimise student numbers so as to appear to be within the Council's guidelines.

Past planning rules have looked at data census areas which are, of course too small and out of date if 2011 data are used. The proposal is in SO1008665 with a current 57% students. Using 2011 data and updating with built and approved numbers,

surrounding data zones are SO1008638 at 42%, SO1008666 at 56% and SO1008661 which reached 70% when Bainfield House opened.

The 2 main ways to see an over-concentration are firstly to see Fig. 1 below with its list of residences (Table 1) which are (built or consented) within a 15 minute walk of the proposal. There are 33 such residences. They account for 6500 beds. 8 - 10 are within a 5 minute walk. This is in addition to students living in HMOs which are plentiful in this area with a lot of tenements and other flats. This southern wedge of Edinburgh already had one of the highest student concentrations before the burgeoning of student residences. This Locality has seen more than one extra student residence per year for quite some time. Secondly, an overconcentration is demonstrated by so much local feeling about the loss of the established community due to too many students and other short term residents. These feelings are now commonly expressed locally, on blogs and in local newspapers and have even led to the setting up of campaigning groups concerned about the amenities for local communities.

3. Location

This location is inappropriate for yet another student residence. LDP Policy, HOU 8 states that Developments should be close to the universities and colleges and accessible by public transport. Map 1 in Student Housing Guidance shows where the main campuses are. Section a) in this locational guidance suggests that being adjacent to these sites is the best option.

The proposal is near to certain University buildings but all the local student residences stress this same point. This is disingenuous as they cannot all serve the same few small campuses. The student website, Student.com, lists 11 student residences near Edinburgh College of Art. The fact is that they are not near many major campuses such as King's Buildings, Queen Margaret's University, Herriot-Watt, Edinburgh Napier Craiglockhart and Sighthill, Edinburgh College and the Scottish Agricultural College. In fact, most students in Edinburgh do not study close to this area.

The developer's Planning Statement points to good bus services but journey times to some campuses such as Heriot Watt and Queen Margaret's can be quite long so this does not contribute to decreasing the need for travel with students located on or adjacent to campuses.

In the Luton Court appeal the Reporter states that the objective of the policy as a whole is to support purpose-built student accommodation in locations which are close to higher education facilities but as already stated it cannot be the objective to have all the residences near to one or two smaller facilities. There are far more residences in this area than the educational facilities of the area warrant and far too few residences in areas where they are needed if they are to meet the location criteria.

4. Residential amenity
There have been 3 applications and 2 appeals for the development of this site. On the first appeal, the reporter was concerned about overlooking and privacy for the residents of Gilmore Place. This was because of living areas looking directly into the gardens and windows of residents. The developer took this on board in the next application and made sure only bedrooms and bathrooms were to the rear. In this new application, half of the students will have their living spaces facing the gardens and windows of the residents on Gilmore Place. This would take us back to the situation that the reporter used as a reason for rejecting the appeal.

5. Scale and Massing
Tollcross Community Council highlighted concern over the scale and massing with regard to Application No. 19/00789/FUL and this was supported by the CEC Planning Committee when they rejected the Application because 'it would fail to comply with Edinburgh Local Plan Policies Des 1, Des 2, Des 3, Des 4, the Fountainbridge Development Brief and the Edinburgh Design Guidance by virtue of the building's excessive massing, which would lead to an unsympathetic and over-dominant addition to the surrounding streetscape'. As this application maintains the same scale and massing our concerns remain. The 3 storeys envisaged in the Fountainbridge development Brief would seem more appropriate.

Student Residences and spaces- Table 1

314	IQ Fountainbridge 114 Dundee Street
308	Arran House 5 Drysdale Road The Student Housing Company
321	IQ 69 Grove Street
778	Bainfield Street (Napier),
202	123 Fountainbridge The Bridge House (Old Napier) Unite
117	Mansion House 129 Fountainbridge Back of Bridge House. Mansion Apts.
240	Canal Point, 22 West Tollcross The Student Housing Company
269	Riego Street
96	Morrison Circus (Napier)
106	Wright's Houses Bruntsfield
234	Unite Lady Lawson Street
252	Unite Chalmers Street
168	Warrender Park Crescent On Links, Edinburgh Uni
155	West Bryson Road Napier
327	125A Fountainbridge (Vita Student) - new end of canal
108	Warrender Park Road/Spottiswood St.
180	Nido Haymarket 5 W Park Place Haymarket
245	Bairds Close 27 Kings Stable Road
229	Portsburgh Court Student Halls 56 Lady Lawson Street. Private Halls
75	Student Flats at Archer's Hall N Meadow Walk
138	Meadow Lane/46-56 Buccleuch St.
323	Sylvan Place (Sick Kids) Approved
225	Dundee Street (Telford Underground) Approved for building + addition
180	Meadow Court 13-29 Sciennes 148 bedrooms + 5/6 bed Mews houses
43	Lady Nicholson Court 38 Potter Row - Bristow Square
52	24 Potter Row. Under Construction

39	St. Kentergens student development	Approved
280	Richmond Place next to George Square	Edin. Uni.
72	91 Buccleuch Street	Hello Student Accommodation U Homes
104	22 Haymarket Yards.	Approved
12	91 Lothian Road.	Approved
230	St. Joseph's	Gilmore Place. Approved
74	Proposal	Lower Gilmore Place

Total 6496

It is for the reasons given above that Tollcross Community Council ask that this application should be rejected.

Transport

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

1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
2. Applicant will be required to provide a minimum of 74 secure cycle parking spaces for the proposed development in Zone 1;
3. All dropped sections of the southern footway along Lower Gilmore Place fronting the proposed development are required to be reinstated as full height kerb footway;
4. The applicant should be advised that as the development is student housing, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committee/20130604/Agenda/item_77_-_controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf (Category F - All student housing);

Note

- a) The applicant proposes zero parking provision and complies with the Council's parking standards which could allow a maximum of 3 car parking spaces in Zone 1;
- b) National Cycle Route 75 passes along the site frontage (Lower Gilmore Place) and it is well linked to the various university campuses.
- c) The proposed development is accessibly by public transport to university campuses;
- d) Refuse collection per existing arrangement on Lower Gilmore Place.
- e) Most of the estimated trips for the proposed development are by sustainable transport with a predicted 23 two-way peak people trips during the hour 18:00;
- f) The Council have produced preliminary design for cycle Priority Street on Lower Gilmore Place. The proposal include widening of the footways on each side of Lower Gilmore Place to 2.2m, raised crossings on both ends of Lower Gilmore Place and road markings and signs to improve walking and cycling. The Council

do not have a cost estimate for the improvements to this street and therefore cannot reasonably require contributions from this development.

Environmental Protection

Environmental Protection have previously comment on similar proposals for this application site (17/04234/FUL, 18/00722/FUL & 19/00789/FUL). However, the first application was withdrawn and the other deemed refusal but the last 2019 was consented on appeal.

The site is currently occupied by a mixture of residential properties, businesses (mainly garages), and derelict warehouses. To the south of the site is the Union Canal with mooring for pleasure craft, houseboats and boats used for commercial purposes, including a small floating café. Lower Gilmore Place and the canal are busy pedestrian thoroughfares and designated cycle paths. Beyond the canal is a derelict site, occupied during the Edinburgh Fringe festival as a venue, and currently subject to a planning application for development into residential dwellings and a hotel.

To the north of the site are private gardens, which are enclosed by properties along Gilmore Place and Lower Gilmore Place. Properties on the northern side of this quadrant comprise residential flats, a children's day nursery and a small vehicle repairs and servicing garage. There are several residential properties and hotels (holiday lets) to the east and west of the site.

The proposal includes 74 student residential units with no parking spaces. The applicant has provided supporting documents regarding noise and contaminated land. This previously included confirmation of the use of the existing garage under the office currently used by the parking wardens. This garage is only used for parking and of vehicles that are used by the office workers and no servicing takes place in this garage.

The applicant has submitted a supporting Noise Impact Assessment which has investigated the proposal and the predicted noise generated from the development and demonstrated how it will be acceptable in terms of residential amenity. The number of existing industrial uses which would be removed if this development is consented resulting in the removal of more problematic noise generating sources and replacing them with mostly student residential uses. The noise impact assessment has also assessed the potential noise impacts on the proposed residential properties.

No specific formal noise mitigation measures are required for the detailed application.

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

The applicant has been advised to ensure emissions were kept to a minimum. It is welcomed that the applicant has reduced the number of car parking spaces from that of previous planning applications. The applicant also includes the provision of solar

panels which is a good mitigation measure to reduce energy demand and emissions. The applicant should also investigate the installation of photovoltaic panels and use ground and air sourced heat pumps linked to energy storage. The applicant should be aware of the Climate Emergency and Edinburgh's Zero Carbon targets. Therefore, no fossil fuels should be considered.

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

1. Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
 - i) 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.

Informative

1. The applicant shall investigate the installation of further renewable energy technology and storage to ensure no fossil fuels are required to service heat and energy demands for the units.

Construction Mitigation

- a) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.
- b) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.
- c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.
- d) Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The

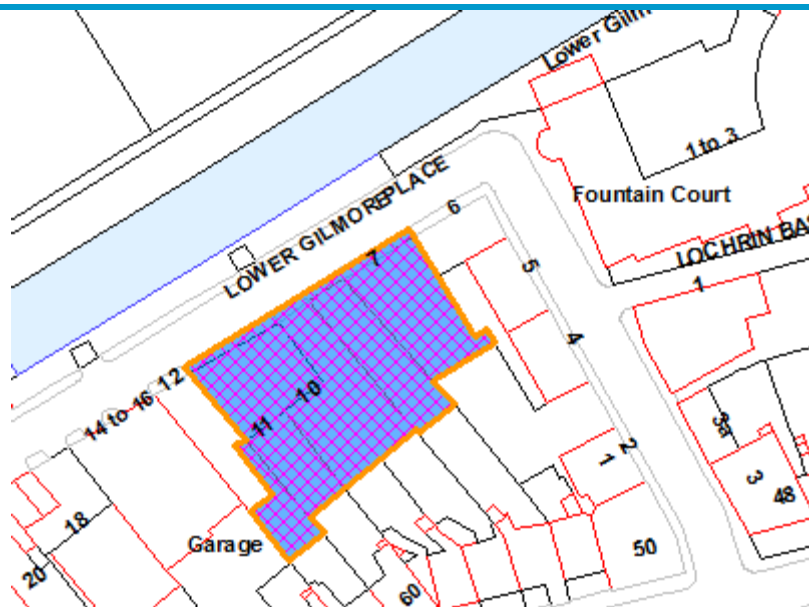
frequency of road sweeping shall be recorded as part of documented site management procedures.

- e) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.
- f) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.
- g) This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.
- h) No bonfires shall be permitted.

Historic Environment Scotland

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

Location Plan



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