

Notice of meeting and agenda

Development Management Sub-Committee

10.00 am Wednesday, 16th December, 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.

Contacts

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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 14 December 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 9 December 2020 – submitted for approval as a correct record 11 - 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 Report for forthcoming application by CB Edinburgh Investment LLP. for Proposal of Application Notice at 5 Bankhead Avenue, Edinburgh - Demolition of all Buildings and Structures and erection of 24x Units Use Class 4 (c) (Business), Class 5 (General Industrial) and Class 6 (Storage or Distribution), with access and servicing arrangements, car parking, landscaping, and associated works - application no. 20/04811/PAN – Report by the Chief Planning Officer 17 - 22
- 4.2 Report for forthcoming application by Barratt & David Wilson Homes & Trustees Of The Catcherlaw for Proposal of Application Notice at Land 200 Metres South Of 4, Mortonhall Park Gardens, Edinburgh - Residential and commercial development with associated roads, landscaping and open space - application no. 20/04554/PAN – Report by the Chief Planning Officer 23 - 28

Applications

- 4.3 Dimma Park, South Queensferry (At Land 100 Metres South Of) - Erect 72x dwellings with associated roads and parking spaces (as amended) - application no. - 20/00802/FUL - Report by the Chief Planning Officer 29 - 70
- It is recommended that this application be **GRANTED**.
- 4.4 Dreghorn Link, Edinburgh (Advertising Hoardings on Roundabout at) - Install and display 3 non-illuminated roundabout sponsorship signs on the roundabout facing 3 entrance roads. EDB028 - Straiton, 4 signs, Easting 327451, Northing 666977. EDB029 (as amended) - application no. 20/02461/ADV – Report by the Chief 71 - 78

Planning Officer

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

- 4.5** 2A Easter Belmont Road, Edinburgh - Alter existing garden fence to provide sliding gate and provide dropped kerb along gate line, to provide car parking for a single car on existing paved surface - application no. 20/03983/FUL – Report by the Chief Planning Officer 79 - 86

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

- 4.6** 65 London Road, Edinburgh - Demolition of existing buildings and erection of purpose built student accommodation and associated landscaping and infrastructure - application no. 20/03478/FUL – Report by the Chief Planning Officer 87 - 106

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

- 4.7** 200 Mayfield Road, Edinburgh - Erection of 112 bed spaces of student accommodation (amendment to planning permission 16/04158/FUL) (as amended) - application no. 20/02489/FUL – Report by the Chief Planning Officer 107 - 146

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

- 4.8** 11 Moray Park, Edinburgh (At Land 71 Metres North East Of) - Proposed coffee shop with drive through facility and associated works - application no. 20/03545/FUL – Report by the Chief Planning Officer 147 - 162

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

- 4.9** 103 Newcraighall Road, Edinburgh - Alterations to listed building to convert to residential use including raising wallhead and roof level, new windows and doors and harling of masonry - application no. 20/03756/LBC – Report by the Chief Planning Officer 163 - 174

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** 194, Fountainbridge, Edinburgh (At Land Adjacent To) - Approval of matters specified in conditions 1, 5, 6, 7, 8, 12 & 13 of 15/02892/PPP for Building E including form & massing, design & materials, daylight & sunlight, design & operation of private/public open spaces, roads, footways/cycleway/access/servicing & parking, venting & electric vehicle charging, drainage, waste management, operational requirements for commercial uses/ sustainability/floor levels/lighting, site investigation/hard & soft landscaping details & noise mitigation. (As Amended) - application no. 19/02993/AMC 175 - 178
- It is recommended that this application be **APPROVED**.
- 5.2** 199, Fountainbridge, Edinburgh (At Site 60 Metres South Of) - Proposed mixed use development comprising retail (Class 1) financial services (class 2) food and drink (class 3) office/light industrial (class 4) hotel (class 7) housing (class 9) community use (class 10) leisure (class 11) public house (non-classified use) and associated parking, open space, infrastructure and public realm works - application no. 19/03097/PPP – Report by the Chief Planning Officer 179 - 182
- It is recommended that this application be **GRANTED**.
- 5.3** 23 - 27 Gylemuir Road, Edinburgh - 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 183 - 186
- It is recommended that this application be **GRANTED**.
- 5.4** 69 -71 Marionville Road, Edinburgh - Demolition of two existing business units and erection of a residential development comprising four apartment buildings, a terrace of mews houses, associated car parking, car port and associated landscaping - 187 - 188

application no. 19/04508/FUL – Report by the Chief Planning Officer

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

- 5.5** 7 Redhall House Drive, Edinburgh - Alteration and conversion of existing building to form six duplex apartments; the erection of a detached garage block accommodating six garages, and the erection of two detached dwelling houses with all associated site development works and landscaping - application no. 18/09642/FUL – Report by the Chief Planning Officer

189 - 192

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** Granton Harbour, West Harbour Road, Edinburgh - Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design, and configuration of public and open spaces, access, road layouts, footpaths and cycle routes at Granton Harbour, West Harbour Road - application no. 17/02484/AMC – Report by the Chief Planning Officer

193 - 224

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

8. Returning Applications Following Site Visit

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

8.1 None.

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, 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>.

Webcasting of Council meetings

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

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

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

Minutes

Development Management Sub-Committee of the Planning Committee

10.00 am, Wednesday 9 December 2020

Present:

Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Mary Campbell, Griffiths, Mitchell, Mowat, Munn, Osler, Rose and Frank Ross (substituting for Councillor Gordon)

1. Minutes

Decision

- 1) To approve the minute of the Development Management Sub-Committee of 21 February 2018 as a correct record.
- 2) To approve the minute of the Development Management Sub-Committee of 25 November 2020 as a correct record subject to the following correction: at item 1 - Minute of 25 November 2020, the removal of the word "October".

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

Ward Councillor Neil Ross requested a presentation in respect of item 4.4 - Falcon Road West, Edinburgh (at Land 31 Metres East Of 4)

Decision

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

(Reference – reports 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 MMMARS Dundas Limited. for Proposal of Application Notice at Centrum House, 108 - 114, 116 Dundas Street, Edinburgh</p>	<p>Demolition of existing building and erection of mixed use development including residential, office, retail and café/restaurant uses - application no 20/03923/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"> • Consideration about moving historic building line • Impact on amenity • Consideration on whether street trees could be retained • Encourage developers to engage with each other to consider Dundas street as a whole

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>4.2 – Report for forthcoming application by DV4 Properties Orchard Brae Co Ltd. for Proposal of Application Notice at land adjacent to 30 Queensferry Road, Edinburgh</p>	<p>Residential development with associated access, landscaping, parking and infrastructure - application no 20/03938/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"> • Consideration to be given to softening of the site and reduce hard standing • Consider overall pedestrian environment and how Queensferry Road connects down to Flora Stevenson and how pedestrian environment could be improved in Orchard Brae • Whether existing building could be reused
<p>4.3 – Brunstane, Edinburgh</p>	<p>Tree Preservation Order No. 193</p>	<p>To confirm Tree Preservation Order No. 193 (Brunstane, Edinburgh)</p>
<p>4.4 – 4 Falcon Road West, Edinburgh (at Land 31 Metres East Of)</p>	<p>Demolition of commercial premises and erection of 5 storey residential development, covered parking and stores, rear garden, private terraces and externally mounted renewable technologies (Air Source Heat Pumps and PV Panels) (as amended) - application no 20/01354/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>4.5 – St Kentigern's Church, St Peter's Place, Edinburgh</p>	<p>Conversion of existing former church to 4 houses and construction of 10 new flats (as amended) - application no 20/00490/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.</p>
<p>4.6 – Kinellan Road, Edinburgh</p>	<p>Tree Preservation Order No. 192</p>	<p>To confirm Tree Preservation Order No. 192 (Kinellan Road, Edinburgh)</p>
<p>4.7 – Meadowfield Farm, 15 Turnhouse Road, Edinburgh (At Land 175 Metres Southeast of)</p>	<p>Erection of 142x new dwellings with associated roads, parking, footpaths and hard and soft landscaping (Approval of Matters Specified in Conditions of planning permission in principle 16/04738/PPP re conditions 5 (Part 2 i, ii, iii, iv, v, vi), 6(a), 6(b), 6(c), 6(d), 6(e), 6(f), 6(g), 6(h), 6(i), 6(j), 6(k(i-ix)) as applicable to Plot 5 only) (as amended) - application no 20/03942/AMC</p>	<p>1) To APPROVE Matters Specified in Conditions subject to the conditions, reasons, informatives and a legal agreement as set out in section 3 of the report by the Chief Planning Officer.</p> <p>2) To agree to circulate a briefing note to Committee including Cllr Frank Ross providing an update on the progress of the development</p>
<p>4.8 - 19 Turnhouse Road, Edinburgh (At Site 100 Metres North East Of)</p>	<p>Erect 158x new dwellings with associated roads, parking, footpaths and hard and soft landscaping (Approval of Matters Specified in Conditions of consent 16/04738/PPP in respect of condition nos. 5 (Part 2 i, ii, iii, iv, v, vi), 6(a), 6(b), 6(c), 6(d), 6(e), 6(f), 6(g), 6(h), 6(i), 6(j), 6(k(i-ix)) as applicable to Plot 4 only) (Appeal ref: PPA-230-2207) (as amended) - application no - 20/03224/AMC</p>	<p>To APPROVE Matters Specified in Conditions subject to the conditions, reasons and informatives 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>7.1 – Lochside Way, Edinburgh (Land Adjacent To)</p>	<p>Development of southern phase of Edinburgh Park to comprise mix of uses including residential (Class 9 houses and sui generis flats), offices (Class 4), hotel (Class 7), crèche (Class 10), leisure (Class 11), ancillary Class 1/Class 2/Class 3 and sui generis public house, car parking, landscaping, roads, access and associated works - application no 20/02068/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.</p>

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Development Management Sub Committee

Wednesday 16 December 2020

Report for forthcoming application by

CB Edinburgh Investment LLP. for Proposal of Application Notice

20/04811/PAN

**At 5 Bankhead Avenue, Edinburgh, EH11 4AA
Demolition of all Buildings and Structures and erection of
24x Units Use Class 4 (c) (Business), Class 5 (General
Industrial) and Class 6 (Storage or Distribution), with access
and servicing arrangements, car parking, landscaping, and
associated works.**

Item number

Report number

Wards

B07 - Sighthill/Gorgie

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission at 5 Bankhead Avenue, Edinburgh for 24 units to operate as class 4c (business), class 5 (general industrial) and class 6 (storage and distribution) with access and servicing arrangements, car parking, landscaping and associated works.

In accordance with the provisions of the Town and Country planning (Scotland) Act 1997, as amended, the applicant submitted a Proposal of Application Notice (20/00260/PAN) on 3 November 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 measures 2.97 hectares within the Sighthill Industrial Estate, bound to the east by Bankhead Avenue. It currently has a series of buildings used by HMRC and a church organisation.

The site is surrounded by a high security fence with a number of established trees around the boundary. There are currently six access points and a total of 145 existing car parking spaces.

The site will become vacant from 1 April 2021.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The application will be for Full planning permission to erect 24 units (use class 4 (c) (business), class 5 (general industrial) and class 6 (storage or distribution)) with access and servicing arrangements, car parking, landscaping and associated works.

It is proposed to demolish all existing buildings and structures on the site and level 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 having regard to the development plan

The application site is located within a wider allocation within the Edinburgh Local Development Plan 2016 (LDP) which promotes the development of sites for employment use where Class 4, 5 and 6 uses are supported. Any development proposals should consider the terms of EMP 8 of the Local Development Plan.

- b) The design, scale and layout are acceptable

The proposal will be assessed against relevant design policies in the LDP as well as supplementary guidance where applicable (e.g. Edinburgh Design Guidance). The

applicant should clearly demonstrate how the proposal's design has considered the Council's policies and guidance. A design and access statement will be required to support the planning application.

c) The proposal will impact upon highway safety

The application will be supported by a Transport Assessment, the scope and study of which is still to be agreed. The proposal should make provision for car, cycle, electric and disabled vehicles set out in the Council's parking standards.

A Quality Audit including safety Audit, as set out in Designing Streets is likely to be required, and contributions are likely to be required under the Council's Developer Contributions and Infrastructure Delivery Supplementary Guidance (Tram Contribution in Zone 3).

d) There are any other environmental factors that require consideration

The applicant will be required to undertake an EIA screening opinion.

An Air Quality Impact Assessment may be required, this is subject to the the level of car parking proposed and the number of electric vehicle charging spaces proposed in the application.

The application will be supported by the following documents:

- Pre-Application Consultation report;
- Planning Statement;
- Design and Access Statement;
- Landscape proposals,
- Sustainability Form S1;
- Transport Information (as set above);
- Tree Survey and Arboricultural Impact Assessment;
- Ground investigation information;
- Waste management information;
- Preliminary Ecological Appraisal;
- Ground investigations/Site investigations - site's former industrial use;
- Flooding risk and drainage information;
- EIA Screening; and
- Archaeology.

e) Any impacts on equalities or human rights are acceptable

This will be assessed in detail through the application process.

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

A copy of the Proposal of Application Notice (PAN) has been submitted to Ward Councillors at Sighthill/Gorgie and Sighthill/Broomhouse and Parkhead Community Council. The proposal will be advertised in the Edinburgh Evening News on 3 December 2020.

In light of the ongoing Covid-19 situation and Scottish Government Guidance on pre-application consultation, revisions have been made to the consultation strategy. The website link to the proposed application will be available from 11 December 2020 and a Public Online Event will be hosted by the applicant in January 2021, the date & time TBC.

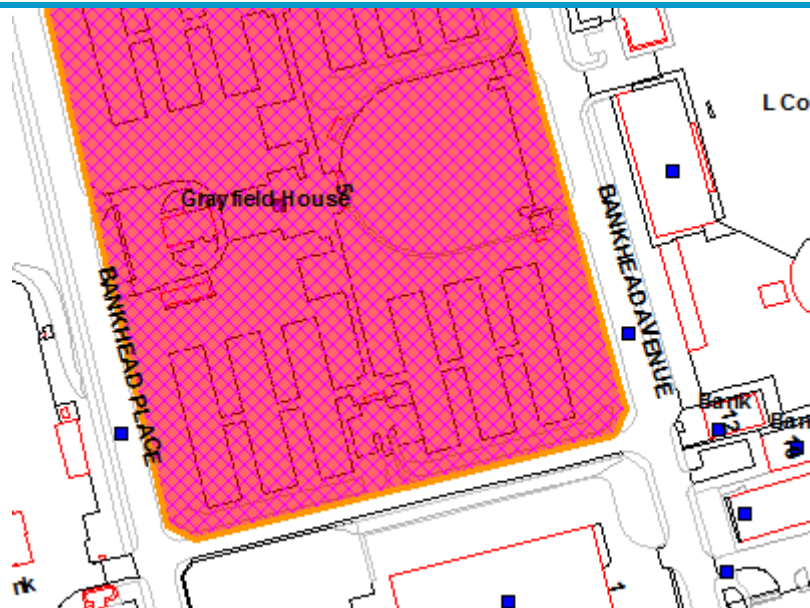
Background reading/external references

- 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: Jennifer Paton, Senior planning officer
E-mail: jennifer.paton@edinburgh.gov.uk

Location Plan



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Development Management Sub Committee

Wednesday 16 December 2020

Report for forthcoming application by

**Barratt & David Wilson Homes & Trustees Of The Catcherlaw
for Proposal of Application Notice**

20/04554/PAN

**At Land 200 Metres South Of 4, Mortonhall Park Gardens,
Edinburgh**

**Residential and commercial development with associated
roads, landscaping and open space.**

Item number

Report number

Wards

B16 - Liberton/Gilmerton

Summary

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for Planning Permission in Principle for a residential and commercial development with associated roads, landscaping and open space on agricultural land bounded to the north and east by Frogston Road East and Broomhills Road.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997 (as amended), a Proposal of Application Notice was submitted on the 21 October 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 is comprised of broadly level agricultural land and extends to 24 hectares approximately. It is bounded by Frogston Road East to the north, Broomhills Road to the east and farmland and field tracks to the south and west. An overhead power line runs across the site in a southeast to northwest direction and trees safeguarded by a Tree Protection Order line the north and west boundaries.

An area of housing and the Mortonhall Garden Centre occupy land on the northern side of Frogston Road East. Broomhills Cottages and a residential development approved under 14/04860/FUL lie to the east and the Burdiehouse Burn and City of Edinburgh Bypass sit to the south. Broomhills Farm and the Gracemount Gym are immediately outwith the site to the southeast and northwest respectively.

The site is located in the Green Belt. An Area of Importance for Flood Management extends into the southwest of the site and continues along the Burdiehouse Burn. The Braids, Liberton and Mortonhall Special Landscape Area is located to the west and north outwith the site. Local Nature Conservation Sites apply to land adjacent to the Mortonhall Garden Centre and Burdiehouse Burn.

2.2 Site History

17 September 2019 - Pre-application Consultation Approved in respect of an application for Planning Permission in Principle for a residential-led development with associated roads, landscaping and open space (application reference: 19/04172/PAN)

13 July 2020 - Environmental Impact Assessment Not Required in respect of a request for Screening Opinion for a proposed Residential and Commercial Development with Associated Roads, Landscaping and Open Space (application reference: 20/02662/SCR)

Relevant History to Neighbouring Sites

12 May 2017 - Planning Permission Granted for a residential development (633 units) (with small scale commercial units) with associated roads, footpaths, parking, landscaping and open space plus site for new Primary School on land 296 metres south of 17 Frogston Road East (application reference: 14/04860/FUL)

22 February 2019 - Planning Permission Granted for a new build primary school and early years centre. The proposal will incorporate space for 462 primary school pupils and 80 nursery pupils on land to the south of Frogston Road East (application reference: 18/08609/FUL)

28 July 2020 - Pre-application Consultation Approved in respect of a proposed renewable energy development comprising solar panels/photovoltaics, battery storage, flexible gas generation and associated infrastructure on land to the west of the Kaimes Substation (application reference: 20/02823/PAN)

Main report

3.1 Description Of The Proposal

The development will comprise a residential and commercial development with associated roads, landscaping and open space. No further details have been provided at this time.

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 in the Green Belt as identified by the Local Development Plan (LDP) and an Area of Importance for Flood Management in part. The nature, in terms of Use Class, and extent of the commercial element to the proposal is not known at this time. A robust justification for development will be required.

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 design policies and the Edinburgh Design Guidance.

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

The applicant will be required to provide transport information that demonstrates how the proposal prioritises active travel and is aligned with parking standards, including service arrangements and cycle parking provision. Information is also needed on the impact on traffic flow on local roads and access to public transport.

d) there are any other environmental factors that require consideration

The proposal and site have been screened against the criteria set out in Schedule 3 of Environmental Impact Assessment (Scotland) Regulations 2017 (application reference: 20/02662/SCR). An Environmental Impact Assessment is not required.

Notwithstanding the above, consideration must be given to how the site can be developed without adverse effect on the environment and shall include impact on an Area of Importance for Flood Management, the Special Landscape Area and the two Local Nature Conservation Sites.

It is anticipated that the following supporting documentation will be submitted:

- Air Quality Impact Assessment;
- Archaeology Statement;
- Design and Access Statement;
- Flood Risk Assessment and Surface Water Management Plan;
- Landscape and Visual Impact Appraisal;
- Noise Impact Assessment;
- Phase 1 Site Investigation Report;
- Phase 1 Habitat and Protected Species Survey;
- Planning Statement;
- Pre-Application Consultation report;
- Sustainability Statement; and
- Transport 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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

In light of the ongoing Covid-19 situation, Scottish Government guidance on Pre-application Consultation makes provision for non face to face public events. The Proposal of Application Notice signposted a website

(www.holderplanning.com/frogston-road-east) where members of the public could view the proposal and submit comments to the applicant until the 23 December 2020. The website is also to host an interactive question and answer session between 1.30pm and 3.30pm and 5:00pm to 7:30pm on the 25 November 2020. The results of this consultation will be submitted with the future planning application as a Pre-application Consultation Report.

Liberton and District Community Council, Gilmerton / Inch Community Council, Councillor Cameron, Councillor Howie, Councillor MacInnes, Councillor Smith and Ian Murray MP received a copy of the Proposal of Application Notice. An advert is to be published in the Edinburgh Evening News on the 17 November 2020 and flyers will be delivered to and displayed in properties and premises local to the area.

Background reading/external references

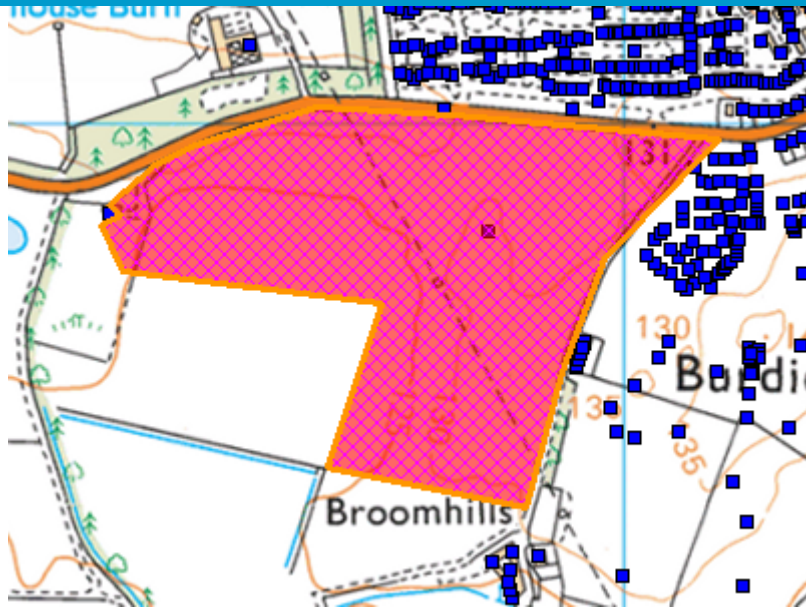
- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

David R. Leslie

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Contact: Graham Fraser, Assistant Planning Officer
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Location Plan



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Development Management Sub Committee

Wednesday 16 December 2020

**Application for Planning Permission 20/00802/FUL
at Land 100 Metres South Of, Dimma Park, South
Queensferry.
Erect 72x dwellings with associated roads and parking
spaces (as amended).**

Item number

Report number

Wards

B01 - Almond

Summary

The site is allocated for housing in the Local Development Plan and the proposal is acceptable in principle.

The proposal will have no impact upon the Forth Bridge World Heritage Site.

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 raise any road safety concerns.

Links

[Policies and guidance for this application](#)

LDPP, LHOU10, LHOU02, LHOU03, LHOU04, LHOU06, LDEL01, LDES01, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES11, LEN03, LEN09, LEN12, LEN16, LEN21, LEN22, NSG, NSGD02,

Report

Application for Planning Permission 20/00802/FUL at Land 100 Metres South Of, Dimma Park, South Queensferry. Erect 72x dwellings with associated roads and parking spaces (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 consists of 4.5 Hectares of greenfield land, currently used as grassland that falls within the eastern extent of allocated site HSG 33 South Scotstoun; allocated for housing numbers ranging from 312- 437 homes.

Existing development currently under construction in HSG 33 bounds the application site to the west. Far west of the site is the B listed Scotstoun House modernist office and grounds (reference LB50165, listed 24/10/2005).

The northern boundary consists of Core Path CEC 10 and the edge of Scotstoun, a housing development consisting of mostly two-storey dwelling houses.

East of the proposed development, there is a section of greenfield, which will accommodate the SUDS scheme (the subject of a separate planning application), beyond which lies the railway line which runs north to south. The site extends adjacent to existing dwellings of Dimma Park.

The Edinburgh Waverley to Fife Circle line is located to the east. To the east of the railway line lies the village of Dalmeny. A tree lined lane crosses into the site from Dalmeny from the east and continues into the site. It forms part of National Cycle Route 1.

To the south of the site is the A90. The road has recently been altered as part of the Queensferry Crossing construction works. The A9000 runs parallel to the site, merging with the A90 midway along the boundary. The A9000 is a dedicated bus lane, carrying southbound traffic across the Forth Road Bridge and east towards Edinburgh.

The A90 sits on an embankment, at a higher elevation to the site. The lowest point of the site is next to the embankment, and it slopes gently northward toward the core path. The site is contained between this southern embankment, the mature scrub edge along the railway line to the east, and the mature avenue trees along the north.

2.2 Site History

18 Feb 2020 - Application pending for planning permission for the formation of SUDs, landscaping and footpath at Land 100 Metres South Of Dimma Park, South Queensferry (planning application reference: 20/00788/FUL)

14 Feb 2020 - Non-material variation application approved for variation to consent Ref: 16/06280/FUL at Land 100 Metres South of 105 Provost Milne Grove South Queensferry (planning application reference 16/06280/VARY).

05 June 2019- Residential development of flats and houses with associated accesses, roads, drainage, parking and landscaping (as amended) at Land 100M South of 105 Provost Milne Grove South Queensferry (planning application reference 16/0280/FUL).

03 April 2019 - Pre- Application Notice (PAN) approved for planning permission for residential developments (max 80 houses) as a variation to 16/06280/FUL and full planning permission for formation of landscaping and footpath at Land 100m South of Dimma Park, South Queenferry (planning application ref: 19/01480/PAN)

Main report

3.1 Description of the Proposal

This application is for a development consisting of up to 72 homes.

The site forms part of a wider site that already has planning permission and is currently being built out (planning application reference 16/06280/FUL). The application site comprises of an area of land that was previously reserved as enabling land for the road construction works to the A90. This land has now been returned to the owner. As a result, the overall housing layout for the HSG 33 site has been amended to extend housing onto this area of land, and the SUDS strategy revisited to include the adjacent land.

The original planning permission for the wider site proposed 341 homes. This application together with the consented application (allowing for adjusted numbers) totals residential development numbering 380 units. 33 of the proposed 72 homes already have consent under planning application reference 16/06280/FUL. As such, the proposal results in an additional 39 units.

Accommodation will comprise of the following mix of 46 units for mainstream sale:-

- 11 x two-bedroom houses
- 15 x three-bedroom houses
- 10 x four-bedroom houses

The proposal will provide 26 affordable homes, comprising of the following mix:-

- 8 x 2 bed houses and
- 18 x 3 bed houses.

These are made up of a mixture of detached, semi-detached and terraced; all of two storeys in height and finished in a mix of brick and render external finishes.

The proposal includes comprehensive landscaping and planting to create green edges to the built development. It includes the creation of three pedestrian links to the existing route running through the north of the site, which links to the Core Path network and adjacent housing developments.

94 car parking spaces are proposed in total. A space is provided for each affordable unit, with 68 spaces (including 4 disabled bays and 32 EV spaces) proposed for the open market properties.

The site will take vehicular access via the principle road of the adjacent development within application 16/06280/FUL, from which access is taken from the existing priority junction of the B800 immediately north of the new M90/ A90 overbridge and also from Provost Milne Grove in South Scotstoun and reached through the principal road network.

A detailed application for formation of SUDs, landscaping and footpath on the eastern edge of the housing also forms part of an accompanying separate application.

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

- Pre-application Consultation Report;
- Design and Access Statement;
- Planning Statement;
- Ecology Report;
- Flood Risk Assessment and Surface Water Management Plan;
- Sustainability Statement;
- Transport Assessment;
- Air Quality Impact Assessment;
- Noise Impact Assessment;
- Landscape and Visual Appraisal; and
- Ground Investigation Report.

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of development is acceptable;
- b) the proposals provide a development of appropriate design, scale and layout;
- c) the proposals would have a detrimental impact on the historic environment;
- d) the proposals provide an acceptable level of residential amenity;
- e) the proposals are acceptable in terms of road safety;
- f) the proposals would have an adverse impact on air quality;
- g) adequate developer contributions and infrastructure is secured;
- h) the proposals would result in increased flood risk;
- i) the proposals will have an impact upon existing trees on site;
- j) the proposals would have an adverse impact upon the ecological significance of the site;
- k) the representations have been addressed.

a) Principle

The site is allocated as HSG 33 in the LDP for residential development.

Local Development Plan (LDP) Policy Hou 1 states that priority will be given to the delivery of housing land supply and relevant infrastructure through sites allocated in the plan.

LDP Policy Hou 2 (Housing Mix) promotes a mix of house types where practical to meet a range of housing need and having regards to the character of the surrounding area. Edinburgh Design Guidance states the at least 20% of units should be homes for growing families with at least three bedrooms. The proposal exceeds this with 70% of proposed homes, having three or more bedrooms. The remaining units consist of two bed houses. The mix of house types and sizes is considered acceptable in the context of LDP Policy Hou 2 Housing Mix.

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. In this instance, the surrounding area is characterised by low to medium density housing, with the development in HSG 33 being characterised by two storey dwelling houses, with some medium density 3/4 storey flatted blocks. The proposal is compatible with surrounding housing developments in the locality and appropriate for its location.

LDP Policy Hou 3 (Private Greenspace in Housing Development) seeks to ensure adequate provision of green space will be provided to meet the needs of future residents. Each of the proposed have private gardens and the quality greenspace is proposed around the built environment, in compliance with Hou 3.

The proposed development site lies within the HSE consultation distance of a major hazard site - INEOS FPS Limited, Dalmeny Installation, Standingstane Road, Dalmeny, South Queensferry. 21 units will be sited within the middle zone, with the other 51 dwelling units within the outer zone or outside the consultation distance. As such, the Health and Safety Executive was consulted on the proposal.

HSE's response confirmed that as the proposed housing development within the middle zone constitutes a SL2 development (less than 30 dwelling units at a density no greater than 40 units per hectare), HSE does not advise, on safety grounds, against the granting of planning permission for the proposed.

Policy Conclusion

The principle of development is already established. Overall, the proposal can achieve residential homes in a sustainable location, in compliance with Hou 1. The development is compatible with the LDP policies Hou 2, Hou 3 and Hou 4, and HSE raise no objection to the proposed development.

b) Design, Scale and Layout

LDP Policies Des 1 - Des 9 set a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area with the need for a high quality of design which is appropriate in terms of height, scale and form, layout, and materials. Also relevant is the site brief and associated development principles included in the LDP which sets out key design requirements to guide the development of the site. These include access to the site, consideration of existing trees and future planting, footpath/cycleway links through the site and to existing areas, amenity issues and the creation of open space.

Design and Materials

The surrounding area is predominantly low to medium, density modern housing. To the north of the site, there is a mixture of older two storey houses, either terraced or semi-detached in various colours of render. The development on the former Agilent site nearby is a combination of detached, semi-detached, terraced and flatted properties, with a mixture of light brick and render as the main materials.

In this instance, the application continues the design approach already established within the wider site. Although 'standard house types' are utilised, they have been arranged in a way to address the proposed street hierarchy, for example double frontage properties have been introduced on corner plots to avoid blank frontages. There is a range of house types.

In terms of materials, a mixture of brick and render units are in keeping with the existing and emerging housing in the area.

A condition in relation to materials is recommended to allow these details to be fully considered.

Height and Scale

The proposed houses are two-storey, pitched roof properties which fit with the height of the well-established residential areas to the northern and the wider site as a whole.

A raised bund and significant landscape planting along the southern boundary were granted permission as part of wider site. This is approximately 20 metres in width and will provide a robust and defensible settlement boundary with the A90 road in line with LDP Policy Des 9 (Urban Edge Development). As such, a development of this height and scale will not be an incongruous addition upon the landscape from the south and will sit modestly within the backdrop of the existing and emerging housing.

Layout and Landscape

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. Further, the Edinburgh Design Guidance states that new suburban developments should be laid out to give a variety of different streets and spaces. These should integrate with the hierarchy of the streets in the surrounding area.

The roads through the site are set out in hierarchy, with one main route running west-east and a series of blocks of development taking access from it. Traffic calming elements such as build outs and street trees, alongside different surfacing material have been used to alter the character of the streets and reduce the dominance of the car. Properties have been arranged to face open space where possible to create street frontages where possible.

The applicant has adopted a landscape design approach and the proposed layout will encourage walking and cycling through the scheme, linking with existing paths to the adjacent residential areas and core paths. A cycle route runs through the site. This extends from the National Cycle Route 1 that currently runs into the site from Dalmeny and then north through the adjacent former Agilent site. There is also a central north/south tree lined path that links back to the houses to the north - this follows the line of the current field path through the site.

The site contains a number of paths and routes that links well with the adjacent areas. There are a number of small areas of open space are provided throughout the wider HSG 33 site, including the proposed SUDS pond to the east of the development that will provide greenspace adjacent to the main cycle path.

Overall, the proposed layout is a landscape lead design that promotes walking and cycling through the development and into adjacent greenspace, in compliance with LDP Policy Des 7.

The landscape proposals will strengthen the green belt boundary and contribute to multi-functional green networks by improving amenity and enhance biodiversity. The landscape scheme for the site supports the objectives of Des 3, by including the creation of these new habitats and retention of the woodland habitats.

The proposals accord with the development principles set out in the LDP for the HSG 33 site.

c) Historic Environment

Visualisations from two of the viewpoints were produced from Viewpoint 6 (B800 near Dundas Golf Club) and Viewpoint 7 (M9 Overbridge). Images show the rendered of the proposed two storey development, alongside the development already granted.

These visualisations confirm that there will be no negative impact on the view from these viewpoints, and that the existing view of Mons Hill, and the Forth Bridges and their role as notable focal features in the backdrop, would not be affected by the development, in line with LDP Policy Env 1 World Heritage Sites. Any impact on the setting of Scotstoun House was addressed as part of application 16/06280/FUL. There are no alterations to this arising from the current application.

The City Archaeologist has stated that the site occurs on the southern boundary of present day South Queensferry, historically situated between the medieval settlement of Dalmeny to the east and Scotstoun House to the west. The site is bisected by the historic road linking Dalmeny and Echline, depicted on General Roy's 1750's map, and which survives within the line of trees situated within the centre/west of the site. This road is likely to be of medieval date, though it may have earlier Roman origins as the coastal road linking Cramond Roman Fort and Cramond Brig to the East could have followed this same route. Although no medieval settlement sites are known from the site, it has been suggested that a medieval Motte occurred in this general area associated with Dalmeny. In addition, it overlies the former workings of the Dalmeny Oil-Shale Mine started in 1901. As such the site has been identified as being within an area of archaeological potential.

It is therefore recommended that a programme of archaeological excavation is undertaken prior to development.

Subject to this condition in relation to archaeology, the proposals do not detrimentally impact on any historical features near or on the site.

d) Residential Amenity

Future Occupiers

LDP Policy Des 5 (Development Design- Amenity) states that development will be permitted where future occupiers have acceptable levels of amenity.

The proposal has been designed around providing quality amenity and green space links for residents.

The proposal complies with Hou 3 (Private Green Space in Housing Development) and exceeds the requirements for Edinburgh Design Guidance, ensuring a good quality living environment for future occupiers. The proposed units exceed the minimal internal floor areas as set out in guidance.

The proposed homes meet requirements with respect to daylight, sunlight and outlook.

Environmental Protection raised concerns regarding the possible impact noise may have on the amenity of the newly proposed residential properties. The applicant has submitted a supporting noise impact assessment (NIA).

The NIA has highlighted that noise can be mitigated by the inclusion of an earth bund and/or acoustic barrier that will break the line of site between the proposed residential properties and the road. Double glazing for habitable rooms facing the A90 is also required.

Environmental Protection is satisfied that noise can be mitigated subject to the conditions and informatives attached.

A Ground Investigation Report has been submitted in support of the application. This is currently being assessed by Environmental Protection. Accordingly, it is recommended that a condition is used to ensure that contaminated land is fully addressed.

Overall, the proposed development will provide good residential amenity, in compliance with LDP Des 5.

Neighbouring Amenity

LDP Policy Des 5 (Design-Amenity) supports proposals that have no adverse impact on neighbouring developments.

Given the height and scale, along with the distance to existing properties, the proposed development will not result in any loss of daylight into neighbouring properties, overshadowing or privacy issues.

Overall, the proposal is compliant with LDP Policy Des 5 and the Edinburgh Design Guidance and will not be to the detriment of neighbouring properties.

e) Active Travel, Transport Traffic Impact and Access

The site benefits from easy access to the core path to the north which offers good active travel links to Dalmeny train station and to local facilities within South Queensferry.

A footpath is available at the northeast part of the site (CEC Core Path 10 and forming part of the National Cycle Route) and this path enables a connection on foot between Queensferry and Dalmeny.

Four residential roads off Scotstoun Avenue - Scotstoun Park, South Scotstoun, Provost Milne Grove and Sommerville Gardens - form the main part of the north boundary of the wider application site and these all have a network of footpaths that connect from the boundary of the wider site to Scotstoun Avenue and beyond. Adjacent housing sites have created new linkages in this area which extend the permeability of the east of South Queensferry providing additional connections with e.g. surrounding cycle routes and Dalmeny railway station.

Cyclists Cycling routes are provided within the existing area and within the wider development proposals. NCN 1 passes north of this application site along CEC Core Path 10 and provides linkages to Dalmeny station and into the city. The new paths leading from the north of this application boundary onto the Core Path are 3m wide which allow both cyclists and pedestrians to use them.

In conjunction with the wider site and surrounding development, the proposal will deliver opportunities to create permeable networks.

A Transport Assessment (TA) has been submitted in support of the application.

This predicts that both the proposed site access junctions and the existing junctions will operate satisfactorily for the design year including the traffic associated with the proposed residential development. It assessed transport impacts of 420 residential units for the entire planning application site(16/06280/FUL) and transport is satisfied that existing and proposed transport infrastructure are able to accommodate transport impacts of the consented and proposed, which is well below the 420 residential units assessed in the TA.

The Roads Authority has raised no objections in relation to the proposed traffic generated by the development.

LDP Policy Tra 2 (Private Car Parking) requires proposed car parking levels to not exceed the maximum levels stipulated in Council's guidance.

The 94 car parking spaces (26 affordable houses = 26 spaces, 46 houses for sale = 68 spaces, including 4 disabled bays and 32 EV spaces) proposed for the development does not comply with the Council's current parking standards which could allow a maximum of 72 parking spaces.

100% cycle parking is proposed to be provided within the curtilage of the houses.

Whilst the car parking provision does not comply with the Council's current parking standards, the site forms part of overall consented planning application (planning reference 16/06280/FUL) which was assessed under the 2017 car parking standards. It is therefore considered appropriate to extend this level of provision to the application site.

The general layout including dedicated walking and cycling routes are well considered and has the potential to link with the wider active travel network. The internal layout is designed with a mix of vehicular route, shared surface, footways, and pedestrian/cycle routes with priority crossing. The applicant has incorporated measures from Edinburgh

Street Design guidance namely priority crossings and change in material to prioritise walking and cycling and reduce vehicular speed within the proposed development.

The design of the car parking does not fully accord with Edinburgh Street Design guidance and LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) that states integral garages and off-street parking to the front of buildings should generally be avoided. However, in this instance, landscaping and boundary treatments will soften the visual appearance of any front curtilage parking. The site will not appear to be dominated by parking, and the proposal will deliver a high quality living environment despite the inclusion of these parking solutions. The parking arrangements will not impact security or pedestrian safety. As such, the infringement is acceptable in this instance.

Public Transport Bus stops are located close by and within easy walking distance of the application site on Scotstoun Avenue and on the B800 (south of the A90 overbridge). Dalmeny Railway station is located 1km from the site, linking the site to Edinburgh.

The applicant has been in contact with Waste Services. The development has been set out in accordance with its policies and vehicle tracking has been provided and accepted by the Council's Waste Team.

Overall, the extent of active travel infrastructure, walking and cycling priority measures incorporated in the design to promote a safe walking and cycling environment within the proposed development makes the design acceptable and a departure from guidance is acceptable in this instance.

f) Air Quality

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 had raised concerns regarding this development including the impacts the development may have on local air quality. It is noted that a larger proposal (16/06280/FUL) has been consented and has addressed many of these issues.

An Air Quality Impact Assessment (AQIA) has been provided and reviewed by Environmental Protection.

Environmental Protection still considers the car parking numbers to be high and have requested that the applicant develops a Green Travel Plan. This has been included as an informative.

The applicant had been asked to provide details on where the electric vehicle charging points will be located. The applicant must provide 22 charging point as per the Edinburgh Design Standards. These will need to be 7Kw type two sockets (32amp) chargers as a minimum.

However Environmental Protection would advise that the applicant installs an external 3 pin-plugs (13AMP) socket on all units that have a driveway. The applicant should also provide an option for tenants to upgrade this to a 7KW type two socket (32AMP).

Overall, Environmental Protection has no objection to the proposal subject to the conditions and informatives attached.

g) Developer Contributions and Infrastructure

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.

This site falls within Sub-Area Q-1 of the 'Queensferry Education Contribution Zone'. The assessment has been based on the additional 39 households.

As such a total contribution of £739,167 is required. A land contribution equating to £88,999 is required.

A section 75 legal agreement has been concluded for the wider site. A Section 75 legal agreement is required to secure the funds to mitigate the impact of the net increase in units and reflect the agreed Heads of Terms under planning application reference 16/06280/FUL.

Subject to contributions being secured, the proposal complies with Policy Del 1 (Developer Contributions).

Affordable Housing

LDP Policy Hou 6 (Affordable Housing) states that planning permission for residential development, consisting of 12 or more units should include provision for affordable housing. 25% of the total number of units proposed should be affordable housing.

The original planning permission for the wider site proposed 341 homes, 85 of which would be delivered as an affordable housing tenure. As a result of the current application, 380 homes will be delivered across the wider housing site, 95 (25%) of which will be delivered as an approved affordable housing tenure. The affordable homes are being delivered at several locations across the wider development site and are well-integrated with housing for sale.

In this instance, the applicant has stated that the affordable housing will account for 26 (36%) of the 72 new homes subject to the current application. This is more than what would normally be required under the AHP, however, is necessary so that a minimum of 25% of affordable homes will still be delivered across the wider site.

The 26 affordable homes proposed by this application comprise 18 (69%) three-bedroom and eight (31%) two-bedroom houses. Across the wider development site, the proportion of larger homes suitable for families will increase from 31% to 37% as a result of this application which is welcome.

The homes will be "tenure blind".

15 (58%) of the 26 affordable homes will be delivered for social rent, the Council's highest priority tenure. Although this is below the expectation set in planning guidance on 'Affordable Housing' that 70% of affordable homes should be delivered for social rent, it is a higher proportion than previously agreed for the wider site.

Eight homes will be delivered for mid-market rent and three will be sold as 'Golden Share' (sold at 80% market value). The proposed mix of affordable tenure types is an improvement on what was originally proposed for the wider site and is acceptable.

The applicant has advised that Places for People will be the Registered Social Landlord (RSL) delivering the social and mid-market rent homes.

Overall, the proposed mix of affordable tenure types will improve on what was originally agreed for the wider development site.

The affordable housing requirement will be secured by a Section 75 legal agreement.

h) Flooding and Drainage

Policy Env 21 (Flood Prevention) states that planning permission will not be granted for development that would increase a flood risk or be at risk of flooding itself, impeded the flow of flood water or prejudice existing or planning flood defence systems.

The applicant has provided the relevant flood risk assessment and surface water management information for the site as part of the self-certification (with third party verification) process.

Overall, the proposal has been designed to mitigate potential flood risk and accords with LDP Policy Env 21.

SEPA has no objection to the proposals.

i) Trees

LDP Policy Env 12 (Trees) ensures the protection of trees.

There are mature trees along the northern boundary and within the southern part of the site.

The proposal does involve the loss of 6 existing trees on the site, as identified in the landscape drawings. These trees are not covered by a Tree Protection Order or within a conservation area and their removal is required to help facilitate the development. The loss of the existing plantation is acceptable because its retention would prejudice the redevelopment of the site and the LDP development principles do not seek to safeguard it.

Details of the proposed removal of trees and new planting have been submitted within the Design and Access Statement and submitted plans. Conditions are recommended requiring the submission of an updated Tree Survey and accompanying Tree Protection Plan to be submitted to allow detailed matters, including proposed mitigation measures for the protection of trees during construction phase, to be fully assessed.

j) Ecology and Protected Species

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 Ecology Report and follow up information has been submitted in support of the application. This considers any likely impacts on protected species.

The landscape scheme for the site supports the objectives of Des 3, by including the creation of these new habitats and retention of the woodland habitats. However, the woodlands are currently unmanaged, and it is recommended that these are brought under management for biodiversity benefit. A condition is therefore recommended seeking a Woodland Management Plan to be submitted.

Prior to removal of mature trees, these should be inspected closely for evidence of use by bats to enable mitigation proposals to be prepared should there be likely loss of roost opportunities

There are no issues in relation to LDP Policy Env 16 Species Protection arising from the proposal subject to the attached conditions.

k) Public Comments

Material Comments

There has been one neutral representation received in relation to the proposal which raised the following material considerations: -

- location of affordable in one group. Addressed in Section 3.3g; and
- concern over lack of direct link to the relatively new shared use path to the side of Dimma Park. Addressed in Section 3.3b and 3.3e.

Non-material considerations

- The existing shared path floods regularly in heavy rain and takes a long time to dry up.
- The gate on the existing cycle path is a safety issue with cyclists and pedestrians in conflict.
- Request old gate pillars which may be able to be removed.
- Comments relating to separate planning application on adjacent site.
- Request for dog waste collection points.

Conclusion

The is allocated for housing in the Local Development Plan and the proposal is acceptable in principle.

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. The scheme proposes high quality landscaping and open space proposals, and good connectivity to the wider community. As such, delivering a sustainable development.

The proposal does not raise any road safety concerns.

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 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.

2. 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.
3. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

4. The following noise protection measures to the proposed residential development, as defined in the KSG Acoustics Ltd , ' Noise Impact Assessment' report, dated 17 December 2019 shall be carried out in full and completed prior to the development being occupied.
 - Glazing units with a minimum insulation value of 4/10/4mm double glazing shall be installed for the external windows with trickle vents providing 30dB D n,e,w reduction for all habitable rooms.
 - A 2.5m close boarded acoustic barrier with a minimum surface density of 12 kg/m² shall be located to the south and east as highlighted in Noise Impact Assessment and Site Layout (Swept path info) drawing number 730P01dated 15/10/20.
 - An earth bund breaking the line of site from residential windows shall be located to the south as highlighted in Noise Impact Assessment Appendix B and site Plan drawing number Site Layout (Swept path info) drawing number 730P01dated 15/10/20.
5. Prior to the commencement of development, the following shall be submitted to and approved in writing by the Planning Authority.
 - a Tree Survey showing full details for all trees on the site and within 12 m of the site. This should be in accordance with BS5837:2012;
 - a Tree Survey Plan and Tree Constraints Plan and
 - a detailed Tree Protection Plan showing mitigation measures proposed to ensure no damage to existing trees, including roots, during the construction phase;

Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the approval of the Planning Authority.

The tree protection plan shall be implemented in full and trees on the site shall be protected throughout the construction and initial set up by the erection of fencing, in accordance with BS 5837:2012 " Trees in relation to design, demolition and construction".

6. Prior to the commencement of development, a Woodland Management Plan which details long term management and maintenance of the site and wider site, should be submitted for written approval to the Planning Authority.
7. Prior to commencement of development, a plan showing full details of proposed tree pits shall be submitted and approved in writing by the Planning Authority.

8. Details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority.
9. Prior to commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland TRBO.
10. Prior to commencement of the development, details of the barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland TRBO.
11. There shall be no drainage connections to the trunk road drainage system.
12. The approved landscaping scheme including the footpath/cycle path network shall be fully implemented within six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.

Reasons:-

1. In the interest of Public Safety.
2. In order to enable the Planning Authority to consider these matters in detail.
3. In order to safeguard the interests of archaeological heritage.
4. In protect future occupiers' amenity.
5. In order to protect existing trees on site.
6. In order to ensure that the approved landscaping works are properly established on site.
7. In order to ensure that the approved landscaping works are properly established on site.
8. To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished
9. To ensure that there will be no distraction to drivers on the trunk road, and that the safety of the traffic on the trunk road will not be diminished.
10. To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents
11. To ensure that the efficiency of the existing trunk road drainage network is not affected.

12. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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:

The applicant will be required to:

- a. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
- b. Contribute the sum of £2,000 to promote a suitable order to introduce a 20mph speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed.

A legal agreement will be required to secure these funds.

A total of 26 units are proposed for Affordable Housing units, 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 26 affordable homes proposed by this application comprise 18 (69%) three-bedroom and eight (31%) two-bedroom houses.

15 homes will be delivered for social rent, 8 homes will be delivered for mid-market rent and 3 will be sold as 'Golden Share' (sold at 80% market value).

This site falls within Sub-Area Q-1 of the 'Queensferry Education Contribution Zone'. A contribution of £739,167 is sought for additional educational infrastructure to support the projected increase in school rolls as a result of the development.

The land contribution required is £88,998.

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. No indexation to be applied to land contribution.

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. Roads 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.;

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, 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 applicant must be informed that any proposed on-street carparking 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.

The applicant should ensure that the access road and associated accesses are large enough, and of a shape, to accommodate any vehicles which are likely to use it, in particular refuse collection, bus and emergency service vehicles.

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. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

6. Environmental Protection

Prior to occupation 22 electric vehicle charging points, capable of 7 Kw type 2 plugs (32AMP) shall be installed and operational.

Prior to the use being taken up, an external 3KW 3 pin-plug electric vehicle charging point, shall be installed in the private driveways with an option upgrade it to (32AMP) for all residential properties with driveways.

7. Scottish Water Informative

There is currently sufficient capacity in the Balmore Water Treatment Works.

However, further investigations may be required to be carried out once a formal application has been submitted.

This proposed development will be serviced by S Queensferry Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water.

For developments of 10 or more domestic dwellings (or non-domestic equivalent) SW require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted.

Where it is confirmed through the PDE process that mitigation works are necessary 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.

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into their combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection or brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges.

However, it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is proposed, 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.

SW identify that development proposals impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact the 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.

8. SEPA Informatives

Surface Water Drainage

SEPA note surface water from the site will discharge to an existing culvert located at the southern boundary via pipework constructed to serve 16/6280/FUL. As acknowledged in the Surface Water Management Plan & Drainage Strategy (dated 23 October 2019) the discharge of surface water to the water environment must be in accordance with the principles of the SUDS Manual (C753). You should also be aware that any discharge must also comply with the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR). Further information on this matter can be found on our website. The design of the drainage system must be site specific and dependent upon the contaminants at the site, the remediation strategy and the risks posed by any residual contamination, in addition to the normal design considerations.

Please note no formal authorisation is needed or provided by SEPA. The applicant/agent should satisfy themselves that the proposed SUDS are adequate and comply with the legislation/our guidance as above.

Foul Water Drainage

SEPA note that the foul drainage from the site will be discharged to the public sewerage system vested by Scottish Water. You should deal directly with Scottish Water to ensure that the additional flow arising from this development can be accommodated in the sewer network without causing or contributing to the premature operation of consented storm overflows.

Pollution Prevention and Environmental Management

Construction works must be carried out with regard to the guidelines on avoidance of pollution. Reference should be made to the relevant Guidance for Pollution Prevention (GPPs) Notes available on our website and to the CIRIA publication C715 "Environmental Good Practice On Site - Pocket Book".

You should be aware that a construction site licence under CAR may be required for the management of surface water run-off from the construction site.

Further information is available on this in our Sector Specific Guidance: Construction Sites (WAT-SG-75) and on our construction site licence webpage. Below these thresholds, you will need to comply with CAR General Binding Rule 10 which require, amongst other things, that all reasonable steps be taken to ensure that the discharge does not result in pollution of the water environment.

Waste Management

Any waste materials imported to the site during construction must be stored and used only in accordance with a waste management licence or exemption under the Waste Management Licensing (Scotland) Regulations 2011. Similarly, any waste materials removed from the site must be disposed of at a suitably licensed or exempt waste management facility in accordance with these Regulations. The applicant should also be fully aware of the relevant requirements relating to the transport of controlled waste by registered carriers and the furnishing and keeping of duty of care waste transfer notes.

9. Edinburgh Airport Informatives

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/>)

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.

10. Habitat and Protected Species Informatives

BATS

If proposed to fell mature trees they should be inspected closely for evidence of use by bats to enable mitigation proposals to be prepared should there be likely loss of roost opportunities.

BADGERS

Good practice measure should be out in place to ensure the protection of badger and other small mammals during construction:

- Restricting construction work to daylight hours and implementation of measures to safeguard will militate against adverse impacts on the species.
- Ensuring a ramped means of escape is place in trenches overnight or the trenches are covered. Open pipes should be blocked at the close of each working day.
- Materials, fuels and solvents should be stored such that they are inaccessible to wildlife and there is no spillage onto the land

BIRDS

Clearance of vegetation to accommodate development has the potential to disturb nesting birds.

Clearance of vegetation from the proposed construction area has the potential to disturb nesting birds; therefore clearance should be carried out outside the bird nesting season March - August (inclusive). Should it be necessary to clear ground during the bird nesting season the land should be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts.

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 has been one neutral representation submitted in relation to the proposal.

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	18 February 2020
Drawing numbers/Scheme	01,02A, 03- 48, Scheme 2

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

Contact: Sonia Macdonald, Planning Officer
 E-mail:sonia.macdonald@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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.

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

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

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

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

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

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

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

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

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

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

LDP Policy Env 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.

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 20/00802/FUL At Land 100 Metres South Of, Dimma Park, South Queensferry Erect 72x dwellings with associated roads and parking spaces (as amended).

Consultations

Archaeology comment

The site occurs on the southern boundary of present day South Queensferry, historically situated between the medieval settlement of Dalmeny to the east and Scotstoun House to the west. The site is bisected by the historic road linking Dalmeny and Echline, depicted on General Roy's 1750's map, and which survives within the line of trees situated within the centre/west of the site. This road is likely to be of medieval date, though it may have earlier Roman origins as the coastal road linking Cramond Roman Fort and Cramond Brig to the East could have followed this same route. Although no medieval settlement sites are known from the site, it has been suggested that a medieval Motte occurred in this general area associated with Dalmeny. In addition, it overlies the former workings of the Dalmeny Oil-Shale Mine started in 1901.

As such the site has been identified as containing occurring within and area of archaeological potential. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP) and Historic Environment Scotland Policy Statement (HESPS) 2016 and CEC's Edinburgh Local Development Plan (2016) Policy 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 development will require significant ground works and removal of trees along the line of the historic road which linked Dalmeny and Echline. These have the potential for disturbing archaeological remains ranging from 20th century military artifacts through to medieval.

Accordingly, it is recommended that a programme of archaeological excavation is undertaken prior to development. This will see a phased archaeological programme of works the initial phase will be the undertaking of an archaeological evaluation of the site (10%). The results from this initial phase of work will inform the scope of further mitigation to be undertaken, to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains.

It is recommended that following condition be applied to ensure that the above programmes of archaeological work are carried out;

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

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 Balmore 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

This proposed development will be serviced by S Queensferry Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time 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. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website at the following link www.scottishwater.co.uk/business/connections/connecting-your-property/newdevelopment-process-and-applications-forms/pre-development-application

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.

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 taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is proposed, 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.

Next Steps:

10 or more domestic dwellings:

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

SEPA comment

We understand the site is currently allocated for housing (Site Ref. HSG 33) within the Edinburgh Local Development Plan (adopted November 2016) and the wider site has consent for residential development (Ref. 16/06280/FUL). We offered no objection to that previous planning application (letter dated 02 February 2017 under PCS/150835) and have also recently directed you to our standing advice (letter dated 18 March 2020 under PCS/170655) in relation to the formation of associated SuDS infrastructure (Ref. 20/00788/FUL). Therefore, and having considered the current submission, we offer no objection to the planning application. Please note our advice below.

Advice for the planning authority

1. Flood Risk

1.1 Please note that the SEPA-Planning Authority Protocol Policy 41 states: "If the consultation does not specify that the planning authority would like SEPA to comment on the flood risk, this will not be assessed. In these circumstances, if SEPA makes no

comment on flood risk, planning authorities should not assume that no such risk exists". It has not been indicated that flood risk advice is required in this instance.

1.2 For awareness, we no longer wish to be consulted on planning applications where surface water flooding is the only source of flood risk. The management of surface water drainage and exceedance of surface water drainage systems are matters for the local authority to consider in conjunction with Scottish Water. We therefore recommend that you consult your flood risk management colleagues to ensure proposals are appropriate and in accordance with any internal guidance.

2. Air Quality

2.1 The local authority is the responsible authority for local air quality management under the Environment Act 1995 and therefore we recommend that Environmental Health be consulted. They can advise on the need for this development proposal to be assessed alongside other developments that could contribute to an increase in road traffic. They can also advise on potential impacts such as exacerbation of local air pollution, noise and nuisance issues and cumulative impacts of all development in the local area. Further guidance regarding these issues is provided on the Scottish Government's Planning website entitled Air Quality and Land Use Planning.

Detailed advice for the applicant

You will note that we have no objection to this planning application however we recommend you take account of the advice provided below.

3. Surface Water Drainage

3.1 We note surface water from the site will discharge to an existing culvert located at the southern boundary via pipework constructed to serve 16/6280/FUL. As acknowledged in the Surface Water Management Plan & Drainage Strategy (dated 23 October 2019) the discharge of surface water to the water environment must be in accordance with the principles of the SUDS Manual (C753). You should also be aware that any discharge must also comply with the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR). Further information on this matter can be found on our website. The design of the drainage system must be site specific and dependent upon the contaminants at the site, the remediation strategy and the risks posed by any residual contamination, in addition to the normal design considerations.

3.2 Please note no formal authorisation is needed or provided by SEPA. The applicant/agent should satisfy themselves that the proposed SUDS are adequate and comply with the legislation/our guidance as above.

4. Foul Water Drainage

4.1 We note that the foul drainage from the site will be discharged to the public sewerage system vested by Scottish Water. You should deal directly with Scottish Water to ensure that the additional flow arising from this development can be accommodated in the sewer network without causing or contributing to the premature operation of consented storm overflows.

5. *Pollution Prevention and Environmental Management*

5.1 *Construction works must be carried out with regard to the guidelines on avoidance of pollution. Reference should be made to the relevant Guidance for Pollution Prevention (GPPs) Notes available on our website and to the CIRIA publication C715 "Environmental Good Practice On Site - Pocket Book".*

5.2 *You should be aware that a construction site licence under CAR may be required for the management of surface water run-off from the construction site. These apply to sites which are more than 4 hectares, are in excess of 5km, or includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25 degrees.*

5.3 *Further information is available on this in our Sector Specific Guidance: Construction Sites (WAT-SG-75) and on our construction site licence webpage. Below these thresholds, you will need to comply with CAR General Binding Rule 10 which require, amongst other things, that all reasonable steps be taken to ensure that the discharge does not result in pollution of the water environment.*

6. *Waste Management*

6.1 *Any waste materials imported to the site during construction must be stored and used only in accordance with a waste management licence or exemption under the Waste Management Licensing (Scotland) Regulations 2011. Similarly, any waste materials removed from the site must be disposed of at a suitably licensed or exempt waste management facility in accordance with these Regulations. The applicant should also be fully aware of the relevant requirements relating to the transport of controlled waste by registered carriers and the furnishing and keeping of duty of care waste transfer notes.*

Edinburgh Airport comment

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal, however have made the following observation:

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/>)

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.

Communities and 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:
72 Houses*

This site falls within Sub-Area Q-1 of the 'Queensferry 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:
£1,364,616*

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:
£164,304

Note - no indexation to be applied to land contribution.

Communities and Families updated 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:
39 Houses*

This site falls within Sub-Area Q-1 of the 'Queensferry 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:
£739,167

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:
£88,998*

Note - no indexation to be applied to land contribution.

Environmental Protection comment

The proposed development site is located beyond South Queensferry and north of the A90, close to the junction with the M90. As part of the recently completed Forth Replacement Crossing southern road network, the A9000 runs parallel to the site, merging with the A90 midway along the boundary. The A9000 is a dedicated bus lane, carrying southbound traffic across the Forth Road Bridge and east towards Edinburgh. Access to the site will be taken from the B800 to the west. To the east the site extends adjacent to existing dwellings on Dimma Park. East of the proposed development, there is a section of greenfield, which will accommodate a SUDS scheme (the subject of a separate planning application) beyond which lies the railway line which runs north to south.

The applicant proposes developing 72 residential units with 129 car parking spaces many of which will be driveways. This does seem to be an excessive provision. It is noted that the proposed level of development is within the level set out in the Local Development Plan and associated Transport Appraisal.

Environmental Protection had raised concerns regarding this development including the impacts the development may have on local air quality and noise impacts from neighbouring land uses on the proposed sensitive receptors. It is noted that a larger proposal (16/06280/FUL) has been consented and has addressed many of these issues.

Local Air Quality

The applicant had been asked to provide details on where the electric vehicle charging points will be located. The applicant must provide 22 charging points as per the Edinburgh Design Standards. These will need to be 7Kw type two sockets (32amp) chargers as a minimum. However Environmental Protection would advise that the applicant installs an external 3 pin-plugs (13AMP) socket on all units that have a driveway. The applicant should also provide an option for tenants to upgrade this to a 7KW type two socket (32AMP).

Contaminated Land

The applicant had submitted a Ground Investigation Report for the previous application before this can be assessed by Environmental Protection it will need to be available on the planning portal under this specific planning reference number. Until this has been completed Environmental Assessment recommends that a condition is attached to ensure that contaminated land is fully addressed.

Noise

Environmental Protection raised concerns regarding the possible impact noise may have on the amenity of the newly proposed residential properties. The applicant has submitted a supporting noise impact assessment. The development site is exposed to high levels of traffic noise, the noise impact assessment has highlighted that noise can be mitigated by the inclusion of an earth bund and/or acoustic barrier that will break the line of site between the proposed residential properties and the road. Environmental Protection is satisfied that noise can be mitigated subject to an acoustic bund a minimum glazing specification being conditioned.

Therefore, on balance Environmental Protection offers no objection subject to the following conditions;

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

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

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

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

2. The following noise protection measures to the proposed residential development, as defined in the KSG Acoustics Ltd , ' Noise Impact Assessment' report, dated 17 December 2019:

- Glazing units with a minimum insulation value of 4/10/4mm double glazing shall be installed for the external windows with trickle vents providing 30dB D n,e,w reduction for all habitable rooms.

- A 2.5m close boarded acoustic barrier with a minimum surface density of 12 kg/m² shall be located to the south and east as highlighted in Noise Impact Assessment and Site Layout (Swept path info) drawing number 730P01dated 15/10/20.

- An earth bund breaking the line of site from residential windows shall be located to the south as highlighted in Noise Impact Assessment Appendix B and site Plan drawing number Site Layout (Swept path info) drawing number 730P01dated 15/10/20.

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

3. Prior to occupation 22 electric vehicle charging points, capable of 7 Kw type 2 plugs (32AMP) shall be installed and operational.

4. Prior to the use being taken up, an external 3KW 3 pin-plug electric vehicle charging point, shall be installed in the private driveways with an option upgrade it to (32AMP) for all residential properties with driveways.

Roads Authority Issues

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

1. The applicant will be required to:
 - a. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
 - b. Contribute the sum of £2,000 to promote a suitable order to introduce a 20mph speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;
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.;
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, Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
5. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;
6. The applicant must be informed that any proposed on-street car 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;
7. The applicant should ensure that the access road and associated accesses are large enough, and of a shape, to accommodate any vehicles which are likely to use it, in particular refuse collection, bus and emergency service vehicles;

8. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

Note:

1. The submitted TA assessed transport impacts of 420 residential units for the entire planning application site(16/06280/FUL) and transport is satisfied that existing and proposed transport infrastructure are able to accommodate transport impacts of the consented and proposed changes from 341 residential units to 380 units which is well below the 420 residential units assessed in the TA. A total of 186 vehicular trips (two-way) are predicted during the weekday AM peak hour and 184 vehicular trips during the weekday PM peak hour for the 420 residential units assessed in the TA. The modelling shows that the site access junction is expected to work below capacity with maximum RFC of 0.318;

2. Cycle parking to be provided within the curtilage of the houses;

3. The 94 car parking spaces (26 affordable houses =26 spaces, 46 houses for sale = 68 spaces, including 4 disabled bays and 32 EV spaces) proposed for the development does not comply with the Council's current parking standards which could allow a maximum of 72 parking spaces. The car parking provision is considered acceptable because it is understood the site is part of consented planning application(16/06280/FUL) site assessed under 2017 car parking spaces;

4. The general layout including dedicated walking and cycling routes are well considered and has the potential to link with the wider active travel network. Internal layout is designed with a mix of vehicular route, shared surface, footways, and pedestrian/cycle routes with priority crossing. The applicant has incorporated measures from Edinburgh Street Design guidance namely priority crossings and change in material to prioritise walking and cycling and reduce vehicular speed within the proposed development. However, the design of car parking does not fully accord with Edinburgh Street Design guidance which requires that in all new developments, car parking should be designed to have a minimal visual impact on the site and surrounding area and with less impact on pedestrian movement. The guidance requires that parking solutions that use land efficiently and are set within a high quality public realm be explored including parking to the rear and side of dwelling. The use of integral garages and off-street parking to the front of buildings should generally be avoided. Where this is to be provided strong boundary treatments and defensible space to the front should be provided to deliver high quality living environment and public realm (Edinburgh Design Guidance page 51-54). Notwithstanding this, the extent of active travel infrastructure, walking and cycling priority measures incorporated in the design to promote a safe walking and cycling environment within the proposed development makes the design acceptable.

5. It is understood that section 75 legal agreement has been concluded for the site (16/06280/FUL)

Flood Planning comment

CEC Flood Prevention have no concerns over this application. This application can proceed to determination with no further comments from our department.

Affordable Housing response

1. Introduction

Housing Management and Development are the consultee for Affordable Housing. The proposed affordable 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's guidance on 'Affordable Housing' sets out the requirements of the AHP, it 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 consisting of up to 72 homes. It is a small part of a wider development site that already has planning permission and is currently being built out (planning application reference 16/06280/FUL).

The original planning permission for the wider site proposed 341 homes, 85 of which would be delivered as an affordable housing tenure. As a result of the current application, 380 homes will be delivered across the wider housing site, 95 (25%) of which will be delivered as an approved affordable housing tenure. The affordable homes are being delivered at several locations across the wider development site and are well-integrated with housing for sale.

The applicant has stated that the affordable housing will account for 26 (36%) of the 72 new homes subject to the current application. This is more than what would normally be required under the AHP, but is necessary so that a minimum of 25% of affordable homes will still be delivered across the wider site.

The affordable housing requirement should be secured by a Section 75 legal agreement. As multiple permissions would be in place, the Planning service should make sure that in all circumstances a minimum of 25% affordable housing will be delivered across the wider housing site.

The 26 affordable homes proposed by this application comprise 18 (69%) three-bedroom and eight (31%) two-bedroom houses. Across the wider development site, the proportion

of larger homes suitable for families will increase from 31% to 37% as a result of this application which is welcome. The homes will be "tenure blind".

15 (58%) of the 26 affordable homes will be delivered for social rent, the Council's highest priority tenure. Although this is below the expectation set in planning guidance on 'Affordable Housing' that 70% of affordable homes should be delivered for social rent, it is a higher proportion than previously agreed for the wider site. Eight homes will be delivered for mid-market rent and three will be sold as 'Golden Share' (sold at 80% market value). The proposed mix of affordable tenure types is an improvement on what was originally proposed for the wider site and is acceptable.

The applicant has advised that Places for People will be the Registered Social Landlord (RSL) delivering the social and mid-market rent homes. The applicant should make sure that the proposal reflects their design standards as well as guidance such as Housing for Varying Needs.

An equitable and fair share of vehicle and cycle parking for affordable housing, consistent with the relevant parking guidance, should be provided.

3. Summary

The affordable housing requirement should be secured by a Section 75 legal agreement. As multiple permissions would be in place, the Planning service should make sure that in all circumstances a minimum of 25% affordable housing will be delivered across the wider housing site, as required by affordable housing policy.

The applicant is proposing to deliver 26 affordable homes on the site. The mix of affordable home size and type is acceptable. The mix of affordable tenure types will improve on what was originally agreed for the wider development site.

Health+Safety Executive comment

1. Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, the Health and Safety Executive (HSE) is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines. The proposed development site in planning application 20/00802/FUL lies within the HSE consultation distance of a major hazard site - INEOS FPS Limited, Dalmeny Installation, Standingstane Road, Dalmeny, South Queensferry.

2. HSE has provided planning authorities with access to the HSE Planning Advice Web App - <https://pa.hsl.gov.uk/> - which the City of Edinburgh Council used to obtain HSE's advice on this application. The response which was received was that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case (ref. HSL-200811163107-370).

3. The Council have approached HSE regarding that advice and HSE has reviewed the details submitted with the planning application.

4. The HSE advice which was obtained through the Web App was on the basis that the proposal involves a development of more than 30 dwellings units within the consultation distance of the INEOS FPS Limited site - this is a sensitivity level SL3 development within 'HSE's land use planning methodology' (<http://www.hse.gov.uk/landuseplanning/methodology.pdf>)

5. The proposed development site lies within the middle and outer zones of the HSE consultation distance, as well as outside the consultation distance. As more than 10% of the total housing development site area lies within the middle zone, the whole development was treated as lying within the middle zone. It is HSE policy to advise against the granting of planning permission for SL3 developments within the middle zone.

6. The Supporting Planning Statement (December 2019) includes mentions of the 'HSE safeguarding area', which presumably refers to the HSE consultation distance around the INEOS FPS Limited site. In addition, the 'Site Layout' (Dwg. No. 730 P01) shows the middle and outer consultation zones of the HSE consultation distance of the INEOS FPS Limited site, which suggests that these may have been taken into account when designing the proposed layout.

7. Very exceptionally there are cases where the application of HSE's codified land use planning methodology alone is inappropriate and HSE will provide further advice after taking into account the specific circumstances of a proposed development. In this case, the proposed layout and its position in relation to the HSE consultation zones present a specific set of circumstances and it is sensible to take account of these outside of the methodology - see paragraph 10 of 'HSE's land use planning methodology'

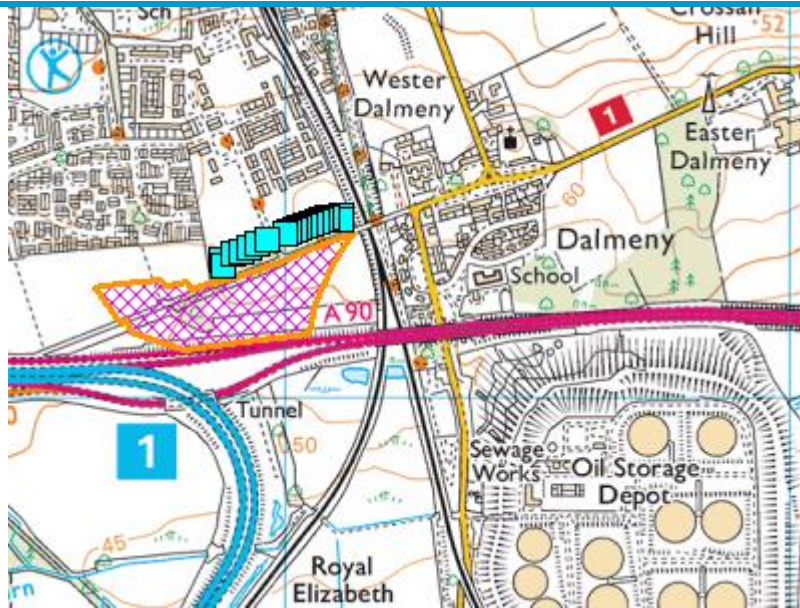
8. HSE's advice is that, in general, significant housing should be prevented from being built in the inner zone and only a limited number of houses, at a low density, should be built in the middle zone. Pragmatically, 30 dwellings at a density no greater than 40 dwellings per hectare, within the middle zone of HSE's land use planning consultation zones, is taken as the limit at which HSE would not advise against planning permission. Beyond the middle zone, HSE does not advise against the granting of planning permission for housing developments. The overall objective is to maintain the separation of incompatible development from the major hazard.

9. In this case, HSE has taken into account the following specific circumstances and considerations in determining its advice:

- o a total of 21 dwelling units will be sited within the middle zone, with the other 51 dwelling units within the outer zone or outside the consultation distance;
- o the housing density of the overall proposed development within the middle zone will be less than 40 dwelling units per hectare;

10. As the proposed housing development within the middle zone constitutes a SL2 development (less than 30 dwelling units at a density no greater than 40 units per hectare), consequently HSE does not advise, on safety grounds, against the granting of planning permission for planning application 20/00802/FUL. This advice supersedes that previously obtained through the HSE Planning Advice Web App (ref. HSL-200811163107-370).

Location Plan



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Development Management Sub Committee

Wednesday 16 December 2020

**Application for Advert Consent 20/02461/ADV.
Advertising Hoardings on Roundabout at Dreghorn Link,
Edinburgh.
Consent requested to install and display 3 non-illuminated
roundabout sponsorship signs on the roundabout facing 3
entrance roads. EDB028 - Straiton, 4 signs, Easting 327451,
Northing 666977. EDB029 (as amended).**

Item number

Report number

Wards

B08 - Colinton/Fairmilehead

Summary

Regulation 4(1) of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 states that advertisement control shall be exercisable only in the interests of (a) amenity and (b) public safety.

The proposals will not adversely affect amenity or public safety.

Links

[Policies and guidance for this application](#)

LDES08, NSADSP,

Report

Application for Advert Consent 20/02461/ADV. Advertising Hoardings on Roundabout at, Dreghorn Link, Edinburgh.

Consent requested to install and display 3 non-illuminated roundabout sponsorship signs on the roundabout facing 3 entrance roads. EDB028 - Straiton, 4 signs, Easting 327451, Northing 666977. EDB029 (as amended).

Recommendations

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

Background

2.1 Site description

The Dreghorn Link roundabout is a four-way, soft landscaped roundabout. It is located to the north of the City Bypass, and connects with Swanston Muir housing development to the east, Swanston services and a small cluster of houses to the west and Dreghorn Link to the north.

The Burdiehouse Road roundabout is a five-way, soft landscaped roundabout. It is located to the north of the City Bypass. It connects Burdiehouse Road with Straiton Road, Lang Loan and the City Bypass, via slip roads.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description of the Proposal

This application, as amended, seeks advert consent for the installation of non-illuminated sponsorship signs (1200mm x 500mm) at two locations; Dreghorn Link, three signs are proposed at this location. Burdiehouse Road (Straiton); four signs are proposed at this location.

The application has been amended to delete the proposed signage at Biggar Road.

3.2 Determining Issues

Do the proposals affect the amenity of the locality? In the determination of the suitability of the site for the display of advertisements, the Planning Authority shall have regard to the general characteristics of the locality including the presence of any feature of historical, architectural, cultural or similar interest. The authority may disregard any advertisements displayed in the locality.

Do the proposals affect public safety? The Planning Authority shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

3.3 Assessment

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

- a) the proposal would have a detrimental impact on amenity;
- b) the proposal would have an adverse impact on public safety and
- c) any comments received have been addressed.

a) Amenity

The three signs proposed at the Dreghorn Link roundabout are positioned at the northern, southern and western entrances/exits. Although this location has residential properties nearby, the roundabout leads to a petrol filling station, an hotel and a link road; the immediate vicinity has a transitional character, forming a connection between the bypass and residential developments. The display of three, small scale, non-illuminated signs would have no adverse impact on the amenity of the area and would form a modest and acceptable addition to the roundabout.

The four proposed signs at the Buirdiehouse Road (Straiton) roundabout are positioned at four of the entrance/exits to the roundabout. The area has undergone significant development in the recent past, with a large housing scheme located nearby. However, the roundabout is situated at the slip roads to and from the bypass and the immediate vicinity does not have a residential character to it. The signs would be minor additions to a large scale roundabout and would have no adverse effect on amenity.

The introduction of non-illuminated signage at the above locations would not have an adverse impact on amenity.

b) Public Safety

The Roads Authority, whilst offering no objections in principle, has concerns in relation to the potential height of the supporting frames and the proximity of the signs to road signs on the roundabouts. It was recommended that road safety audits be undertaken for each location.

However, the signage would not be dominant, being of a small scale and non-illuminated. Each sign would form a modest addition to the roundabouts and would not conceal or obstruct directional signage on the roundabouts. They would not cause undue distraction to drivers.

Given the form and scale of the signage, the submission of a road safety audit is not considered to be a proportionate requirement. The proposal would not have an adverse impact on road users or other members of the public.

There are no public safety concerns.

c) Comments

66 letters of objection were received.

Amenity - the advertisements would form visual clutter, impacting on the amenity of the surrounding areas. - addressed in section 3 a)

Road safety - for drivers and cyclists navigating the roundabout and pedestrians trying to cross the roads on foot- addressed in section 3 b)

Fairmilehead Community Council (FCC) commented that the main concern is the impact on road safety and an increased likelihood of road accidents. It was outlined that the roundabout at Biggar Road is always very busy, and the roundabout at Dreghorn Link is beside a petrol station and a Travelodge which attracts many HGVs and other large vehicles, and it was concluded that the proposed signage at these locations is inappropriate.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Consent is granted for a period of five years from the date of consent.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

Informatives :-

It should be noted that:

1. The applicant will be required to submit further applications for road opening permits as appropriate. Planning permission in itself is not sufficient to permit work to be carried out on site;
2. The applicant will be required to provide road safety audits and detailed drawings prior to work on site.

Financial impact

4.1 The financial impact has been assessed as follows:

The Council would receive income from the applicant or its successor as part of the rental of both sites for the display of advertisements.

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

66 letters of representation have been received.

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 LDP

Date registered

19 June 2020

Drawing numbers/Scheme

01-02, 04a, 05, 07-08,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: , Alan Moonie Team Manager Local One Team.

E-mail: alan.moonie@edinburgh.gov.uk

Links - Policies

Relevant Policies:

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

Non-statutory guidelines 'ADVERTISEMENTS, SPONSORSHIP AND CITY DRESSING' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

Appendix 1

Application for Advert Consent 20/02461/ADV At Advertising Hoarding On Roundabout At, Dreghorn Link, Edinburgh

Consent requested to install and display 3 non-illuminated roundabout sponsorship signs on the roundabout facing 3 entrance roads. Also: EDB028 - Straiton, 4 signs, Easting 327451, Northing 666977. EDB029 (as amended).

Consultations

ROADS AUTHORITY ISSUES

Whilst there is no objection in principle to the proposed roundabout sponsorship signs, a number of issues require to be addressed prior to installation on any particular site. In particular, the following concerns should be address:

1. It is unclear from the submitted drawings as to the total height of the proposed signs. It is therefore unclear as to the potential impact on road safety. In addition, the proposed signs may not be suitable for a particular site but more modest signs may be acceptable. It should be noted that the submitted location and site drawings give little indication as to the road names and it is not clear as to the actual location;
2. Drawings should be submitted showing the proposed signs in the context of the existing infrastructure, e.g. traffic signals, existing road signs, etc.;
3. Road safety audits should be carried out for each site;
4. Clarity should be provided on the future maintenance responsibility for the signs.

The application should therefore be continued.

Reasons:

The information submitted is not sufficient to fully assess the proposed signs and the potential impact on road safety.

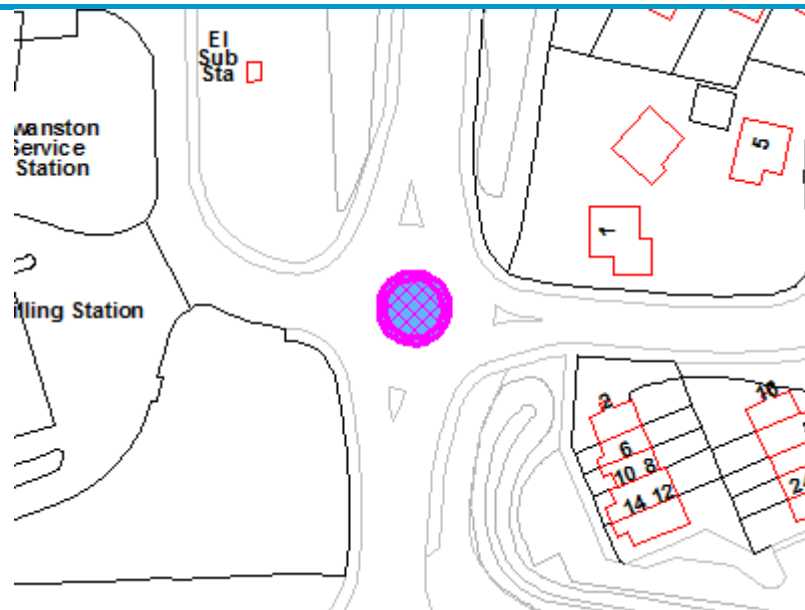
Should you be minded to grant permission, the following should be included as conditions or informatives as appropriate:

- a) The applicant will be required to submit further applications for road opening permits as appropriate. Planning permission in itself is not sufficient to permit work to be carried out on site;
- b) The applicant will be required to provide road safety audits and detailed drawings prior to work on site.

With regard to the specific proposed locations, the following should be noted:

- i. Dreghorn Link / Swanston Muir roundabout - this location may be acceptable depending on the outcome of the road safety audit;
- ii. Straiton Road / Burdiehouse Road roundabout - this location may be acceptable depending on the outcome of the road safety audit;
- iii. City Bypass / Biggar Road roundabout - the proposed location raises a number of concerns for road safety and the location is unlikely to be acceptable, even with more modest signs. This location includes an approach road under the control of Transport Scotland and their views should be sought.

Location Plan



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END

Development Management Sub Committee

Wednesday

**Application for Planning Permission 20/03983/FUL
At 2A Easter Belmont Road, Edinburgh, EH12 6EX
Alter existing garden fence to provide sliding gate and
provide dropped kerb along gate line, to provide car
parking for a single car on existing paved surface.**

Item number

Report number

Wards

B06 - Corstorphine/Murrayfield

Summary

The application for development is in accordance with the Edinburgh Local Development Plan as it complies with policy Des 12 (Alterations and Extensions) and policy Env 6 (Conservation Areas - Development). It is compatible with the existing building, preserves the special character and appearance of the conservation area and has no adverse impact on neighbouring residential amenity. The proposal represents a minor departure from the non-statutory Guidance for Householders and is acceptable in this instance. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

NSLBCA, OTH, CRPWMU, LDPP, LDES12, LEN06, NSG, NSHOU,

Report

Application for Planning Permission 20/03983/FUL At 2A Easter Belmont Road, Edinburgh, EH12 6EX Alter existing garden fence to provide sliding gate and provide dropped kerb along gate line, to provide car parking for a single car on existing paved surface.

Recommendations

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

Background

2.1 Site description

The application relates to the rear garden of a one and a half storey detached property at the entrance to Easter Belmont Road.

Within the area, there is a range of boundary treatments including stone walls, timber fences and hedgerows. There are a number of gates and openings and these range from permeable wrought iron gates to solid timber gates.

This application site is located within the West Murrayfield Conservation Area.

2.2 Site History

01.09.2020 - Enforcement investigation: alleged unauthorised development relating to the creation of an access and parking space. -(20/00499/EOPDEV).

Main report

3.1 Description Of The Proposal

The proposal is for the creation of a parking area with mechanical gates within an existing fence along the boundary treatment of the rear curtilage of the application site.

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 scale, form and design are acceptable; and would preserve or enhance the character and appearance of the conservation area;
- b) There would be no unreasonable loss to neighbour's amenity;
- c) Any road safety concerns have been addressed;
- d) There would be no impacts upon Human Rights;
- e) Any comments received have been addressed.

(a) Scale, form, design and impact on Conservation Area

The West Murrayfield Conservation Area Character Appraisal emphasises the range of high-quality villas of restricted height enclosed by stone boundary walls and the predominance of residential uses within the area.

The boundary treatments of the surrounding area are characterised by stone walls, timber fences, wrought iron gates and timber gates. The installation of a timber gate (3.5 metres wide, approximately) within the existing timber fence to provide access to a parking area within the rear curtilage of the application site would fit seamlessly within this context. The gate itself mirrors the in-situ fence in height and material and by virtue of this congruous characteristic, the opening would not impact upon the host property or the surrounding West Murrayfield Conservation Area.

The proposal complies with the Edinburgh Local Plan Policies Env 6, Des 12, the non-statutory Guidance for Listed Buildings and Conservation Areas and represents an acceptable minor departure from the non-statutory Guidance for Householders.

(b) Neighbouring amenity

The proposal would not result in an unreasonable loss of neighbouring residential amenity. The proposal complies with the non-statutory guidance with respect to daylight, sunlight and privacy and Local Plan Policy Des 12.

(c) Transport

No impacts were identified in relation to road safety. In relation to the car parking space itself, the proposal is contrary to the non-statutory Guidance for Householders in that it is not 6 metres in depth. This criterion is in place to ensure a private vehicle can completely draw in. However, this would represent an acceptable minor departure in this instance by virtue of the application displaying that a car can entirely draw in without leaving any part projecting.

(d) Equalities and human rights

No impacts were identified in relation to Human Rights.

(e) Public Comments

Objecting Material Representations -

- The proposal is not in-keeping with the conservation area; this is addressed in section a).
- The proposal would create a dangerous scenario in terms of Road Safety; this is addressed in section d).

Objecting Non-Material Representations -

- Concerns regarding the accuracy of the received materials; the materials received as part of the application are acceptable in terms of conducting an assessment in this instance. In addition, a site visit provided further contextual understanding of the application site.
- Neighbour notification concerns; the properties that have been notified are those that are within a 20-metre radius of the application site; this is a statutory requirement and is carried out via the Royal Mail. In addition, the proposal has also been advertised in the local press by virtue of the application site being in a conservation area.
- Ownership concerns; the material as part of the application states that the applicant is the owner of the development site. This information satisfies the requirements of the Planning Service. In addition to this, further due diligence confirmed via the agent that the applicant is the owner. If this information is inaccurate or incorrect, it would be a civil matter and would not fall within the planning remit.
- Alleged unauthorised previous works; this application is in place to have the unauthorised works assessed and formalised.
- Maintenance of the application site and adjacent area; this is not a material planning consideration and cannot be assessed as part of the application.
- The parking space is subject to the make/model of the vehicle; the make and model of vehicle is not part of the assessment in terms of parking spaces.

Conclusion

The proposal complies with the Edinburgh Local Plan Policies Env 6, Des 12, the non-statutory Guidance for Listed Buildings and Conservation Areas and represents a minor departure from the non-statutory Guidance for Householders.

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

3.4 Conditions/reasons/informatives

Conditions:-

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 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 9 October 2020 and 30 representations were received in objection to the proposal.

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	18 September 2020
Drawing numbers/Scheme	01-02, Scheme 1

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

Contact: Conor MacGreevy, Planning Officer
 E-mail: conor.macgreevy@edinburgh.gov.uk

Links - Policies

Relevant Policies:

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

Other Relevant policy guidance

The West Murrayfield Conservation Area Character Appraisal emphasises the range of high quality villas of restricted height enclosed by stone boundary walls, and the predominance of residential uses within the area.

Relevant policies of the Local Development Plan.

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

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

Non-Statutory Guidelines

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

Appendix 1

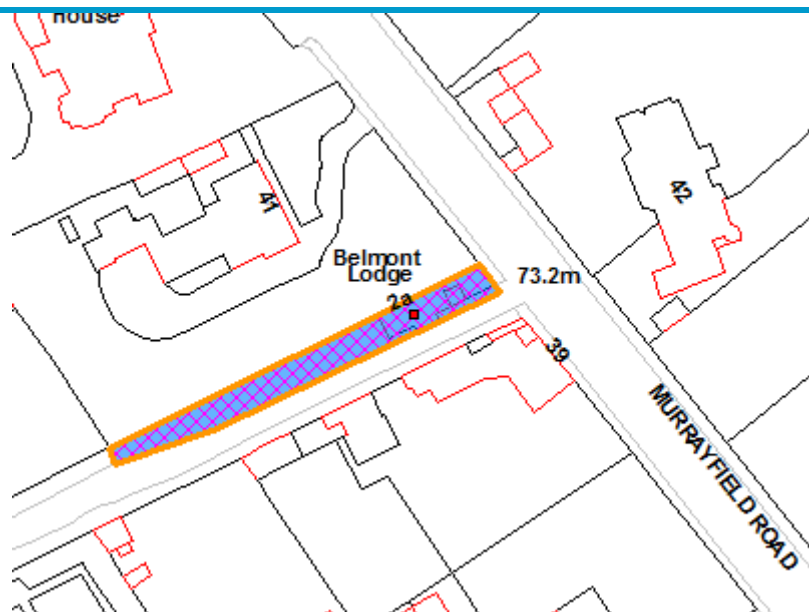
**Application for Planning Permission 20/03983/FUL
At 2A Easter Belmont Road, Edinburgh, EH12 6EX
Alter existing garden fence to provide sliding gate and
provide dropped kerb along gate line, to provide car parking
for a single car on existing paved surface.**

Consultations

Roads Authority -

No objections.

Location Plan



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END

Development Management Sub Committee

Wednesday 16 December 2020

**Application for Planning Permission 20/03478/FUL
At 65 London Road, Edinburgh, EH7 6AA
Demolition of existing buildings and erection of purpose-built student accommodation and associated landscaping and infrastructure.**

Item number

Report number

Wards

B14 - Craigtinny/Duddingston

Summary

The proposal complies with the development plan and other material considerations. The development is acceptable in this location and will not lead to an overconcentration of the area's student population. The overall design concept responds effectively to the surrounding context 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, LHOU08, LEN21, LTRA02, LTRA03, NSG, NSGD02, NSGSTU,

Report

Application for Planning Permission 20/03478/FUL At 65 London Road, Edinburgh, EH7 6AA Demolition of existing buildings and erection of purpose- built student accommodation and associated landscaping and infrastructure.

Recommendations

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

Background

2.1 Site description

The site is 0.17 hectares in size and is situated on the south side of London Road. The site is currently occupied by a car wash with a vehicular access to the eastern end of the site directly onto London Road. The wider area has a mixture of residential and commercial uses.

To the north is the site of the new Meadowbank Sports Centre, which is currently underway. The site immediately to the west is currently under development for student accommodation. The developer of the neighbouring site has acquired the application site with the intention of combining the two buildings. To the east is the entrance to the narrow Clockmill Lane with a BT Exchange building beyond. Clockmill Lane continues to bound the site to its south with the East Coast Mainline beyond.

2.2 Site History

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

Adjacent Sites

61-63 London Road

27 June 2019 - Planning permission granted for the erection of mixed-use development including student accommodation and ancillary uses, commercial unit, and associated landscaping and infrastructure (reference number - 19/01149/FUL).

Meadowbank Stadium

8 October 2020 - Application approved for matters specified in condition 1 of 18/00154 PPP for the proposed redevelopment of surplus land at Meadowbank Sports Centre

with mixed uses including residential and commercial, together with roads, landscaping, drainage and ancillary works (reference number- 20/00618/AMC).

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

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

Main report

3.1 Description Of The Proposal

The proposal is to demolish the existing car wash building on the site and erect a six-storey block of purpose-built student accommodation. The student accommodation will comprise 76 student bedrooms provided in the form of 72 studio bedrooms and four accessible studio bedrooms. A total of 199sqm of amenity space will be provided within the development, including common rooms and entrance lobby.

Planning permission has previously been approved on the site for a residential development. However, this proposal entailed building over a sewer that runs beneath the site's frontage with London Road. Subsequent discussions with Scottish Water have established that this sewer cannot be built over, thereby rendering the residential scheme undeliverable.

As a result, the site was re-marketed and acquired by the developers of the neighbouring site at 61-63 London Road, to which it is proposed to link the development.

Due to the location of the sewer beneath the site and the positioning of the adjacent block, the building will be set back from London Road. The building will be six storeys in height with a turret element on its eastern corner. The predominant facade material will be brick with a pre-cast concrete plinth around the base.

A corridor link is proposed between the proposal and the development at 61-63 London Road. This link between the buildings is at levels 1 to 5 and is set back from the building line fronting London Road.

Access is proposed via London Road and will be shared with the adjacent development on the site's northern boundary. The existing access point on the east of the site will be removed.

Ancillary elements such as cycle parking, bin stores, sub-stations and landscaping will be consolidated between the site and its neighbour. A non-material variation will be submitted for the neighbouring proposal to reflect the changes.

Cycle parking will be provided in a secure enclosure with capacity for 198 bicycles with an additional 12 visitor spaces in Sheffield stands. No car parking spaces will be provided but the occupants will have the use of the two disabled parking spaces and two car club spaces within the building's curtilage and provided through the neighbouring development.

Supporting Information

The following information was submitted in support of the application:

- Design and Access Statement;
- Planning Statement;
- Drainage Strategy and Surface Water Management Plan;
- Flood Risk Assessment;
- Air Quality Impact Assessment;
- Archaeological Desk-Based Assessment;
- Noise and Vibration Assessment;
- Site Investigation Report;
- Transport Statement;
- Ecology Report, and;
- Pre-Application Consultation (PAC) report.

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The principle of the development complies with the Development Plan;
- b) The proposals provide a development of appropriate scale, form and design;
- c) The proposals provide an acceptable level of amenity for residents;
- d) The transport and air quality impacts are acceptable; and

e) The representations have been addressed.

a) Principle

LDP policy Hou 8 (Student Accommodation) supports the development of purpose-built student accommodation subject to the following two requirements. 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 on 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. While criterion b) advises that 'outwith criterion a) student housing will generally be supported on sites with less than 0.25 hectares of developable area'. This site does not share a boundary with a university or college campus. However, the total site area is 0.17 hectares. Therefore, the proposal complies with both criteria, provided that there is no cumulative impact from student housing.

Criterion c) advises that 'outwith criteria a) and b) sites identified as having a high probability of delivering housing within Map 5 taken from the LDP Housing Land Study (June 2014) and sites with greater than 0.25 hectares of developable area must comprise a proportion of housing as part of the proposed development'.

The site is identified in the LDP Housing Land Study as having a low probability of delivering housing and therefore does not contribute towards the housing land supply.

The site also complies with the second part of criterion c) as the site is less than 0.17 hectares. However, the current proposal is by the developer of the neighbouring site. If the sites were combined, they would have a total area of 0.46 hectares. The supporting text for the SHG locational criteria states that 'to avoid the sub-division of sites the applicant shall be required to demonstrate that the site did not form part of a larger area, within a single control or ownership, on 25th February 2016'. It has been confirmed that the sites were under separate ownership and control in February 2016, with the opportunity for the current developer to acquire the site arising as a result of the unimplementable permission granted in 2018.

The location of the accommodation is suitable and accords with policy Hou 8 criterion a) and the relevant sections of the SHG.

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 data zones from the 2011 census. As the individual data zones 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 data zone 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 Purpose Built Student Accommodation (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, including the proposed development, would be approximately 25%. This proportion would not lead to an over-concentrated student population in the area and meets criterion b) of policy Hou 8 and the SHG.

b) Scale, Form and Design

Policies Des 1 to Des 8 of the LDP set out the policy framework for the design of developments. These policies 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 height, scale and form, layout and materials.

Due to the history of this area, the built environment around the site varies broadly in terms of the age and uses of the buildings, with limited architectural uniformity. However, the recent approval of a masterplan for the redevelopment of the Meadowbank Stadium site is demonstrative of the significant change taking place in the area.

In terms of its height and massing, the building matches the scale of the adjacent development. The design and form are simple, utilising rhythmic fenestration to tie through with its neighbour at 61-63 London Road. The building acts as a bookend to the urban block and features a turret element on its corner to replicate the turrets contained on the corners of traditional tenements in the area. The proposal demonstrates a clear design concept and the architecture includes modest contemporary elements that are appropriate in its context.

The façade of the building will be set back from the site boundary. While this setback is necessary due to the sewer beneath the site, the scale of the building ensures that the frontage addresses the street and will be in keeping with the traditional built form in the area. This form of development will strengthen and improve the existing street frontage along this edge and is appropriate in this context. The rear of the building will provide passive surveillance to Clockmill Lane, creating a more welcoming pedestrian environment.

The site lies within the view cone of key view E8 London Road, Meadowbank - Calton Hill. However, it lies on the periphery of the view cone and does not impinge on the key view from the Meadowbank Terrace junction on London Road. The proposed development is an appropriate incursion within the urban landscape. Overall, the scale and massing conform with the existing tenemental townscape and are appropriate in this location.

The facade materials will be facing brick with a pre-cast concrete plinth at ground floor and dark grey window frames. The brick detailing will be high quality and selected to complement the tone and colour of the neighbouring development and nearby tenements. The proposed mix of materials is acceptable in principle, subject to a pre-commencement condition requiring the submission of a detailed specification.

As the proposal will effectively be an extension of the ongoing development on the neighbouring site, ancillary facilities such as cycle parking, bin stores and sub-stations will be consolidated within the site. This will allow these elements to be provided in specific parts of the site and prevent the area in front of the building from appearing cluttered.

In summary, the building heights and massing responds effectively to the surrounding context and allows the proposal to integrate into the surrounding area. The proposal is a contemporary design that is appropriate to its location. 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

There are a number of noise sources in the area, including transport noise from vehicles on London Road and trains on the railway to the south. As a result, a Noise and Vibration Impact Assessment (NVIA) has been submitted in support of the development. The NVIA makes recommendations as to the overall facade sound insulation performance requirements and provides examples of glazing and ventilation strategies that will protect the amenity of occupiers. A condition will ensure that facade finishes are implemented in line with the recommendations of the report.

Environmental Protection has confirmed that the mitigation measures outlined in the NVIA are sufficient to ensure a suitable level of residential amenity for the occupants of the accommodation.

While there is no specific requirement to provide external amenity space for student accommodation, an area of approximately 690 square metres is provided for residents under the consent for the neighbouring site. The residents of this proposal will also have access to this area. This area is south-facing at the rear of the building and will provide an adequate outdoor space for the residents.

Other than the neighbouring development, the proposal is not located in close proximity to any residential development. Therefore, the development will not impact on the amenity of any residential accommodation in the area in terms of loss of sunlight, daylight, overshadowing or privacy. In addition, the proposal will provide an appropriate level of amenity for future occupants.

Overall, the proposal will provide adequate amenity for future and neighbouring residents.

d) Transport and Air Quality

Transport

Parking for vehicles and cycles will be rationalised across the two neighbouring developments. The development proposes no general car parking spaces with two disabled car parking spaces and two car club spaces having been previously approved on the adjacent site. An additional 76 cycle parking spaces will be provided in a secure, covered enclosure. The previously approved enclosure for the neighbouring site will be relocated and enlarged to provide the additional capacity in a single location on the site. An additional 12 visitor cycle parking spaces will also be provided.

A Transport Statement (TS) has been submitted in support of the application. The TS advises that the proposal is forecast to generate less vehicle trips than the existing development. Therefore, there would be a net reduction in traffic impact on the road network.

The site benefits from being on 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.

The site is also within walking and cycling distance of local amenities, the city centre and some university campuses.

Overall, the proposed level of vehicle and cycle parking is acceptable. The development is well connected and will have no detrimental impact on traffic, road safety or parking.

Air Quality

This part of London Road is part of the Central Air Quality Management Area (CAQMA). Therefore, an Air Quality Impact Assessment (AQIA) has been submitted in support of the application. Environmental Protection has confirmed that the AQIA demonstrates compliance with the relevant air quality objectives.

(e) Public Comments

- Site should be developed with residential homes, not student accommodation - addressed in section 3.3(a);
- 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);
- Overshadowing of existing properties - addressed in section 3.3(c);
- Impact on air quality - addressed in section 3.3(d);
- The proposal ruins views - addressed in section 3.3(b);
- Parking in the area is currently difficult and the development will exacerbate this issue - addressed in section 3.3(d); 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 responds effectively to the surrounding context 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. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
3. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
4. 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.
5. No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
 6. Prior to the first occupation of the development, the mitigation measures as detailed in the Sandy Brown Associates Noise Impact Assessment, ref: 20311-R01-A, dated 6 August 2020, should be implemented; namely: the following facade sound insulation is required, with appropriate passive ventilation:
North facing facades: R'w+Ctr 35 dB
South and west facing facades: R'w+Ctr 33 dB.

Reasons: -

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to ensure that the approved landscaping works are properly established on site.
4. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
5. In order to safeguard the interests of archaeological heritage.
6. In order to protect the amenity of the occupiers of the development.

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 be required to provide 3 motorcycle parking spaces in a secure and undercover location to meet Council parking standards.

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

A total of 25 representations have been received. Of the representations, 23 objected to the proposal and two were 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

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

Date registered

24 August 2020

Drawing numbers/Scheme

01 - 11,

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

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.

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.

Appendix 1

Application for Planning Permission 20/03478/FUL At 65 London Road, Edinburgh, EH7 6AA Demolition of existing buildings and erection of purpose- built student accommodation and associated landscaping and infrastructure.

Consultations

Archaeology

Further to your consultation request, I would like to make the following comments and recommendations concerning the above planning application for the demolition of existing buildings and erection of purpose-built student accommodation and associated landscaping and infrastructure.

As described in AOC Archaeology's Desk-Based Assessment (Report 25203) the site lies on the northern side of Clock Mill Lane, the medieval road linking the Canongate with Restalrig. The western edge of the site may also overlie a post-medieval drainage ditch/burn. I concur therefore with the report's conclusion, that the site should be regarded as occurring within an area of archaeological potential.

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) 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 development will require significant ground breaking and landscaping works associated with demolition of current building occupying the site and the construction of the new development. I concur with AOC's conclusions that such works have a moderate-low impact with potential to disturb significant remains, principally relating to the site's post-medieval uses.

Accordingly, it is essential that a programme of archaeological work is undertaken prior to /during development to fully excavate, record and analyse any surviving archaeological remains that may be affected.

It is recommended that the following condition is attached to ensure that this programme of archaeological works is undertaken.

'No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, 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 would 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.

Economic Development

The following are comments from the City of Edinburgh Council's Economic Development service relating to planning application 20/03478/FUL for the development of student accommodation at 65 London Road, Edinburgh.

Commentary on existing uses

The application relates to a car wash at 65 London Road. The economic impact of the existing building cannot be estimated, but is unlikely to be significant.

The site is 0.16 hectares. Accordingly, the requirement set out in policy EMP 9 of the Edinburgh Local Development Plan for the redevelopment to incorporate "floorspace designed to provide for a range of business users" does not apply.

Commentary on proposed uses

The application proposes the comprehensive redevelopment of the existing site, delivering 76 student bedrooms.

- Sui generis (student accommodation)

The development as proposed would deliver 76 new student bedrooms. These would not be expected to directly support any economic activity. However, the bedrooms could be expected to support economic activity via the expenditure of the students. Based on average levels of household expenditure in Scotland, the residents of the 76 bedrooms could be expected to collectively spend approximately £1.49 million per annum. Of this £1.49 million, it is estimated that approximately £1.29 million could reasonably be expected to primarily be made within Edinburgh. This £1.29 million could be expected to directly support approximately 16 FTE jobs and £0.64 million of GVA per annum (2017 prices).

SUMMARY RESPONSE TO CONSULTATION

It is estimated that the proposed development would support approximately 16 FTE jobs and £0.64 million of GVA per annum. The economic impact of the existing buildings cannot be accurately estimated but is unlikely to be significant.

This response is made on behalf of Economic Development.

Environmental Protection

Environmental Protection has no objections to this application subject to the below conditions:

1. Prior to the use being taken up, the mitigation measures as detailed in the Sandy Brown Associates Noise Impact Assessment, ref: 20311-R01-A, dated 6 August 2020, should be implemented; namely: the following facade sound insulation is required, with appropriate passive ventilation:

North facing facades: R'w+Ctr 35 dB

South and west facing facades: R'w+Ctr 33 dB

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 to the satisfaction of the Planning Authority, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

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

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 Planning Authority.

The proposal plans to develop student accommodation at the site of a current car-wash unit. The site is bounded to the south by a railway line and to the north by London Road, a major arterial route into the city.

Environmental Protection has concerns over the historic use of the site, as this may have resulted in ground contamination. A condition is recommended to ensure the site is suitable for the proposed use.

As this part of London Road forms part of the Central Air Quality Management Area, an Air Quality Impact Assessment has been submitted by the applicants, demonstrating compliance with the relevant air quality objectives.

Environmental Protection did have concerns in relation to the residential amenity of the occupants of this development due to noise and vibration from the various transport sources. The applicant has submitted a noise impact assessment by Sandy Brown Associates, which demonstrates that noise and vibration from the railway movements would meet our expected standards. It also concludes the noise from traffic on London Road will be unacceptably high in the proposed residential dwellings facing onto the road and therefore suggested mitigation measures.

Environmental Protection considers that the recommended measures are likely to ensure a suitable level of residential amenity for the occupants of the proposed property

Environmental Protection therefore has no objections to this application, subject to the above conditions.

Flood Prevention

This application can proceed to determination with no further comments from our department.

Scottish Water

Thank you for allowing Scottish Water to review and comment on the above site I have assessed these sites and make the below comments.

Existing Infrastructure within Site

Scottish Water Records indicate that there is a 375mm Vitrified Clay combined sewer on site that currently flows from east to west beneath the existing building.

Please note that Scottish Water records are indicative only and your attention is drawn to the disclaimer at the bottom of this letter. It is the applicant's responsibility to accurately locate the position of the pipe for line and depth on site and confirm the size and its material of construction.

The stand-off distance for this asset is 3.0 - 6.0 m the outside edge of the sewer, dependent on its confirmed depth. No building, private garden or other obstruction should be located within the stand-off distance of a sewer. If this access distance cannot be met, the sewer should be diverted around the perimeter of the new development.

An asset impact application showing proposals should be submitted to Scottish Water for review by the Asset Impact Team as soon as possible to prevent any possible delays to construction.

Scottish Water Disclaimer: "It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Transport

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

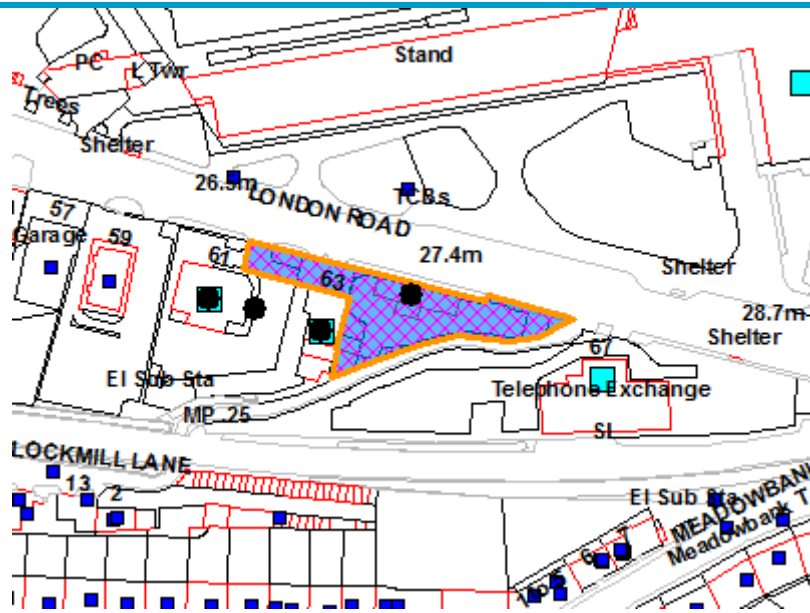
- 1. The applicant should be required to provide 3 motorcycle parking spaces in a secure and undercover location to meet Council parking standards.*

Note:

The proposed 76 student and 12 visitor cycle parking spaces and zero car parking is acceptable.

A draft travel plan has been submitted.

Location Plan



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Development Management Sub Committee

Wednesday 16 December 2020

**Application for Planning Permission 20/02489/FUL
at 200 Mayfield Road, Edinburgh, EH9 3BE.
Erection of 112 bed spaces of student accommodation
(amendment to planning permission 16/04158/FUL) (as
amended).**

Item number

Report number

Wards

B16 - Liberton/Gilmerton

Summary

The proposals largely comply with the development plan, the Council's Guidance for Student Housing and the Edinburgh Design Guidance. The scale, design and materials are satisfactory. The loss of designated open space on the site is of a negligible scale, and will be counteracted by the provision of a comparable amount of amenity open space. The development will have no adverse impacts on the character of the Braids, Liberton and Mortonhall Special Landscape Area. There is no unacceptable loss of residential amenity and the proposal provides a satisfactory level of amenity for the new occupiers. There are no road safety issues. Overall, the development complies with the development plan and there are no material considerations which indicate otherwise.

Links

[Policies and guidance for this application](#)

CRPCMP, LDPP, LHOU08, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LTRA02, LTRA03, LEN06, LEN11, LEN16, LEN21, LEN22, LRS06, LTRA09, LEN12, NSG, NSGSTU, NSGD02,

Report

Application for Planning Permission 20/02489/FUL at 200 Mayfield Road, Edinburgh, EH9 3BE. Erection of 112 bed spaces of student accommodation (amendment to planning permission 16/04158/FUL) (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 measures 1101 sq m and is located on Mayfield Road, just north of the main junction of Kirk Brae/Liberton Brae with Mayfield Road/Liberton Road. It is the former site of the Braidburn Inn public house and restaurant and is currently brownfield land following demolition of the buildings on site. Liberton Road is a principal route into the city centre and provides frequent bus services, with north and south bound bus stops located within 100m of the site. Land to the immediate south of the site has recently been granted planning permission for student accommodation (20/00487/FUL).

To the rear of the site is a large earth bank known as Liberton Dam. Beyond this lies Craigmillar Park Golf Course. The land to the rear of the Liberton Dam is designated Green Belt, a Special Landscape Area and open space. The Braid Burn runs to the immediate south of the site, before being culverted under the Liberton Dam. The Braid Burn and Craigmillar Park Golf Course are designated as a Local Nature Conservation Area. The site lies opposite Craigmillar Park Conservation Area.

Two small areas of the site at the north west and south are part of a larger area of designated business amenity open space, as identified in the Council's Open Space Audit (reference AM65). The overall area of designated open space covers a total of 0.52ha, including Liberton Dam. The area of the site within the designated open space amounts to approximately 240 sq m.

There is a group of trees located within the area of designated open space in the north of the site which sit adjacent to a larger area of trees located within Edinburgh University's King's Buildings campus, which lies to the north/north-west of the site. The wider context area comprises a mix of residential uses, with some small commercial ground floor uses nearby to the south on Mayfield Road.

A small area in the north of the site is also included in the larger designated Special Landscape Area: Braids, Liberton and Mortonhall (reference SLA 21). The Special Landscape Area cover 574ha, of which approximately 160 sq m is located within the site boundary.

There is an existing proposal (T7) set out in the Local Development Plan for a footpath/cycle route located to the immediate north of the site which will connect onto Liberton Dam.

2.2 Site History

16 December 2016 - Application withdrawn for the demolition of existing building and erection of student accommodation, including all associated works. (Application reference 14/04204/FUL).

14 February 2017 - Planning permission was granted to demolish the existing public house/restaurant and the erection of purpose built managed student accommodation to the north (on the site of the Braidburn Inn). (Application reference 16/04158/FUL).

04 February 2020 - Application withdrawn for the erection of a seven-storey building comprising 138 no. units of student accommodation (application reference 19/04858/FUL).

Adjacent site

14 November 2016 - Planning permission granted for the demolition of the existing garage, office and first floor flat and to erect purpose-built student accommodation. This application did not include the site of the residential properties to the north which are now included in this application. (Application reference 16/01889/FUL).

22 March 2019 - Planning permission granted for the demolition of the existing office, garage and 224-234 Mayfield Road and to erect purpose built student accommodation comprising 148 self-contained studios (as amended). (Application reference 18/03617/FUL).

17 September 2019 - Application withdrawn for the demolition of existing buildings and erection of a part-five, part-seven storey building comprising 282 units (306 beds) of accommodation for students (Sui Generis), together with associated works. (Application reference 19/03609/FUL).

04 February 2020 - Application withdrawn for the erection of a part-five, part-seven storey building comprising 136 no. units of student accommodation at 224-234 Mayfield Road. (Application reference 19/04768/FUL).

09 September 2020 - Planning Permission minded to grant subject to referral to Scottish Ministers due to objection from SEPA as a statutory consultee for the erection of 148 bed student accommodation at 224-234 Mayfield Road. (Application reference 20/00487/FUL).

Main report

3.1 Description of the Proposal

The proposal is for the erection of student accommodation. Associated works, such as parking and landscaping, are also proposed. The proposed development is an updated scheme to the previously approved student development comprising 89 student beds (application reference 16/04158/FUL) which remains extant.

The proposed building covers a broadly similar footprint to the consented scheme, with an increase of 37 sq. m on the previously consented building footprint.

The proposed building is three to six storeys in height. The building massing steps up as the building moves northwards. The building is three storeys in height at the southern end, adjacent to the Braid Burn. It steps up in height to five storeys, and then steps again to a flat roofed sixth storey on the northern half of the building, which is set back by 1.3m to 2.7m from the front elevation of the building.

The building includes 109 student bed spaces. This includes a mix of 79 studio bedrooms (including five accessible studio rooms) and 10 three-bedroom cluster apartments with shared communal spaces. Lift access is included within the building to ensure that it is fully accessible.

A range of indoor communal spaces (116 sq m) are provided at ground floor level including a common room, gym and laundry area. Access is provided from the common room to an outdoor amenity space (210 sq m). In total, 30% of the site ground floor area is occupied by amenity space.

Administrative and operational space including an office, reception, plant area, substation and comms room are provided at ground floor level.

The building frontage is set back from Mayfield Road by 1.2m to 2.5m and will be separated by a low retaining wall with a painted steel fence. The frontage is stepped, with a central five bays projecting by 1m from the rest of the elevation. The main entrance to the building is contained within this section of the frontage.

The development proposes a zero parking approach for vehicles. 100% cycle parking is proposed, providing 112 cycle spaces.

Cycle parking is mainly provided internally at the rear of the building in two separate areas, each accommodating 52 spaces. There is a small area of outdoor cycle parking (eight spaces) provided to the south of the building. Access to the cycle parking will be via a secure gated entrance on the south of the site. Internal access is provided from one of the cycle storage areas into the main circulation space of the building, allowing for direct access for cycle users.

An outdoor amenity area is provided to the rear of the building. This comprises 210 sq m of green and hard landscaped open space, and additional footpath and amenity space is provided around the edges of the building.

The proposed palette of building materials includes buff brick (Weinerberger Rothesay Blend) along with white precast concrete plinth and detailing. The top storey will be finished with zinc cladding.

Scheme One

The floorplan of the recessed sixth floor has been reduced resulting in the loss of three units of accommodation from 112 units to 109 units.

Additional neighbour notification for the development was undertaken on 4th November 2020 following the submission of additional supporting information including a Tree Survey and an updated Planning Statement.

The following documents have been provided in support of the application and are available to view on the planning portal:-

- Planning Statement
- Design and Access Statement
- Flood Risk Assessment
- Surface Water Management Plan
- Noise Impact Assessment
- Sunlight Assessment
- 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 development is acceptable in this location;
- b) the proposals are of appropriate scale, layout and design;
- c) the proposals have an impact on the amenity of neighbouring properties;
- d) the proposals are acceptable in terms of access parking or transport issues;
- e) the proposals will affect flooding;
- f) the proposals will affect archaeology;
- g) any other material considerations and
- h) the public comments have been addressed.

a) Principle of development

The application site has an extant permission for student housing therefore the principle of development as proposed has previously been accepted in this location. Notwithstanding this, the proposal is a stand-alone application and must be assessed against the relevant policies of the Edinburgh Local Development Plan (LDP) and supporting non-statutory guidance.

The site lies within the urban area of the adopted Edinburgh Local Development Plan (LDP) where Policy Hou 1 Housing Development states that priority will be given to the delivery of the housing land supply and relevant infrastructure. The site has not been allocated for housing on the proposals map. It is not part of business led mixed use proposal or part of a regeneration proposal. However, Criteria (d) of the policy covers other suitable sites in the urban area, provided the proposals are compatible with other policies in the plan. In this case Policy Hou 8 provides the locational justification for the site to be developed for student accommodation rather than housing.

LDP Policy Hou 8 states that planning permission will be granted for purpose-built student accommodation where:

a) the location is appropriate in terms of access to university and college facilities by walking, cycling and public transport; and

b) the proposal will not result in an excessive concentration of student accommodation (including that in the private rented sector) to the extent that would be detrimental to the maintenance of balanced communities or to the established character and residential amenity of the locality.

The Council's Guidance for Student Housing provides guidance for interpreting LDP policy Hou 8 and is a material consideration in the determination of this application. The criteria in LDP policy Hou 8 are applied to proposals for student accommodation using the locational guidance set out in the guideline. The Guidance for Student Housing also notes that where sites are over 0.25ha in area, developments for student housing will be required to provide a minimum of 50% residential development on site.

The site lies adjacent to Kings Buildings, a large campus of the University of Edinburgh. It is well served by public transport leading to other university campuses across the city and to the city centre. The Edinburgh Student Housing Guidance identifies that the site falls within an area of low student housing provision at present, with between 20% and 30% of the total population categorised as full-time students aged over eighteen. The additional provision of student housing on the site will increase the proportion of student housing in the local area, but the overall proportion of students will remain within the 20% to 30% category, and therefore will continue to be categorised as an area of low student population.

The site measures 0.11ha which falls below the threshold of 0.25 hectares in area which requires a development to provide a mixed scheme incorporating housing. Its proposed use as student housing is therefore compliant with the provisions of policy Hou 8 and the Edinburgh Student Housing Guidance and is supported.

The extant planning permission establishing the principle of purpose-built student housing on this site is a significant material consideration and there has been no change to planning policy or guidance since this application was assessed. Whilst this proposal includes an increase in the number of bed spaces proposed (109 beds, compared with 89 spaces as approved in the extant consent), the increase in numbers will not impact adversely on the overall concentration of students in the local area, as noted above.

Policy Emp 9 applies to sites previously in use for employment or business purposes and is applicable to this site due to its previous use in part as a car repair garage. The proposed development of the site for student accommodation complies with the criteria of policy Emp 9 in that it will not impact on any nearby employment uses and will regenerate an existing vacant site. The site boundary does not exceed the 1ha threshold requirement of policy Emp 9 to provide new floorspace for business or employment use. It is therefore acceptable in this regard.

Policy Env 18 Open Space Protection seeks to prevent the loss of allocated open space within the city. There are two small areas within the site boundary that are identified as open space in the LDP, an area of grass to the south of the site, and an area of trees and grass embankment in the north/ north west of the site. These both fall within the same area of designated open space, which is identified as an area of business amenity open space (reference AM65) within the Council's Open Space Audit 2016. Site AM65 covers 0.52ha in total and includes these small parts of the site alongside the Liberton Dam, which sits to the immediate west of the site.

The existing open space within the site is not publicly accessible and is noted as such in the Open Space Audit. The total area of amenity open space that is located within the site boundary and would be lost through this development is 240 sq m.

The loss of these small areas of business amenity open space will have a minor impact on the total 0.52ha area of amenity space identified in this location and a negligible impact on the overall provision of open space in the local area. The proposed scheme will provide an adequate amount of new amenity open space, including soft landscaping features across the site. The provision of new open space across the site amounts to 220 sq m, which is a similar amount to the 240 sq m that would be lost.

Given the small amount of open space being considered in this case, and the similar characteristics of the proposed private open space to the existing private business amenity open space, it is not considered necessary to apply the assessment criteria set out in policy Env 18. The loss of designated open space will be counteracted by the provision of the proposed outdoor amenity space as part of the new development and is acceptable.

Policy Env 12 seeks to prevent the removal of trees from development sites unless necessary for good arboricultural reasons. A tree survey has been submitted with the application, which assesses the value of the existing group of trees in the north of the site that is proposed for removal and impact of development on three small trees that are located close to the site boundary. The tree survey concludes that the hedge trees within the site are growing in an unsustainable position and are causing damage to the existing wall. Their removal is recommended by the arboriculturalist. The three small trees to the north of the site will not be affected by development.

The impact of development on the trees is considered to be reasonable and the removal of the trees on site is acceptable in this case.

The development is therefore acceptable in principle provided it complies with other policy requirements of the Local Development Plan.

b) Scale, Design and Materials

In assessing the scale, layout and design of the proposals, LDP policies Des 1 (Design Quality and Context) to Des 8 (Public Realm and Landscape Design) provide a robust framework along with the Edinburgh Design Guidance.

Context and Setting

LDP Policy Des 1 supports new development whose design contributes towards a sense of place and picks up on the positive characteristics of the area. The surrounding built environment is urban with a mix of building materials and styles. The proposed building creates a strong frontage onto Mayfield Road, and allows for an area of private space to be provided to the rear of the building, in keeping with the existing built pattern along the street. There is a clear separation of public and private space. The layout of the proposed development contributes to the urban form and is acceptable.

LDP Policy Env 6 seeks to ensure that new development has no adverse effects on the setting or character of a conservation area. The site faces onto the boundary of Craigmillar Park Conservation Area, and therefore the setting of this area must be considered.

Craigmillar Park is characterised by a distinct pattern of detached, semi-detached and terraced mainly Victorian houses orientated towards the street frontages, set within significant gardens. The site faces an area of green space and private rear garden ground within the conservation area, which is lined with trees along the edge of Mayfield Road.

The proposed building will strengthen the terraced frontage along Mayfield Road opposite the conservation area, which will complement the existing and emerging development form of the street frontage of the western side of Mayfield Road. It will have no adverse impact on the green space within the conservation area. The proposed form and character of the building is considered to be appropriate for this setting of the conservation area and is acceptable in this regard.

LDP Policy Env 11 Special Landscape Areas protects the special character and qualities of the Special Landscape Areas across the city. A very small area of land within the north/ north west of the site (160 sq m) is located within the boundary of the Braids, Liberton and Mortonhall Special Landscape Area, cutting from the Liberton Dam to Mayfield Road. There is no access from Mayfield Road into the SLA at this location, and it's position to the east of the rising land of the Dam mean that it there is no significant visual connection between the site and the wider SLA.

The Braids, Liberton and Mortonhall SLA covers a total area of 574 ha, and the proportion of the SLA that would be developed upon is negligible in comparison to the wider area. Development of this small section of the SLA will have no detrimental impact on the special character or quality of the Special Landscape Area and is considered to be acceptable.

Scale, height and massing

LDP Policy Des 4 seeks to ensure that new development is compatible in terms of height and form in addition to scale and proportions.

The site slopes from south to north and to the rear of the building the land rises steeply. The proposed building is three to six storeys in height. The three storey element of the building sits at the southern edge of the site, adjacent to the Braid Burn corridor. This mirrors the proposed building massing of the development on the southern side of the burn.

The building steps up to five storeys, and then to a set back sixth storey as it moves northwards. The topography of the street at this part of Mayfield Road means that the new building will sit comfortably into the site as Mayfield Road rises up heading northwards. This partially hides the ground floor storey in the northern part of the site and minimises the visual impact of the sixth storey of the building on the street frontage. The overall transition of the building height from south to north fits with the development on the adjacent site, and provides a reasonable fit with the streetscape, with the gradual increase in height across the site set responding to the natural topography.

Materials and detailing

The building is finished in buff coloured brick (Weinerberger Rothesay Blend), precast concrete and zinc detailing.

The ground floor storey is finished with a pre-cast concrete basecourse which breaks up the elevation and provides definition to the frontage. The principal elevation has vertical detailing in precast concrete panelling which articulates the variation in the footprint and provides interest to the frontage.

The window pattern is appropriate to the context and presents a residential character to the street frontage. The set back sixth storey will be finished in a zinc material which minimises the visual impact of the highest part of the building on the streetscape and provides further detail to the elevation. The building is well balanced with the nearby residential properties and provides a visual coherence along the street frontage. The proposed mix of materials and detailed design of the building and boundary treatments to Mayfield Road matches the adjacent development site to the south. The proposed mix of materials and architectural detailing is appropriate for the context and is acceptable.

The detailed specification of hard and soft landscape materials and a planting schedule/ landscape maintenance strategy is not approved at this stage. A condition has been added in order for these matters to be considered in detail at pre-commencement stage.

The proposals comply with the Local Development Plan and are acceptable.

c) Amenity

Existing residents

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

The majority of windows from habitable rooms will face onto the principal elevations of Mayfield Road and to the embankment of the Liberton Dam to the rear. The south (gable) elevation faces towards the adjacent site, which is currently under consideration for development as student accommodation. The windows on the south elevation of the building are located within circulation spaces only, and there are no privacy concerns relating from their outlook towards the adjacent site. The north (gable) elevation is designed in a similar form with no habitable windows facing northwards and therefore will not prejudice the amenity of any potential future development of this land.

The development will have no adverse impacts on the amenity of the adjacent sites in terms of daylight or sunlight, given its distance from nearby residents. The proposal complies with the Edinburgh Design Guidance in this regard.

New Occupiers

The development proposes 109 student bed spaces, of which the majority (79) will be provided in a studio format. An additional 30 bed spaces will be provided in ten three-bedroom en-suite apartments, with shared communal space. The development proposes an acceptable mix of student accommodation types and is acceptable.

The proposed rooms are single aspect. A daylight assessment has been carried out using the recommended no-skyline method set out in the Edinburgh Design Guidance. This demonstrates that all rooms will receive an adequate amount of daylight and are compliant with the guidance.

The building has been provided with lift access to provide accessibility for all. An indoor communal area and gym is proposed on the ground floor of the development with amenity open space to the rear and side of the building. 220 sq. m of outdoor amenity space is provided which equates to 20% of the overall site area. The majority of the outdoor open space has a south/ west aspect. A sunlight assessment has been provided by the applicant which demonstrates that over 50% of the shared outdoor space will be capable of receiving sunlight for more than two hours on 21st March. This complies with the Edinburgh Design Guidance.

The site is located in close proximity to existing high quality outdoor space at Blackford Hill which provides a significant amount of open space available for general use. The provision of amenity open space within the site is an improvement on the previously consented scheme and considered to be acceptable.

Noise

A noise impact assessment has been provided in support of the application which recommends glazing as a means of mitigating road traffic noise. Environmental Protection are satisfied with this proposal and a condition is recommended to protect future residents from road traffic noise.

Overall, the proposal maintains an acceptable level of amenity for existing neighbours. A satisfactory level of amenity is provided for the new occupiers. The proposal complies with LDP Policy Des 5.

Waste

The proposed waste management strategy has been agreed with CEC waste and transport officers and is acceptable.

d) Road safety and Parking

The proposal includes zero provision of car parking which is acceptable within the current Council parking standards. The development proposes 100% cycle parking provision for the development which complies with the Council's cycle parking standards. Transportation has been consulted on this application and has recommended that direct access be provided between the cycle storage areas and the internal circulation space. The applicant has updated the ground floor plan to accommodate this access point into the proposal.

The proposed development will have no adverse impact on the proposed footpath/cycle route(T7) identified in the LDP which runs through land to the north of the site. The proposal complies with LDP Policies Tra 2 and Tra 3 and is acceptable.

e) Flooding

As the site partly lies within an area of importance for flood management, LDP Policy Env 21 is relevant. LDP Policy Env 21 states that planning permission will not be granted for development that would increase a flood risk or be at risk from flooding itself. The supporting text accompanying this policy states that proposals will only be favourably considered in accompanied by a flood risk assessment, demonstrating how compensatory measures are to be carried out, and that any loss of flood storage capacity is mitigated. It notes that in some circumstances, sustainable flood management or mitigation measures may not be achievable.

Also relevant is Scottish Planning Policy (SPP), particularly paragraph 254 to 256, which relate to managing flood risk and drainage.

The applicant has submitted a Flood Risk Assessment, Drainage Strategy Report and the required Self Certification Certificate as requested. Both CEC flood planning officers and SEPA have made no objection and are satisfied with the proposed measures set out by the applicant in order for the development to conform to LDP Policy Env 21, SPP and CEC guidance in terms of flood risk.

f) Archaeology

The City Archaeologist has confirmed that the site is located in an area regarded as an area of low-moderate archaeological importance and there may be some remains of archaeological interest on the site. It is therefore recommended that a condition be attached relating to a programme of archaeological works for the site. This should include the provision of plans showing how the scheme will avoid impacting upon and conserve the historic canalised burn which forms the southern boundary of the application site.

The proposal is considered acceptable in terms of archaeology.

g) Other Material Considerations

Contaminated Land

The site is largely brownfield in nature and should be investigated to ensure that it is made safe for the intended use. A condition is recommended in this regard.

Biodiversity

The development will provide some areas of soft landscaping which provide an opportunity for an appropriate mix of native species to be provided to supporting local biodiversity. A condition is added to determine the detailed specification of the landscape mix. An informative is attached to the permission recommending that swift bricks are incorporated into the development.

Water Treatment capacity

Scottish Water has been consulted and has raised no objections to the proposed development.

h) Public Comments

Twenty public comments have been received in response to the application.

Material comments;

- Principle of student housing - addressed in section 3.3(a).
- Design aspects including scale, massing, materials, height, context, provision of amenity space - addressed in section 3.3 (b).
- Impact of the development on setting, including Conservation Area setting (addressed in section 3.3(b);
- Impact on amenity, including capacity of local facilities, noise, overshadowing of existing garden grounds - addressed in section 3.3 (c).
- Impact of development on availability of parking provision in the wider area - addressed in section 3.3(d).
-

- Impact of the development on biodiversity along the Braid Burn corridor - addressed in section 3.3(g).
- Loss of setting in terms of landscape features (addressed in section 3.3(b);
- Impact of the development on existing water supply - addressed in section 3.3 (g).

Non-material comments;

- Impact of construction phase on local residents
- Loss of social entertainment building on site

Community Council

Liberton and District Community Council has made the following material comments in relation to the application;

Support

- Support for the improved mix of student accommodation provided within the development.

Objection;

- Objection to the development of student housing in principle and to the loss of existing housing on the site - addressed in section 3.3(a);
- Design aspects of the proposals including building scale, context, sunlight/ daylight provision, adaptability of use, waste servicing and internal layout of the building - addressed in section 3.3(b);
- The level of amenity provided to future residents of the development; (addressed in section 3.3(c).
- The proposed waste arrangements and potential impact on transport on Mayfield Road. (addressed in section 3.3 (c) and 3.3(d).
- Impact on the development on local healthcare provision (the site is not included in an area identified in the LDP Action Programme to provide a contribution to healthcare provision);
- Lack of vehicle parking provision within the development (addressed in section 3.3(d).
- Potential flooding concerns in relation to the development's proximity to the Braid Burn (addressed in section 3.3(e);
- Impact on the development on the provision of the proposed pedestrian/ cycle route identified in the Local Development Plan (proposal T7) (addressed in section 3.3(d).

Conclusion

The proposals largely comply with the development plan, the Council's Guidance for Student Housing and the Edinburgh Design Guidance. The scale, design and materials are satisfactory. The loss of designated open space on the site is of a negligible scale and will be counteracted by the provision of a comparable amount of amenity open space. The development will have no adverse impacts on the character of the Braids,

Liberton and Mortonhall Special Landscape Area. There is no unacceptable loss of residential amenity and the proposal provides a satisfactory level of amenity for the new occupiers. There are no road safety issues. Overall, the development complies with the development plan and there are no material considerations which indicate otherwise.

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 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.

2. The development shall be completed in accordance with the acoustic requirements specified in the noise impact assessment (RMP Technical Report R-8748B-EK-RRM, dated 24 June 2020), should be installed as shown on technical drawings referenced RMP_001, RMP_002, RMP_003 and RMP_004 (drawing references 013 to 016 on the planning portal).
3. No demolition/development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building recording, 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 the commencement of works on site, details of the undernoted matters shall be submitted and approved by the Council as planning authority, in the form of a detailed layout of that phase of the site and include;
 - a) A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. This will include;

- i) Provision of a hard works plan including details and materials for all surfacing, walls, fences, gates, street furniture and any other boundary treatments. It is noted that all kerbs are required to have a minimum 50mm upstand to allow for equal access for all;
- ii) The location of all new trees, shrubs and hedges within the residential area, including details of tree trenches, tree pits and raised planters;
- iii) A schedule of plants to comprise species, plant size and proposed number/ density;
- iv) Programme of completion and subsequent maintenance of landscaping;
- v) Details of phasing of these works.

The approved landscaping scheme shall be fully implemented within 6 months of the completion of the development.

- 5. 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.

Reasons: -

- 1. In order to enable the planning authority to consider this/these matter/s in detail.
- 2. In order to protect the amenity of the occupiers of the development.
- 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 order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

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

4. 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. The approved landscape scheme shall be fully implemented within six months of the completion of the development.
6. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation.
7. Swift bricks should be incorporated into the building. Proposed locations should be approved by the planning authority.
8. The applicant should ensure that following the removal of existing trees from the northern part of the site, the retained boundary wall with the King's Building Campus is made good to protect the amenity of the surrounding area.

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

Public summary of representations and Community Council comments

Neighbour notification was undertaken on 29 June 2020. Twenty comments were received from members of the public objecting to the application. Comments were also received from Liberton and District Community Council. Matters raised are addressed in section 3.3 (h).

Background reading/external references

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

Statutory Development

Plan Provision

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

Date registered

22 June 2020

Drawing numbers/Scheme

01, 02C, 03B, 04A, 05A, 06B, 07A-10A, 11-16,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Julie Ross, Planning Officer

E-mail: julie.ross@edinburgh.gov.uk

Links - Policies

Relevant Policies:

The Craigmillar Park Conservation Area Character Appraisal emphasises the predominance of high quality stone-built Victorian architecture of limited height which provides homogeneity through building lines, heights, massing and the use of traditional materials, and the predominant residential use.

Relevant policies of the Local Development Plan.

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

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

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

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 RS 6 (Water and Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

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.

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

Relevant Non-Statutory Guidelines

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.

Appendix 1

Application for Planning Permission 20/02489/FUL At 200 Mayfield Road, Edinburgh, EH9 3BE Erection of 112 bed spaces of student accommodation (amendment to planning permission 16/04158/FUL) (as amended).

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations in respect to this application for the erection of 112 bed spaces of student accommodation (amendment to planning permission 16/04158/FUL).

The site occupies the site of Liberton Dam part of, though upstream from, the small historic rural settlement of Nether Liberton, first recorded in 1369. A mill at Neither Liberton is suspected from the medieval period onwards and mill lades were certainly in operation by the end of the 16th century. Liberton Dam is recorded as early as 1682 and takes its name from the Old Scots for mill lade, being at the junction of two such features, one of which feeds Liberton Mill to the NE.

General Roy's 1750's Military Map depicts a range of buildings in this location possibly on this site. The greater detail of the 1850's 1st Edition OS map shows a group of separate buildings on this site with a mill lade forming the sites southern boundary. The settlement was also the site of a steam-pump constructed in 1788 to supply water to Edinburgh from the Braid Burn, though it is not known if this was located on this development site. The site is therefore regarded as occurring within an area of archaeological importance both in terms of late-medieval and post-medieval development of Neither Liberton and its rural industrial heritage.

Until 2018/19 the site was also occupied by bar/restaurant which has now been demolished. The site is therefore regarded as occurring within an area of archaeological importance both in terms of late-medieval and post-medieval development of Neither Liberton and its rural industrial heritage.

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) 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 in my response to the 2016 application the is site of Liberton Dam is regarded as being of archaeological significance primarily in terms of its post-medieval

Industrial archaeology relating to settlement, the adjacent dam and mill lades which cross(ed) the site. As such a programme of works were recommended as outlined below to occur during demolition/development.

"Given the construction of the current public house and services in the area, it is considered that on current information this proposal scheme is regarded as having a low-moderate archaeological impact. However, demolition/construction could provide important evidence as to the nature and date of the historic earthen bank/dam as well as possibly the development of Liberton Dams. It is therefore considered essential that an appropriate programme of archaeological works is undertaken during demolition/development in order to fully excavate, record and analysis any significant buried remains affected by ground breaking works."

Since this letter the former bar/restaurant has been demolished and the site levelled at some point in the last couple of years. This has occurred without the a fore mentioned, archaeological monitoring having been undertaken. It is clear, that these works have had a significant impact over much of this application site. However archaeological information may be obtained regarding the nature and date of the historic earthen bank located across the western boundary of the site and close to the existing mill lade. It is therefore recommended that a programme of work is undertaken to investigate both these areas prior to development.

In addition, as stated in 2016 detail plans should be submitted which show how the scheme will avoid impacting upon and conserve the historic canalised burn which will form the southern boundary of the application site.

Accordingly, is it is essential that the following condition is attached to this consent to ensure that undertaking of the above elements of archaeological work are undertaken.

'No demolition/development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (conservation, 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.'

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.

Environmental Protection

Response 1 (30 June 2020)

Further to your request for a response from Environmental Protection for the above application, I would confirm the following:

As per the previous application, information was provided in support of the application which considered site contamination to ensure that the site was made safe for the proposed end use. In addition, a noise impact assessment was provided which considered traffic noise and required mitigation. Environmental Protection also subsequently requested a referenced drawing which indicates where any upgraded glazing mitigation should be installed. I cannot see either of these supporting pieces of information provided with this application. It is therefore recommended that the above information be provided to allow Environmental Protection to fully assess the application.

Should you wish to discuss, please do not hesitate to come back to me.

Response 2 (12th October 2020)

*TOWN AND COUNTRY PLANNING SCOTLAND ACT 1997 ERECTION OF 112 BED SPACES
OF STUDENT ACCOMMODATION (AMENDMENT TO PLANNING PERMISSION 16/04158/FUL) AT 200 MAYFIELD ROAD, EDINBURGH, EH9 3BE
REFERENCE NUMBER: 20/02489/FUL*

I refer to the above and would advise that Environmental Protection has no objections to the application subject to the conditions below.

The application proposes new student residential properties and proposes an amendment to an existing consent.

A noise impact assessment has been provided in support of the application which recommends glazing as a means of mitigating road traffic noise. In this regard, a condition is recommended below to protect the residents from road traffic noise.

The site should also be assessed to ensure there are no contaminants in, on or under the ground and a condition is recommended below to that effect.

Therefore, Environmental Protection offers no objections to the proposal subject to the following conditions:

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

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

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

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

2. The development shall be completed in accordance with the acoustic requirements specified in the noise impact assessment (RMP Technical Report R-8748B-EK-RRM, dated 24 June 2020), should be installed as shown on technical drawings referenced RMP_001, RMP_002, RMP_003 and RMP_004 and portal dated 12th October 2020.

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), 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. The applicant should consider providing direct access from the building to the cycle parking locations rather than external access only.

Note:

The development proposes zero car parking and 116 cycle spaces for the 112 bed accommodation.

Flooding

Response 1 (6th July 2020)

Has a Surface Water Management Plan been prepared by the applicant? Could you ask the applicant to prepare a SWMP and upload it to the portal, to support this application?

Response 2 (24 September 2020)

I have reviewed the documents on the portal and have the following comment to be addressed by the applicant:

- Could the applicant please confirm the condition and capacity of the culvert is sufficient to accommodate the proposed surface water discharge.

Response 3 (6 October 2020)

Thank you for the additional information. This satisfies CEC Flood Prevention's concerns. This application can proceed to determination, with no further comments from our department.

Waste

Response 1 (10th July 2020)

Can you confirm how many units the site holds, so I can work out the bin allocation.

As it stands the bin marked would be a problem as it blocking the entrance/ exit. However, once I know the correct allocation it might not be an issue. Also, having visited this site seems to be on a slope so they'd need to make sure the bins store meets our architects guidance on gradients.

Response 2 (28 September 2020)

Sorry it's probably me but I'm not following the comments, as long as it meets our guidance on the gradients we would have no issues on the waste side. If its out with they would need to use a private company as our operational colleagues would reject it.

Response 3 (7th October 2020)

Yes, that seems to all check out.

Scottish Water

Audit of Proposal

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 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.

Development Operations

The Bridge

Buchanan Gate Business Park

Cumbernauld Road

Stepps

Glasgow

G33 6FB

Development Operations

Freephone Number - 0800 3890379

E-Mail - DevelopmentOperations@scottishwater.co.uk

www.scottishwater.co.uk

*To find out more about connecting your property to the water and waste water supply visit:
www.scottishwater.co.uk/business/connections
SW Internal
Personal*

Please Note

- 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.

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. To find out more about connecting your property to the water and waste water supply visit:*

www.scottishwater.co.uk/business/connections

- 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.

- Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

- Trade Effluent Discharge from Non Dom Property:

- Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.

- If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email

TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?".

Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).

- Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

- For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on 0800 389 0379 or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

SEPA

Response 1 (28/07/2020)

We object to this planning application on the grounds of lack of information. We will review this objection if the issues detailed in Section 1 below are adequately addressed.

1. Flood risk

1.1 We object to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy.

1.2 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

1.3 We have reviewed the information provided in this consultation and it is noted that part of the application site lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding.

1.4 A Flood Risk Assessment (FRA) has been submitted in support of the application, undertaken by JBA Consulting. Within this FRA, JBA have taken the City of Edinburgh Council (CEC) hydraulic model and design estimated flows for the Braid Burn Flood Protection Scheme (FPS) undertaken in 2003, and used this to assess flood risk at the site. It is stated within the FRA that the model has not been changed and the design flows used within the original model have been used to assess flood risk to the site. We would highlight that SEPA did not review the original hydraulic model or design flow estimates. We request that the hydrology for the Braid Burn is reviewed and updated within the hydraulic model for a more accurate 0.5% AP (1;200) flood level. In-house analysis indicates that the QMED for the Liberton gauging station, used in 2003 is approximately 18% lower than the QMED based on the longer record up to the period when the FPS was constructed. Unfortunately the FPS has impacted upon the gauging station and high flows are not reliable beyond the FPS construction date.

1.5 Due to the uncertainty of the design flow estimates used within the original hydraulic model we request either; the hydraulic model should be re-run with updated design flows and the revised 0.5% AP (1:200) flood extent provided, or the original hydrology is retained and the proposed development is outwith the 0.5% AP (1;200) flood plus 20% to account for the difference in QMED described above. The footprint of the proposed building should be limited to only the part of the application site that lies outwith the revised 0.5% AP (1:200) flood extent.

1.6 Topographic level information has not been provided for this site. Therefore, we request this information is provided in addition to revised design flows and flood

outlines. We recommend that a drawing showing the location of the building footprint overlaid with the revised flood extent is provided to demonstrate that it is outwith the 0.5% AP (1:200) floodplain. We also request confirmation of finished floor levels for the proposed development.

1.7 This detail and clarification is necessary to demonstrate that the new proposal will not be located within the functional floodplain - if it were, it would represent a clear increase in vulnerability that SEPA could not support.

Summary of Technical Points

1.8 In summary we wish to receive clarification on the following points before we would consider removing our objection to the proposed development:

We request either;

- The hydraulic model is re-run with updated hydrology and all built development and land raising is outwith the 0.5% AP (1:200) flood extent, or
- The original hydrology is retained and all built development and land raising is outwith the 0.5% AP (1:200) flood plus 20% extent.
- Topographic level information, confirmation of finished floor levels and a drawing showing the location of the building footprint overlaid with the revised flood extent for the site.

2. Standing advice

2.1 For all other matters, including drainage, we have provided standing advice applicable to this type of small-scale local development which is available at SEPA Guidance Note 8- SEPA standing advice for planning authorities and developers on development management consultations.

Caveats and additional information for the applicant

The applicant will note that we object on the basis of lack of information in relation to flood risk. Details available in Section 1 above.

3. Flood risk

3.1 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.

3.2 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).

3.3 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.

3.4 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.

3.5 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).

Regulatory advice for the applicant

4. Regulatory requirements

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

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

4.3 A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

- is more than 4 hectares,
- is in excess of 5km, or
- includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25 degrees.

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

4.4 Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

4.5 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulation section of our website or by contacting waterpermitting@sepa.org.uk or wastepermitting@sepa.org.uk.

4.6 If you have any queries relating to this letter, please contact me by email at planning.se@sepa.org.uk.

SEPA response 2 (2nd October 2020)

Advice for the planning authority

Having reviewed the information provided to us, we are now in a position to withdraw our previous objection to this planning application. Please note the advice provided below and in particular the strong recommendation in paragraph 1.6.

5. Flood risk

5.1 Documents reviewed:

- Flood Risk Assessment, September 2020*
- Proposed site plan, May 2020*

5.2 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 Risk Management Authority.

Technical Report

5.3 We previously objected to the proposed site in July 2020. The previous Flood Risk Assessment (FRA) included the site to the south of the Braid Burn. We requested the hydraulic model is re-run with updated hydrology and all built development and land raising is outwith the 0.5% (1:200) flood extent and topographic level information, confirmation of finished floor levels and a drawing showing the location of the building footprint overlaid with the revised flood extent for the site.

5.4 Since our previous letter JBA and SEPA have corresponded via email regarding the hydrology for the Braid Burn. SEPA have agreed a 0.5% (1:200) design flow estimate of 16.42m³/s, as used within the original hydraulic model, based on information supplied by JBA.

5.5 An updated FRA has been submitted in support of the application and excludes the site to the south of the Braid Burn. Within this updated FRA further blockage scenarios have been undertaken. It is detailed that during a 0.5% (1:200) plus 30% blockage of Mayfield Road culvert flood levels adjacent to the site vary from 55.22mAOD to 55.16mAOD.

5.6 Review of the topographic level information and Figure 3-7 within the updated FRA the proposed building is outwith the 0.5% (1:200) plus 30% blockage flood extent. Finished floor levels are proposed at 55.90mAOD, 0.7m above the 30% blockage scenario flood level. It has been demonstrated that the proposed development is outwith the functional floodplain plus a blockage scenario. Therefore, we remove our objection on flood risk grounds but strongly recommend that the proposed landscaping to the south of the proposed building remains at existing ground levels.

6. Standing advice

6.1 For all other matters, including drainage, we have provided standing advice applicable to this type of small-scale local development which is available at SEPA Guidance Note 8- SEPA standing advice for planning authorities and developers on development management consultations.

Caveats and additional advice for the applicant

The applicant will note that we are removing our objection to this planning application. Please note the advice in the sections above.

7. Flood risk

7.1 *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.*

7.2 *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.*

7.3 *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).*

Regulatory advice for the applicant

8. Regulatory requirements

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

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

8.3 *A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:*

- is more than 4 hectares,*
- is in excess of 5km, or*
- includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25 degrees.*

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

8.4 Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

8.5 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulation section of our website or by contacting waterpermitting@sepa.org.uk or wastepermitting@sepa.org.uk.

8.6 If you have any queries relating to this letter, please contact me by email at planning.se@sepa.org.uk.

Liberton and District Community Council

1 The site

1.1 The site lies within the Liberton and District Community Council area.

1.2 The site and the adjacent vacant site at 224-234 Mayfield Road and 14-15 Braefoot Road are owned by Lanark Student Living Ltd based at 166 College Road, Harrow, Middlesex, England HA1 1RA.

1.3 LDCC notes that Lanark Student Living Ltd was incorporated in 2015, has Company registration no. 09651052 (England and Wales). Its last unaudited accounts for year ending 30 June 2019 were posted on 26 June 2020. The company has three directors, Thomas Knust, Sean Peter O'Driscoll and Bhavna Patel.

1.4 "LDCC notes that the Mayfield Road development features on the Crowd with Us investment website (crowdwithus.london). However, since the web site states "Due to regulatory requirements this investment is only available to our registered sophisticated and high-net-worth investors" LDCC was unable progress further investigations. The site also states that "You could lose all of your money invested in this product. This is a high-risk investment and much riskier than a savings account."

Furthermore, LDCC draws attention to its objection to the application 20/00487/FUL: the adjacent site at 224-234 Mayfield Road and 14-15 Braefoot Road: "The development is being funded with £6.195m agreed with Oblix Capital and from a further £809,728 raised by Lanark Student Living via the Crowd With Us crowdfunding platform." The platform's website states: "The site has planning permission in place for 237 beds at a current valuation of £8.85m. Enhanced planning has been submitted to increase the size by 69 beds making a total of 306 beds, at an enhanced value with planning of £11m. The developer will be working with a Tier one contractor, Meldrum Construction Services with whom they have a prior relationship to build out the scheme. Once built the projected total GDV for this scheme is £53m with £22m profit.

Once planning for the additional 69 beds is secured, the developer will refinance the scheme with Oblix Capital, the senior lender, at 65% LTV and repay the CWU Bondholders early (minimum term 6 months). Considering the developer has already received planning on the two adjacent sites, this is believed to be the most likely outcome. Expected Valuation based on £36k per bed therefore 306 x £36k = £11m. 65% of £11m = £7.15m. This should provide sufficient lending to pay out CWU investors."

1.5 LDCC notes the withdrawal of an earlier application 19/03609/FUL for a single development on the larger combined site, and the subsequent withdrawal of later applications 19/04858/FUL and 19/04768/FUL. LDCC also notes that application 20/00487/FUL for the adjacent site for 148 units is still under consideration.

1.6 LDCC feels strongly that this application should be dealt with together with application 20/00487/FUL, as one development (as illustrated in the Design & Access Statement and The Edinburgh Flood Risk Assessment), and believes that Lanark Student Living Ltd has submitted separate applications in an attempt to avoid the obligations attached to developments over 0.25 ha. This is not in keeping with the location and design guidance given in the CEC's Student housing guidance (p.8) which states that "sites with greater than 0.25ha developable area must comprise a proportion of housing as part of the proposed development, to balance the mix of land uses and to contribute to housing land need. On these sites the new build residential gross floor area shall represent a minimum of 50% of the total new build housing and student accommodation gross floor area." Taken together the applications are contrary to Edinburgh's Local Development Plan, 2016 (LDP) policy Hou 1 (d) (p.114).

1.7 Lanark Student Living Ltd makes much of the approval of applications 16/04158/FUL at 200 Mayfield Road, and 18/03617/FUL at 224-234 Mayfield Road. However, given the withdrawal of application 19/03609/FUL for the combined site, LDCC believes that the approved applications be viewed as a single development, and subject to the obligations referred to in 1.6 above.

1.10 Consequently, LDCC objects to the intended development of the site exclusively for speculative student accommodation, and contrary to the Local Development Plan policy.

2 Progression of application

2.1 An application for a development of fifty student bedrooms on the site of the former Braidburn Inn (Block A), with seven car parking spaces (Ref: 14/04204/FUL) was not supported by a planning statement and withdrawn.

2.2 A later application (Ref: 16/04158/FUL) for 89 self-contained studio flats on five levels at Block A was granted planning permission in 2017.

2.3 Planning consent was granted subject to certain legal requirements for 83 self-contained studio flats with no parking spaces on the site of the former garage (Block B) in 2016 (Ref:16/01889/FUL).

2.4 In 2018, an application (Ref: 18/03617/FUL) expanding this site following the demolition of the present residential housing (Block C) to 148 student flats was granted planning permission.

2.5 Two applications (19/04858/FUL and 19/04768/FUL) proposed a two block development: Block A providing 124 self-contained studio rooms and 12 'twodios' giving 148 beds; Block B [and Block C] providing 126 self-contained studio rooms and 12 'twodios' giving 150 beds. The applications for the essentially single development were withdrawn.

2.6 Application 19/03609/FUL for the combined development [of Blocks A-C] for 306 beds was withdrawn.

2.7 Application 20/00487/FUL which purports to be an amendment of application 18/03617/FUL for 148 bed spaces is currently under consideration.

2.8 The current application 20/02489/FUL for 112 bed spaces purports to be an amendment of application 16/04158/FUL for 89 bed spaces which was approved.

3 Building visual impact

3.1 The development is a six-storey building with a raised ground level.

3.2 LDCC notes the changes to the appearance of the Mayfield Road elevation. The development rises to six storeys, with a raised ground floor. The Design & Access Statement drawing (p.24) shows a taller building in the revised application. The CEC's Student Housing Guidance (2016) (p.7) states that "Large mono-use development has significant potential to harm the character of an area." The Planning Statement implicitly acknowledges this at (3.1) with the statement: "The southern end of the upper storeys is set back from the development to reduce the appearance of the building mass." LDCC disagrees that the building mass is reduced and maintains that the proposed development is a direct contravention of LDP policies Des 7 and Des 9 (pp.96-97). It does not respect local context and street pattern, or, in particular, the scale and proportions of surrounding buildings. It would be out of character with the area, and to the detriment of the local environment on the edge of the green belt. LDCC believes that a further reduced scale of building would be more in keeping with the character of the area.

4 Building design and amenities

4.1 LDCC is pleased to note the improved mix of accommodation provided in the revised developments, particularly the provision of accessible studios, but is perturbed by the increased density of accommodation.

4.2 LDCC can find no dimensions given for the studios, accessible studios and three bedroom apartments. The studios appear small and the three bedroom studios are even smaller, albeit with a shared communal space. The previous development (16/04158/FUL) proposed 89 beds; the revision increases the density to 112 beds. LDCC believes that the changes appear to give greater priority to maximising rental values than to providing for student needs.

4.3 Several of the future occupiers of the proposed developments will not have acceptable levels of amenity in relation to daylight, sunlight, privacy or immediate outlook. The development is overcrowded, with many of the lower rooms appearing to offer inadequate sunlight due to the large stone and turf dam to the west of the development. These shortcomings are contrary to LDP policy Des 5 (p.95).

4.4 LDCC commented in previous applications that communal social spaces within the development(s) appeared insufficient for the number of residents. Whilst the application increases the indoor amenities by 30 square metres with the addition of a small gym, the outdoor space is reduced by 43 square metres and includes a narrow corridor in the lee of the bund to the west. Planting has been removed. There are no communal areas provided on the floors 1-5.

4.5 The Design & Access statement makes reference to the provision of kitchens, but there appear to be no kitchens provided in the accommodation. This effectively means that future occupants will be expected to eat out, bring meals back to their accommodation, or purchase cooking equipment for use in their room or shared apartment space. LDC believes strongly that this is unacceptable.

4.6 LDCC notes the provision of laundry facilities. The absence of such facilities on the application for the adjacent strongly suggests that this facility will be shared, and further enhances the view that the two developments should be treated as one.

4.7 LDCC notes that waste collection bins will be retrieved from the store and parked at the front of the development, to be emptied by vehicles parked close to a busy junction. LDCC has already raised a number of issues relating to this junction and the design of the development will exacerbate difficulties for vehicles, cyclists and pedestrians.

4.8 The Edinburgh Flood Risk Assessment makes no reference to the risk of flooding from a failure of the circa 1876 22" diameter water main in the embankment at the rear of the proposed developments. The top of this embankment is approximately 7 metres above the ground floor levels. A failure of this pipe would probably cause a failure of the earth bank.

4.9 The Cameron Toll shopping centre, the GP surgery on Liberton Road and the private dental practice at the foot of Liberton Brae are referred to as local services. There is no statement of the two health services' capacity to register up to 112 additional patients.

4.10 With reference to the CEC's Student housing guidance LDCC suggests that the development would not contribute "to healthy and sustainable lifestyles" (p.8) and observes that according to research on the impact of accommodation on student health, lack of social space and opportunities for interaction with other students would be detrimental to student well-being.

5 Adaptability

5.1 The Edinburgh Design Guidance (October 2018) stipulates that buildings should be adaptable to the future needs of different occupiers. This is of special importance where purpose-built accommodation is proposed such as student accommodation where markets and demand can change quite quickly. Furthermore this market is an

unregulated one, which does not have to meet the standards of residential housing. These applications should demonstrate how what is proposed could be adapted to meet future needs such as housing and be compliant with the requirements for housing, such as open space.

5.2 The CEC's Student housing guidance (p.4) states "It is acknowledged that developer-led student accommodation will only be developed in places which are financially viable, giving due consideration to the projected occupancy rates during and outwith the term times." The application documents make little reference to out-of-term use, and consequently provide no consideration of the impact of such use.

6 Transport

6.1 The application claims to be a car free development, and therefore assumes no requirement for off-street parking. This assumes therefore that students' cars, or vehicles visiting the development will be parked outside the development or in the nearby streets. Parking in the vicinity is already overcrowded due to residential and commuter parking.

6.2 The LDP Proposals Map shows a protected cycleway and footpath safeguarded route adjacent to or along the western boundary of these sites. It needs to be made clear what impact this safeguard might have on these sites. In any case it would be beneficial in creating a safe and dedicated access to King's Buildings Campus if part of this route could be established in conjunction with these applications if planning approval is considered. LDCC notes that "contributions will be sought from developers towards the cost of new pedestrian/cycle links" (Planning Statement 2.3.3)

6.3 LDCC has already made representations to the CEC regarding the safety of cyclists and pedestrians at the busy junction at the southern end of Mayfield Road. The anticipated increase in cyclists close to this junction will exacerbate these concerns. (See also 4.8 above)

7 Student housing

7.1 LDCC notes that, apart from a reference to a travel study undertaken by the University of Edinburgh, there appears to be little evidence of consultation with any of the city's academic institutions about this development. Since the potential occupants will likely be dependent on facilities within the University of Edinburgh's King's Buildings to provide some of the services and amenities that the development lacks, LDCC feels this is a significant omission.

7.2 LDCC feels that the illustrations of the Edinburgh University central buildings in the Design & Access Statement (p.4) are misleading, suggesting that the students will be in George Square & Old Quad, which is two miles distant. Also misleading is the plan of the King's Buildings and the graphic of the proposed development along with the legend "2030 Masterplan for redevelopment and expansion of existing facilities" (p.20). There is no evidence in the documentation that the development is part of the University's Masterplan.

7.3 Whilst not a current requirement for student housing, LDCC notes the aspiration in City Plan 2030 that student accommodation should look after students' wellbeing, and

"be built for, and managed by, one of Edinburgh's universities or colleges". This development meets neither of these criteria.

7.4 More generally, LDCC is concerned at the growth of unregulated and speculative student housing across the city. In addition to the current proposals, there are student accommodation projects proposed at Peffermill (19/05923/FUL), the Northfield House site on Lasswade Road (20/02562/FUL), Duncan Street, and on the site of the Royal Hospital for Sick Children.

7.5 LDCC suggests that CEC should consider the potential impact of the Covid-19 pandemic on the delivery of University courses before progressing student accommodation applications. We may see a reduction in numbers of students requiring residential accommodation. Purpose-built developments that cannot be readily adapted to alternative use, such as the current application, would be seen as a poor use of land, and of the planning provisions.

8 Conclusions

8.1 LDCC does not object to the provision of student accommodation where needs are established.

8.2 LDCC feels that this and the adjacent development should be assessed as one, with the consequent obligations of the larger site applied. LDCC believes that the developer submitted two applications in order to avoid these obligations.

8.3 LDCC objects to the size and appearance of the development on the grounds that it does not fit the character of the area.

8.4 LDCC objects to the design of the development on that grounds that:

8.4.1 It provides insufficient amenities for residents;

8.4.2 The accommodation will be detrimental to student well-being;

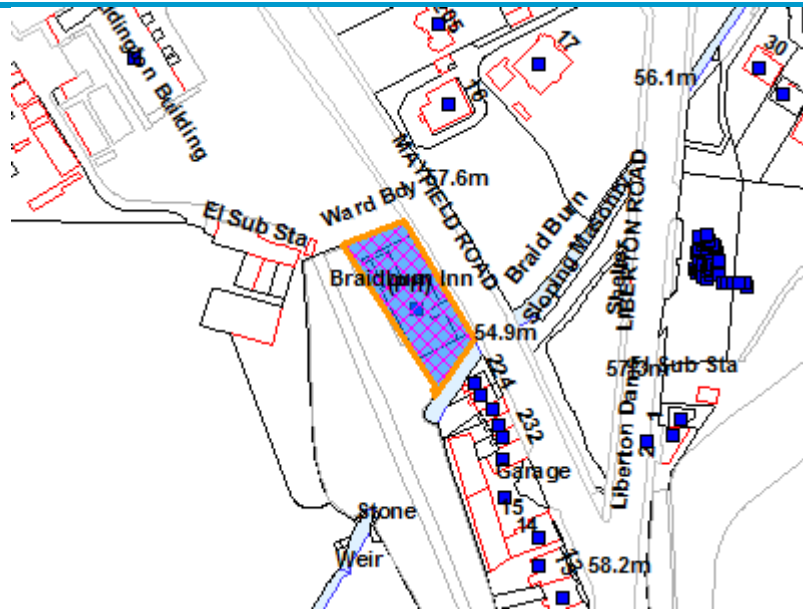
8.4.3 It will create further difficulties at an already problematic junction;

8.4.4 There is no consideration given to the impact of out-of-term use;

8.4.5 There is no provision for adaptability or provision for conversion to residential housing.

8.5 LDCC believes this to be a speculative development driven more by returns to investors than creating a sustainable community that fosters students' well-being.

Location Plan



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Development Management Sub Committee

Wednesday 16 December 2020

**Application for Planning Permission 20/03545/FUL
At Land 71 Metres North East Of, 11 Moray Park, Edinburgh
Proposed coffee shop with drive thru facility and associated works.**

Item number

Report number

Wards

B14 - Craigentinny/Duddingston

Summary

The proposal complies with the Edinburgh Local Development Plan. The proposal is acceptable in this location and is of an appropriate scale, form and design. The proposal is located in an area of good transport links and will not result in an unacceptable impact on traffic locally. No road safety issues will occur as a result. The proposal is compatible with surrounding uses and will not result in a detrimental impact on neighbour's living conditions.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES04, LDES05, LEN12, LRET01, LRET08, LTRA02, LTRA03, LEN21, NSG, NSGD02,

Report

Application for Planning Permission 20/03545/FUL At Land 71 Metres North East Of, 11 Moray Park, Edinburgh Proposed coffee shop with drive thru facility and associated works.

Recommendations

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

Background

2.1 Site description

The proposal site is an area of car parking space within a retail park identified as a commercial centre in the adopted Edinburgh Local Development Plan.

There are mixed uses of development in the wider area. Large scale retail units form the retail park to the north and west of the site. To the east, the site is adjacent to four-storey residential flatted properties on Moray Park Terrace and in proximity to the KFC drive thru facility to the south-west. To the south lies a place of worship, a garage and traditional tenemental buildings.

2.2 Site History

The site has the following relevant planning history:

21 December 1994 - Outline planning permission granted for the erection of a retail park. Condition G34 restricted the retail use to the sale of non-food goods only. Condition HC0 restricted the gross floor area of the retail use to 12,500 square metres (reference number - A/00470/94).

20 December 1995 - Approval of application of reserved matters. Condition HG9 amended the floorspace restriction, capping the gross floor area for non-food retail development to 9,707 square metres. Condition G34 restricts the retail use to the sale of non-food goods only (reference number - A/01457/95).

2 September 1998 - Planning permission was granted for the removal of condition G34 as it applied to units 9 and 10 to allow the formation of a supermarket (A/03039/97).

23 January 2002 - Planning permission granted for restaurant unit with associated access, servicing staff and landscaping (Ref: 01/00512/FUL)

8 February 2019 - Planning permission granted for Section 42 application for non-compliance with Condition G34 of Planning Permission A/01457/95/RM to allow for the sale of convenience goods at Unit 3. - (Ref: 18/00464/FUL)

Main report

3.1 Description Of The Proposal

The application proposes to erect a freestanding coffee shop with drive thru facility and associated works. This would be located in the car park in an area currently consisting of parking spaces.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The proposal is acceptable in principle;
- b) The proposal raises any issues in respect of road safety and parking;
- c) The proposal will not have a detrimental impact on the character and appearance of the surrounding area;
- d) The proposal will not have any unreasonable impact on neighbouring amenity;
- e) The proposal will not increase the risk of flooding; and
- f) All material comments have been addressed.

a) Principle of the Proposal

Edinburgh Local Development Plan (LDP) policy Ret 1 - Town Centres First Policy states permission will be granted for retail and other uses which adopt a town centre first sequential approach.

LDP policy Ret 8 states that proposals for entertainment and leisure developments in other locations will be granted subject to criteria a-d) regarding assessment of the suitability and availability of all potential city centre or town centre options; accessibility of transport and impact on traffic; design appropriate to the existing character, and compatibility with surrounding uses.

Paragraph 253 of the LDP states this policy is applicable to entertainment and leisure uses including uses such as restaurants. Further, that this policy sets out criteria for assessing such uses in other locations, including commercial centres, local centres and elsewhere in the urban area.

The applicant has submitted a sequential assessment of the suitability of alternative sites within the surrounding catchment area of the proposal site. This area includes the east of the City Centre, Leith Walk Town Centre and five local centres. The extent of area assessed is considered appropriate to the scale and function of the development proposal to incorporate all potential town / city centre options applicable.

The assessment states that there are no sequentially preferable vacancies or development sites suitable or available within the area of research having regard to the scale, layout and dual function of the proposal. The physical requirements of the proposal as a sit in food/drink use with takeaway drive-thru facility cannot suitability be accommodated by these existing development sites. A sequential approach has been applied, and the location in the commercial centre is the only one suitable and available.

Further, the use is compatible to the primary retail function of the commercial centre. The scale of the proposal does not require the submission of a retail impact analysis.

The principle of the proposal complies with the Local Development Plan subject to assessing the accessibility of transport and impact on traffic, the design and integration with the existing character of the area and impact on amenity of neighbouring residents. These sections are assessed below.

b) Parking and Road Safety

LDP policy Ret 8 criteria (b) states that permission will be granted for entertainment and leisure development that will be made easily accessible by a choice of means of transport and not lead to an unacceptable increase in traffic locally.

The retail park is within Zone 2 of the parking and cycle standards in the Edinburgh Design Guidance (EDG), in an area containing good public transport accessibility.

The site is accessed by vehicles from Moray Park, which connects to London Road via Marionville Road. Pedestrian footways run along this route which includes a shared cycleway as access to the site. A footway also runs along Moray Park Terrace, serving housing development to the east and north east.

The cycle way links to a local cycle way on Albion Road, which joins the National Cycle Route 75 - providing access to Leith to the north and connects to National cycle routes 1, 76 and 754 to the south.

The site is accessible via public transport; Lothian Services 1, 4, 5, 26, 34, 44, East Coast service 113, 124 and Borders Service 253 on London Road and Lothian services 19, 34 on Marionville Road.

A transport statement has been submitted in support of the application. This has been assessed by transport officers and is considered an acceptable reflection of both the estimated traffic generated by the development and of the traffic impact on the surrounding road network.

A total of 54 vehicular trips (two-way) are predicted during the weekday PM peak hour and 100 trips during the weekend PM peak hour. It is expected that the majority of the vehicular trips will originate from customers already in the retail park or pass-by trips from vehicles already on the surrounding road network. It is predicted that there will be minimal increase in car park occupancy, with the car park predicted to continue to operate well within capacity both on a weekday and weekends.

A parking survey has been submitted that demonstrates there is available parking capacity at all times of the day. The weekday sample detailed 45 % occupancy (12:00 - 12:30) and 65% at the weekend (13:30-14:00).

LDP policy Tra 2 (Private Car Parking) requires development to comply and not exceed parking levels of the council guidance.

The EDG standards outline that food and drink establishments within this location should have a maximum car parking provision of 1 space per 14 square metres.

The proposed unit has a gross floor area of approximately 210 square metres. The proposal includes provision for 16 spaces of which two are accessible, and therefore does not exceed the maximum standard.

LDP policy Tra 3 (Private Cycle Parking) requires development to provide cycle parking and storage provision that complies with the council guidance.

EDG standards state cycle provision should be 1 space per 75 square metres. The proposal includes six cycle spaces therefore complies with these standards.

The site is accessible by a choice of means of transport and it has been demonstrated that the overall loss of car parking spaces for the retail park will not lead to an unacceptable increase in traffic locally. Car parking provision does not exceed EDG standards and appropriate cycle provision is proposed.

Pedestrian access has been included into the proposed development connecting to the existing pedestrian network at the retail park. The existing pedestrian access at Moray Park Roundabout will be unaltered by the proposal which is considered acceptable considering the scale of development proposed. No objections have been received from the Roads Authority in regard to road safety or pedestrian safety.

The proposal complies with LDP policies Tra 2, Tra 3 and Ret 8 criteria (b).

c) Scale, form, design and character and appearance

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.

LDP policy Ret 8 (Entertainment and Leisure Developments) criteria (c) states permission will be granted for development that can integrate satisfactorily into its

surroundings with attractive frontages to a high-quality design that safeguards existing character.

The surrounding area is characterised by buildings of varying height, form, and design.

The proposed building is of a simple contemporary design. The walls are primarily finished in white render with large glazed openings, cedar cladding and dark grey aluminium panelling. On the west side, a dark red rendered finish is utilised on the pedestrian entrance facing the car park, and the east side of the drive thru facility fronting Moray Park Terrace. Paving and external seating area fronts the west elevation. The overall design is appropriate and in keeping with the character of the existing retail park.

The building is single storey and covers approximately 210 square metres. The scale is appropriately modest, and its positioning retains adequate separation from the surrounding built form. The scale, layout and position are appropriate in the context of the surrounding area.

A planting scheme including new trees and green space primarily to the west boundary of the site is proposed. Plans include removal of one tree to the south that is not protected by a tree preservation order. A replanting scheme is considered adequate mitigation for the loss of soft landscaping on site and the inclusion of additional soft landscaping would further integrate the proposal into its surroundings. Further details of all hard and soft landscaping treatment are required by condition.

The applicant has confirmed that the existing recycling depot would be relocated to the north of the application site.

The proposal complies with LDP policies Des 1, policy Des 4 and Ret 8 criteria (c).

d) Neighbouring Amenity

LDP policy Des 5 (Development Design - Amenity) states permission will be granted for development where it has been demonstrated that the amenity of neighbouring developments will not be adversely affected in terms of noise, daylight, sunlight privacy or immediate outlook.

LDP policy Ret 8 (Entertainment and Leisure Developments) criteria (d) states permission will be granted for development that is compatible with surrounding uses and will not lead to a significant increase in noise, disturbance and on-street activity at unsocial hours to the detriment of living conditions of nearby residents.

The site lies approximately 30m from residential properties to the east of the site on Moray Park Terrace; the closest buildings to the proposal. Environmental Protection requested a Noise Impact Assessment (NIA) to be submitted in order to assess noise from plant and machinery associated with the unit and aspects of the drive through including additional traffic movements and the ordering point. The proposed operational hours are 05:00 - 23:00 Monday to Sunday, therefore the NIA includes day-time and night-time assessment of noise levels.

The NIA concludes that the proposed development will have a negligible impact in terms of noise on these residential properties at daytime and night-time periods. Environmental Protection has raised no objection to the proposal, subject to the inclusion of a condition limiting cooking operations on site. Further, a condition has been included to restrict the hours of operation to 05:00 - 23:00 in order to safeguard the amenity of neighbouring residents.

The proposed use does not require the preparation of any form of cooking on the premises that would require ventilation details as part of the proposal. However, certain cooking could be conducted on the premises, without adversely impacting on nearby residents. Therefore, a condition is required to restrict the methods of cooking on this premises including use of a panini machine, toasty machine, baked potato oven, soup urn and microwave only. This is to safeguard the living environment of neighbouring residents.

Further, should a nuisance or noise disturbance be reported from the site then there are statutory provisions in order to mitigate these concerns under the Environmental Protection Act 1990.

The proposal will not cast shade on neighbouring properties gardens or impact on daylight to existing windows.

In regard to privacy, proposed windows on the south and west elevation face the car park and street. These openings are at an angle that do not directly face adjacent residential properties. In addition, the distance retained of approximately 30m from the building to nearest residential properties would prevent any significant impact in terms of overlooking or immediate outlook for these occupiers.

The proposal does not result in any unreasonable loss of neighbouring amenity in regard to noise, daylight, sunlight, privacy or immediate outlook.

Environmental Protection has raised no concerns in terms of impact on air quality and air pollution.

The proposal complies with LDP policies Des 5 and Ret 8 criteria (d).

e) Flooding

The site lies within an area identified as a surface water flood risk. A surface water management plan and flood risk assessment have been submitted as part of the application.

Flooding have raised no concern regarding the proposal. Additional drainage calculations and flow path drawings of surface water for pre-development and post development scenarios have been submitted by the applicant and are considered acceptable.

f) Public comments

Material comments - objections

- Proximity to residential neighbourhood - Addressed in sections 3.3 c) and d).
- Adverse impact on amenity (privacy, outlook, noise and cooking odours) - Addressed in section 3.3 d).
- Impact on traffic - Addressed in section 3.3 b);
- Impact on footpaths, crossing points, pedestrian and cycle safety - Addressed in section 3.3 b);
- No detail of tree planting/ hedgerows and impact on biodiversity - Addressed in section 3.3 c);
- Existing provision of uses in retail park including KFC and McDonalds - Addressed in section 3.3 a);
- Impact on air quality, air pollution - Addressed in section 3.3 d); and
- Current provision of recycling depot would be lost - Addressed in section 3.3 c).

Non-material Comments

- Impact on litter - Refuse facilities have been included on the proposed plans. Maintenance of litter facilities would be the responsibility of current / future owners of the application site and cannot materially be assessed as part of this planning application;
- Lead to antisocial behaviour, impact on health, and homelessness; These matters cannot materially be assessed as part of this planning application and are matters for the Police and other statutory regimes;
- Impact on house prices; This matter is not a material planning consideration;
- Contrary to draft City Local Plan (sustainability, zero carbon economy) - this is not yet a material planning consideration as the proposed Plan has not been approved;
- Adverse impact on existing independent coffee units - competition is not a material planning consideration;
- Neighbour notification - The records indicate that neighbour notification was carried out in accordance with the relevant legislation of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013;
- Site address does not exist - The site address refers to the location of Unit 11 in the retail park and has been updated to reflect the application site's location in

relation to this. The location plan submitted identifies the site location within the retail park.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Cooking, heating and reheating operations on the premises shall be restricted to the use of a panini machine, toasty machine, baked potato oven, soup urn and microwave only; no other forms of cooking, heating and reheating shall take place without prior written approval of the Planning Authority and no odours shall be exhausted into any neighbouring premises.
2. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
3. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
4. Hours of operation shall be restricted to 05:00 to 23:00 Monday to Sunday.

Reasons:-

1. In order to safeguard the amenity of neighbouring residents and other occupiers.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to ensure that the approved landscaping works are properly established on site.
4. In the interests of neighbouring amenity.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. In accordance with the Council's Local Transport Strategy Travplan3 policy, the applicant should consider developing a Travel Plan including provision of a high-quality map of the neighbourhood (showing cycling, walking and public transport routes), timetables for local public transport.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

19 representations have been received - 17 objecting, 1 neutral and 1 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 - Urban Area

Date registered

26 August 2020

Drawing numbers/Scheme

01, 02A, 03A, 05A, 06A, 07A, 08, 09, 10A, 11,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lewis McWilliam, Planning Officer

E-mail:lewis.mcwilliam@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 Env 12 (Trees) sets out tree protection requirements for new development.

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

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

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

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 20/03545/FUL At Land 71 Metres North East Of, 11 Moray Park, Edinburgh Proposed coffee shop with drive thru facility and associated works.

Consultations

Transport:

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

I. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of a high-quality map of the neighbourhood (showing cycling, walking and public transport routes), timetables for local public transport;

Note:

a) 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) The development is expected to generate 54 and 100 two-way vehicular trips respectively for the weekday peak (13:00 - 14:00) and weekend peak (14:00 - 15:00). It is expected that majority of the vehicular trips will originate from customers already in the retail park or pass-by trips from vehicles already on the surrounding road network. It is predicted that there will be minimal increase in car park occupancy, with the car park predicted to continue to operate well within capacity both on a weekday and weekends;

b) The proposal reduces existing car parking spaces on the application site boundary from 73 to 16 spaces; The proposal reduces the total car parking space for the retail park by 57 from 553(including 24 disabled bays) to 496;

c) The applicant has demonstrated by swept path analysis that refuse collection will be done from the front of the drive-thru pod;

d) Site is accessible by public transport - Lothian service 1, 4, 5, 26, 34, 44.

b) The applicant by means of parking survey on Thursday 22nd and Saturday 24th March 2018, demonstrated that there is available/spare parking capacity at all times of the day with a maximum observed car park occupancy of 45% (246) on a weekday (12:00 - 12:30) and 65%(365) at the weekends (13:30 - 14:00).

Environmental Health:

This application proposes the development of a new coffee shop with drive through facility within the south eastern part of the car park associated with the Meadowbank Retail Park off Moray Park.

It is proposed that hot and cold drinks, snacks and sandwiches will be sold for consumption on the premises or to takeaway and as no primary cooking will take place on site, no ventilation extraction plant is planned for the development.

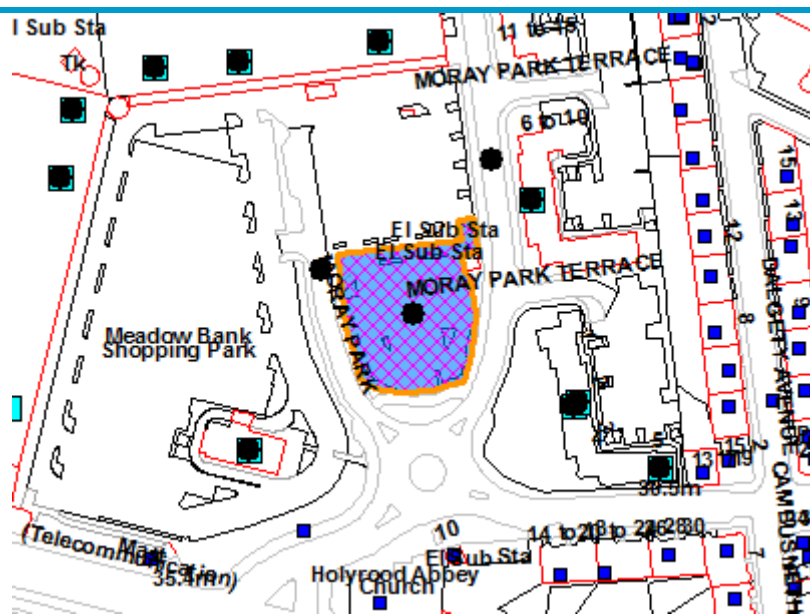
It is understood that the proposed hours of operation will be 0500-2300 hours, seven days a week. Deliveries and waste collections however are to be carried out within the restrictions of the original planning consent for the retail park. As there are residential properties located on Moray Park approximately 30 metres from the boundary of the development site a noise impact assessment was requested which considered noise from plant and machinery associated with the unit and those aspects of the drive through including additional traffic movements and the ordering point. A Noise Impact Assessment by Bureau Veritas, UK.3911968/rmg/R1 dated 30th October 2020 was subsequently provided which concluded that the proposed development will have a negligible impact at the nearest noise sensitive receptors for daytime and night-time periods.

Therefore, Environmental Protection has no objections to this proposal subject to the following condition:

1. Cooking operations on the premises shall be restricted to that necessary for the toasting of paninis and the reheating of baked goods only. No other forms of cooking shall take place without the prior written approval of the Planning Authority; and Cooking odour shall not escape or be exhausted into any neighbouring premises, all to the satisfaction of the Council's Planning Authority.

Flooding: No objections to the proposal.

Location Plan



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Development Management Sub Committee

Wednesday 16 December 2020

**Application for Listed Building Consent 20/03756/LBC
At 103 Newcraighall Road, Edinburgh, EH21 8QU
Alterations to listed building to convert to residential use
including raising wallhead and roof level, new windows and
doors and harling of masonry.**

Item number

Report number

Wards

B17 - Portobello/Craigmillar

Summary

The proposals comply with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as they preserve the character and setting of the listed building and do not adversely affect any features of special architectural and historic interest.

Links

[Policies and guidance for this application](#)

LDPP, LEN04, LEN09, NSG, NSLBCA, HESUSE,

Report

Application for Listed Building Consent 20/03756/LBC At 103 Newcraighall Road, Edinburgh, EH21 8QU Alterations to listed building to convert to residential use including raising wallhead and roof level, new windows and doors and harling of masonry.

Recommendations

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

Background

2.1 Site description

The site consists of the Wanton Walls Farmhouse which was originally constructed in the eighteenth century, and which is category C listed (listing date: 12 Jan 2000, listing reference: LB46550). The original external walls are constructed from random rubble with some elevations being covered in render. The interior of the farmhouse is vacant and derelict. The farmhouse is situated on an area of vacant land on the northern side of Newcraighall Road which was formerly occupied by a historical farm steading and agricultural sheds.

The original farm steading buildings which previously flanked the east and west of the farmhouse and the modern agricultural and storage buildings which were located on the surrounding site have been recently demolished. The surrounding site has been cleared in connection with the proposed construction of ten dwellinghouses and the farmhouse now stands in isolation

2.2 Site History

Planning History

28 August 2002 - Planning permission refused for the erection of 11 houses, alteration to an access road and the demolition of outbuildings. Permission subsequently granted on appeal by the Directorate for Planning and Environmental Appeals (DPEA) on 25 November 2003 (application reference: 01/02628/FUL).

28 August 2002 - Listed Building Consent refused for the demolition of farm outbuildings and a boundary wall. Consent subsequently granted on appeal by the Directorate for Planning and Environmental Appeals (DPEA) on 25 November 2003 (application reference: 01/02628/LBC).

10 August 2007 - Planning application for alteration to access, restoration and conversion of farmhouse to residential use and the demolition of derelict outbuildings and erection of 10 new dwellings withdrawn (application reference: 07/02946/FUL).

26 November 2007 - Listed building consent application for alteration to access, restoration and conversion of farmhouse to residential use and the demolition of derelict outbuildings and erection of 10 new dwellings withdrawn (application reference: 07/02946/LBC).

31 October 2007- Non material variation to application 01/02628/VAR approved reducing the number of dwellings from 11 to 10 and altering the road layout (application reference: 01/02628/VARY).

4 June 2019 - Non material variation to application 01/02628/FUL approved amending design of units to east (application reference: 01/02628/VAR2).

4 September 2019 - Non material variation to application 01/02628/FUL approved (application reference: 01/02628/VAR3).

23 September 2020 - Listed building consent application for the demolition of Wanton Walls Farmhouse withdrawn (application reference: 19/04907/LBC).

23 September 2020 - Planning application for the demolition of Wanton Walls farmhouse and construct two new semi detached dwellings withdrawn (19/04098/FUL).

29 October 2020 - Non-Material Variation to application 01/02628/FUL approved (application reference: 01/02628/VAR4).

Enforcement History

25 May 2020 - Enforcement investigation into the erection of a perimeter fence around the site closed with no formal action taken (case reference: 20/00140/EOPDEV).

Main report

3.1 Description Of The Proposal

- The proposal seeks listed building consent to undertake the following alterations to the premises to facilitate its adaptation back into a habitable residential dwelling.
- Raising the height of the roof of the premises by 80 centimetres, using natural slate to match the existing slate tiles. To achieve this the wallhead will be raised keeping as much of the original masonry as possible.
- Install new timber windows and doors on the front and rear elevations.
- Applying a new wet dash harl finish to the external stonework. The original stonework beneath the render will remain in place, with no removals beyond those sections removed to form new window and door openings.
- The application description was amended from its original wording which read 'To retain as much of the existing masonry shell as possible and create a new

layout for a dwelling within and raise the roof for an acceptable first floor ceiling height'.

Supporting Documents

The applicant has submitted the following supporting document which is available to view via planning and building standards online services:

- Supporting Statement

3.2 Determining Issues

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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

3.3 Assessment

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

- a) The proposed alterations have special regard to the unique architectural and historical character of the listed building, and;
- b) Any matters raised in representations have been addressed.

a) Unique Architectural and Historical Character of the Listed Building

Historic Environment Scotland Managing Change in the Historic Environment ' Use and Adaptation of Listed Buildings' outlines that the best use of a listed building is often going to be the one for which it was designed, and that keeping a building in the same use helps us to understand what the building was originally designed for.

The alterations to the farmhouse are appropriate and reflect a suitable contemporary refurbishment to effect its renovation and eventual return to residential occupation. The farmhouse has been vacant for an extensive period and is in a widespread state of structural disrepair and decay. The proposal seeks to maintain the majority of the existing original stonework underneath a protective render, with only small sections at the rear being removed to facilitate new timber windows and doors. Buff coloured wet dash harl is a suitable external traditional treatment. Most of the farmhouse exterior is already covered with render and the proposed external treatment will improve the general appearance of the building and protect the original stonework which is several hundred years old. A condition will be attached to this consent to require the final details of any harl treatment, along with other materials, to be submitted to the planning authority prior to development commencing. This will ensure that any harl can be a suitable lime-based composition to prevent the stonework from becoming damaged.

Marginally raising the roof and installing new natural slate tiles to match the existing tiles will preserve the character of the building while improving its overall structural integrity, with the original form of the building being maintained. The original chimney stack on the principal elevation which is a significant and distinctive historical feature will be maintained in its current form, as will the chimney stack on the western elevation.

Supporting information has detailed that the existing windows are either in a very poor structural condition beyond repair or have been removed entirely. Most of the new windows on the front and rear elevations will be timber sash and case, closely matching the style of the existing original windows; and on the principal elevation will be predominantly situated within existing openings maintaining the general character of the elevation. New openings will be created on the rear elevation and the fenestration arrangement on this elevation will differ more notably from the original arrangement when compared to the principal elevation. However, the overall fenestration arrangement is appropriate and balances the maintenance of a distinct original historic character with the formation of a functional modern dwelling house. A condition will be applied to require details of the proposed windows to be submitted prior to work commencing, ensuring that an appropriate opening mechanism and glazing depth can be agreed.

A condition will also be applied to retain ensure that any sections of replacement or additional guttering are cast iron to match the original elements.

The City Archaeologist has identified the farmhouse as being a site of archaeological significance. Accordingly, a condition will be attached requiring a programme of archaeological work to be undertaken to preserve a record of any items of historical significance.

The proposal complies with policies Env 4 and Env 9 of the adopted Edinburgh Local Development Plan (LDP)

b) Matters Raised in Representations

Material Comments - Objections:

Proposal does not have special regard to the unique architectural and historical character of the listed building - addressed in section 3.3 (a).

Non-Material Comments - Objections

Proposal does not include detail of proposed garage to the rear of the farmhouse - Details of the proposed garage were submitted as part of variation request 01/02628/VAR4. The erection of this structure does not require listed building consent under the provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, and as such is not contained within this application.

The submitted information is not sufficient to make a determination - The planning authority is satisfied that the submitted information is sufficient to make a determination on the proposal.

Historic Environment Scotland should provide input - The application premises is a category C listed building. Accordingly, under the provisions of The Planning (Listed Building Consent and Conservation Area Consent Procedure) (Scotland) Regulations 2015 the planning authority is not required to consult Historic Environment Scotland on this application.

The proposal is contrary to the requirements of conditions attached to planning permission and listed building consent for development on the site 01/02628/FUL and 01/02628/LBC - Planning permission 01/02628/FUL contains a condition which stipulates:

'The development shall not commence until a detailed scheme for the repair and renovation of the farmhouse has been submitted to and approved in writing by the Head of Planning and any required planning permission or listed building consent has been granted. Before any part of the development hereby approved is occupied, the approved scheme shall be implemented in full and the farmhouse shall be ready for occupation.'

Notwithstanding the approval of the proposal, the applicant must ascertain formal confirmation from the planning authority for the discharge of any conditions attached to a separate consent.

The design of the adjacent dwellings has been altered to a significant extent beyond the original consent - The design of the adjacent residential dwellings to be constructed on the wider site has been assessed separately through variations to the original planning consent (01/02628/FUL).

Material Comments - Neutral Comments

Proposal will preserve the character and appearance of the building.

Conclusion

The proposal represents an appropriate scheme which has special regard to the unique architectural and historical character of the listed building. The proposal complies with policies Env 4 and Env 9 of the adopted Edinburgh Local Development Plan, and HES Guidance on the re use and adaptation of listed buildings.

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

3.4 Conditions/reasons/informatives

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. Any additional or replacement drainpipes or guttering shall be made of cast iron and shall match the appearance and colour of the existing rainwater and other down pipes. Details of any additional or replacement drainpipes or guttering shall be submitted to and approved in writing by the planning authority prior to their installation.
3. A detailed specification of the proposed timber windows shall be submitted to and approved in writing by the planning authority before work is commenced on site.
4. 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.

Reasons:-

1. In order to safeguard the character of the statutorily listed building.
2. In order to safeguard the character of the statutorily listed building.
3. In order to safeguard the character of the statutorily listed building.
4. In order to retain and/or protect important elements of the existing character and amenity of the site.

Informatives

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

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

Nineteen objection comments were received including one objection from the Architectural Heritage Society of Scotland (AHSS). One neutral comment was also received. A full summary of the matters raised in these representations can be found in section 3.3 (a) 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

The site is located in the urban area in the adopted Edinburgh Local Development Plan.

Date registered

19 October 2020

Drawing numbers/Scheme

01 - 09,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: James Allanson, Planning Officer

E-mail: james.allanson@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

LDP Policy Env 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 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.

Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings sets out Government guidance on the principles that apply to enable the use, the reuse and adaptation of listed buildings.

Appendix 1

Application for Listed Building Consent 20/03756/LBC At 103 Newcraighall Road, Edinburgh, EH21 8QU Alterations to listed building to convert to residential use including raising wallhead and roof level, new windows and doors and harling of masonry.

Consultations

City Archaeologist

Further to your consultation request, I would like to make the following comments and recommendations concerning this application to retain as much of the existing masonry shell as possible and create a new layout for a dwelling within and raise the roof for an acceptable first floor ceiling height.

The 18th century C-listed farm of Wanton Walls histrionically formed part of the Whitehill/ Newhailes Estate. According to Harris (The Place Names of Edinburgh) the name was first recorded as Wantounwallis in 1596 and suggests a likely early medieval date for occupation. The present-day farmhouse dates to the early 18th century and is seems therefore to be one of two buildings depicted on John Laurie's 1766 plan of Edinburgh and the Lothians on the site situated on the eastern side of a burn. By the 1853 1st Edition OS map this original house has been adapted into a farmhouse with an open rectangular farm steading and enclosed gardens/paddocks to both the SW & NE.

In addition, the fields lying immediately to the north of the site, between the farm and Brunstane House, contain a wide range of archaeological sites identified as cropmarks from aerial photographs. These include the remains of three probable prehistoric enclosures (NT37SW 60, 238 & 573), extensive evidence for coal mining (coal pits and shafts) and medieval/post-medieval rig and furrow. The scale of historic mining at Newcraighall which may date back to the medieval period has only come to light due to the results of recent (2014-16) excavations carried out by GUARD in advance of major housing developments to both the north and South of the village. Here extensive areas of previously unknown late/post-medieval mine workings have been identified alongside more modern industrial era (late 18th and 20th century) mining remains. In addition, these excavations have also has produced evidence for prehistoric occupation dating to the Neolithic (c.4000 -2500BC) and Bronze Age (c.2500-750BC)

The significance of the sites archaeology and historic buildings was recognised during the granting of planning permission 07/02946/FUL, for housing development and the restoration and conversion of this C-listed farmhouse. As a result, a programme of archaeological works by Headland archaeology was undertaken in 2008 both on the surviving buildings and buried remains. The results of the excavations demonstrated that archaeological remans survived on the site predominantly associated with the

post-medieval occupation of the site. Historic building surveys of this C-listed Farm indicated multiple phases of use and construction.

Accordingly, this building and site is regarded as being of both archaeological and historic significance. 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) Policies ENV4, 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.

Buried Archaeology

As discussed above development will necessitate significant ground-breaking works associated with both renovation/new foundations and construction which could reveal archaeological remains associated with the use of the farmhouse and possibly earlier dating back to the medieval period. Having assessed these potential impacts it has been concluded that the development will have a generally potentially moderate-high archaeological impact upon the site's buried heritage.

Listed Building: Wanton Walls Farmhouse

The proposals seek to significantly alter the current C-listed Wanton Walls Farmhouse which dates to (at least) the early 18th century. It is welcomed that the new proposals will seek to retain the majority of the listed building and significantly its outer shell.

It is however essential, in accordance with CEC Policy ENV9, that a detailed historic building survey is undertaken prior to and during internal strip outs, alterations/development, building upon the earlier work undertaken by Headland Archaeology. This may require the removal of all external render to along in order to reveal all historic fabric. This recording will include drawn phased plans and elevations (both internal and external) combined with photographic and written surveys, dendrochronology sampling (e.g. original roof timbers) and analysis in order to provide an accurate record of this significant historic 18th century farm building.

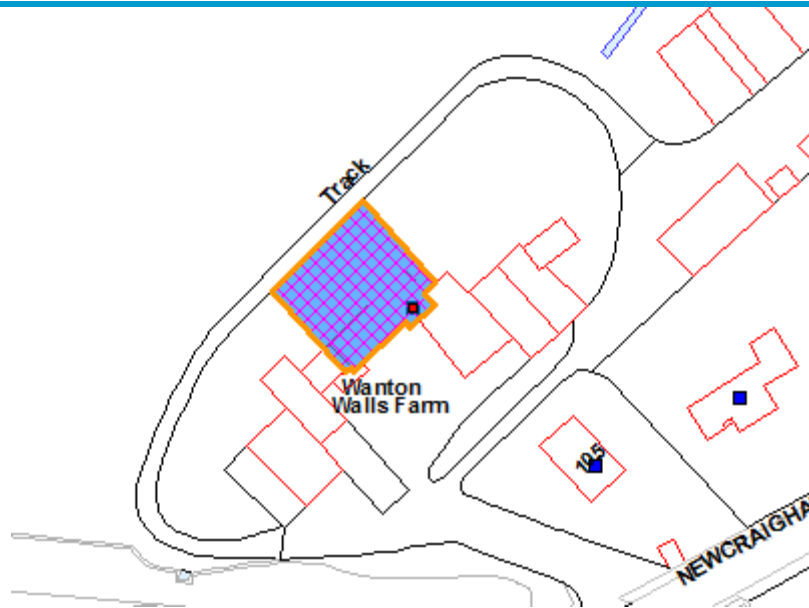
This historic building work will also be combined with a programme of archaeological excavation work to fully excavate and record any significant remains which may be impacted upon by ground/floor breaking works associated with construction. This programme of work should be secured by the following recommended condition;

'No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building recording, 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.

Please contact me if you require any further information.

Location Plan



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END

Development Management Sub Committee

report returning to Committee - Wednesday 16 December 2020

Application for Approval of Matters Specified in Conds 19/02993/AMC

at Land Adjacent To 194, Fountainbridge, Edinburgh.

Approval of matters specified in conditions 1, 5, 6, 7, 8, 12 & 13 of 15/02892/PPP for Building E including form & massing, design & materials, daylight & sunlight, design & operation of private/public open spaces, roads, footways/cycleway/access/servicing & parking, venting & electric vehicle charging, drainage, waste management, operational requirements for commercial uses/ sustainability/floor levels/lighting, site investigation/hard & soft landscaping details & noise mitigation.(As Amended).

Item number

Report number

Wards

B09 - Fountainbridge/Craiglockhart

Recommendations

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

Background information

The Development Management Sub-Committee determined to grant this application on 4 December 2019, subject to the conclusion of a legal agreement within six months of this date to secure the necessary delivery of on-site affordable housing.

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 by a further three months. On 9 September 2020 Committee granted an additional extension of three months until 9 December 2020. However, this additional three 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 original Committee decision on 4 December 2019 to grant this application subject to a legal agreement first being concluded to secure the necessary infrastructure.

The Section 75 legal agreement seeks to secure on-site affordable housing. This is the third of the first three Build to Rent S75s in the city to propose the ongoing delivery of Affordable Housing on the site via intermediate rental units. This is an entirely new form of affordable housing for the city. The developer, being responsible for building and delivering the affordable housing as part of their development, has the potential to significantly improve sufficient delivery of affordable housing at no expense to the Council. However, it is critical adequate safeguards are put in place to ensure that affordable housing is in fact being delivered on the site throughout the 25-year affordable period. An entirely new bespoke schedule has required to be developed to address this new issue, with input from the developers and their agents on each of the three BTR S75s.

In the report of 9 September 2020, we advised that there remained a number of substantive clauses where the terms were yet to be agreed. Meaningful progress has since been achieved in negotiating the terms of this legal agreement and the major issues have been largely resolved. It is considered that a further three-month extension to the period to conclude the legal agreement should enable the remaining issues to be resolved, the legal agreement signed, and planning permission released.

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

Links

<u>Policies and guidance for this application</u>	LDEL01, LDEL02, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN03, LEN09, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LRET01, LRET05, LTRA02, LTRA03, LTRA04, NSGD02, DBFOUN,
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A copy of the original and previous returning Committee reports can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=PTG6ZZEWK0X00>

Or [Council Papers online](#)

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

Contact: Emma Fitzgerald, Senior Planning Officer
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Development Management Sub Committee

report returning to Committee - Wednesday 16 December 2020

Application for Planning Permission in Principle

19/03097/PPP

**at Site 60 Metres South Of 199, Fountainbridge, Edinburgh.
Proposed mixed use development comprising retail (Class 1)
financial services (class 2) food and drink (class 3)
office/light industrial (class 4) hotel (class 7) housing (class
9) community use (class 10) leisure (class 11) public house
(non-classified use) and associated parking, open space,
infrastructure and public realm works.**

Item number

Report number

Wards

B09 - Fountainbridge/Craiglockhart

Recommendations

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

Background information

The Committee was minded to grant planning permission in principle on 6 November 2019, subject to the conclusion of a legal agreement within six months of that date to secure developer contributions towards transport, education, primary healthcare and affordable housing.

Under the normal 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. The nine-month period has now been exceeded and therefore the matter requires to be returned to Committee for decision.

Main report

There are no new material planning considerations which affect the Development Management Sub-Committee original decision on 6 November 2019 that it was minded to grant this application subject to a legal agreement first being concluded. The drafting of a suitable agreement has been progressed by both parties and is returned to committee at this particular point as colleagues in Legal Services have confirmed that the drafting will be concluded within the next three months.

The original report and draft decision notice mentions that a legal agreement is required to secure the necessary infrastructure. As members are aware this would usually be done via a S75 agreement. However, as the Council is the applicant and owner of the land in this application a S75 agreement was not considered appropriate in this case. Instead negotiations have been ongoing between Planning and the relevant Council departments to agree a Memorandum of Understanding that sets out the obligations and the requirement for a S75 in the event the land is sold onto a third party to develop.

The planning permission in principle provides significant flexibility on what precisely will be delivered on the site and this has added a layer of complexity to agreeing terms for the Memorandum of Understanding that secures the appropriate infrastructure for what is approved via future AMC applications. However, meaningful progress has been achieved in negotiating the terms of the Memorandum of Understanding. Negotiations are continuing and are nearing conclusion. It is considered that a further three-month extension to the period to agree and sign the Memorandum of Understanding will enable the planning permission in principle to be released for this development.

It is recommended that the timescales for concluding a Memorandum of Understanding for this application be extended by three months and once concluded, that planning permission in principle is granted.

Links

Policies and guidance for this application

LDPP, LDEL01, LDEL02, LDES01, LDES02, LDES03, LDES11, LEN08, LEN09, LEMP01, LEMP10, LHOU01, LHOU06, LTRA01, NSG, SGDC,

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

<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=PTR2OLEWKK700>

Or Council Papers online

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Development Management Sub Committee

report returning to Committee - Wednesday 16 December 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

Recommendations

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

Background information

The application was continued at the meeting of the Development Management Sub-Committee on Wednesday 25th November 2020 to allow the applicant to resolve the issue of active travel to ensure public access and to resolve parking issues.

Main report

The applicant has considered the requirements of the Roads Authority consultation response with specific reference to the need for a Roads Construction Consent (RCC) application to ensure public access through the site. A number of options have been discussed with the Planning Authority. There a number of consequences from the desire to have the parking/access area adopted as part of an RCC. These are as follows:

- Electric Car Charging - the applicant has confirmed that all of the spaces would be fitted out for electric car charging from the occupation of the development. The scheme was amended prior to the first consideration of the application by Committee to incorporate this change and to satisfy the requirements of Environmental Protection.

If the area was to become adopted, then the provision of the electric car charging would fall to the Council within the adopted highway. At this time there is no Council scheme to deliver this and the only requirement would be to ensure that there would be provision for ducting. The onsite operation of these electric car charging spaces from the occupation of the development would be lost.

- Sustainable Urban Drainage (SUDS) - the area for SUDS falls within the parking spaces. Again, this element of the proposal would require to be deleted as the Roads Authority would not adopt the SUDS system within the public highway. This has fundamental redesign issues for the scheme and has implications for the density of development that could be delivered on the site and substantial alteration to the open space areas within the central courtyard of the development.

The Planning Authority judgement is that the provision of a public access through this section of the site is supported however this does not have to be delivered through an RCC. The applicant has confirmed that there will be an adopted access through the central public access space. A condition can also be added to ensure that there is public access maintain in perpetuity through the parking courtyard on the east of the site.

The implications of the RCC would significantly alter the scheme through the loss of the electric charging points and the SUDS design.

The Roads Authority have reviewed the 3 options submitted by the applicant and have confirmed that they have no objections to the proposed inclusion of a condition which maintains access through the site on the shared surface.

It is therefore recommended that the application is granted subject to the conclusion of a legal agreement relating to infrastructure delivery and an additional condition which will ensure public access in perpetuity through the scheme along the eastern area of the site.

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,

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=Q9NDR5EW09Z00>

Or Council Papers online

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Development Management Sub Committee

report returning to Committee - Wednesday 16 December 2020

**Application for Planning Permission 19/04508/FUL
at 69 -71 Marionville Road, Edinburgh, EH7 6AQ.
Demolition of two existing business units and erection of a
residential development comprising four apartment
buildings, a terrace of mews houses, associated car parking,
car port and associated landscaping.**

Item number

Report number

Wards

B14 - Craigentiny/Duddingston

Recommendations

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

Background information

The Committee was minded to grant planning permission on 4 December 2019, subject to the conclusion of a legal agreement within six months of this date. The legal agreement is required to ensure relevant financial contributions are made toward local schools and healthcare provision. The agreement shall also cover affordable housing provision. The period for conclusion of the legal agreement has been extended for a further 3 months under delegated powers but that period has now expired.

Negotiations have now concluded but as the further extension of 3 months has expired, the legal agreement cannot be concluded. A further 3 months is required to conclude the agreement and issue the planning permission.

Main report

Since the application was considered by the Development Management Sub-Committee on 4 December 2019, the Scottish Government has directed the Council not to adopt and issue the Supplementary Guidance 'Developer Contributions and Infrastructure Delivery'. The level of the financial contributions sought for local schools and healthcare as part of the proposal are set out in the Finalised Supplementary Guidance. Despite the direction from the Scottish Government, the Finalised Supplementary Guidance remains a material consideration and is the most up to date guidance the Council has. As a result, there is no change to the financial contributions being sought from when the application was previously considered by the Committee.

The legal agreement has now been concluded and signed by all parties. Committee approval for a three-month extension is required to allow the agreement to be registered and for the planning permission to be released. It is recommended that a three-month extension is granted to allow this to take place.

Links

Policies and guidance for this application

LDPP, LHOU01, LHOU02, LHOU03, LHOU04, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES11, LEN09, LEN12, LEN16, LEMP09, LTRA02, LTRA03, NSG, NSGD02, NSHAFF,

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=PYA0YOEWKX500>

Or Council Papers online

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Development Management Sub Committee

report returning to Committee - Wednesday 16 December 2020

Application for Planning Permission 18/09642/FUL at 7 Redhall House Drive, Edinburgh, EH14 1JE. Alteration and conversion of existing building to form six duplex apartments; the erection of a detached garage block accommodating six garages, and the erection of two detached dwelling houses with all associated site development works and landscaping.

Item number

Report number

Wards

B09 - Fountainbridge/Craiglockhart

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 November 2019, subject to the conclusion of a legal agreement within six months of this date to link and phase the implementation of the listed building consent 18/09641/LBC for the restoration of Redhall House with the new development proposed under application 18/06942/FUL.

Negotiations are continuing and nearing conclusion.

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. An extension to this time period was agreed on the 13 May 2020.

A further extension to this time was agreed at the Development Management Sub Committee on the 7 October 2020.

However, this extended 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 November 2019 that it was minded to grant this application subject to a legal agreement first being concluded to link and phase the implementation of the listed building consent 18/09641/LBC for the restoration of Redhall House with the new development proposed under application 18/06942/FUL.

Conclusion of the legal agreement process has been signed by the owners but has been delayed due to the financing of the development by the bank. The applicant's solicitor has confirmed their client is taking steps to resolve this issue and advises that the timescale of this being concluded is within the next 3-4 months.

These matters are being actively pursued between both parties.

If this application is approved, a '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 22 November 2019.

It is recommended this application be approved to extend the deadline for concluding the legal agreement to enable planning permission thereafter to be released. A period until the end of June 2021 is requested.

Links

Policies and guidance for this application

LPC, LEN03, LEN09, LEN12, LEN16, LDES01, LDES04, LEN21, LHOU01, LDES05, LEN18, LTRA02, LTRA03, NSG, NSGD02,

A copy of the original and previous returning Committee reports can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=PHQBZHEWH8T00>

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Development Management Sub Committee

Wednesday 16 December 2020

Application for Approval of Matters Specified in Conds 17/02484/AMC at Granton Harbour, West Harbour Road, Edinburgh. Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design, and configuration of public and open spaces, access, road layouts, footpaths and cycle routes at Granton Harbour, West Harbour Road.

Item number

Report number

Wards

B04 - Forth

Summary

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, based on the high level information provided, the proposed changes to the masterplan which would preserve the setting and character of the listed buildings. Further assessment would be required at the appropriate stage.

The principle of mixed use development at Granton Harbour is supported. It accords with the Local Development Plan (LDP) and the outline planning permission 01/00802/OUT approved in June 2003.

The application seeks specific approval of matters set out in the original outline permission. These cover siting and height of development, design, and configuration of public and open spaces, access, road layouts, footpaths and cycle routes.

The changes to the masterplan relate to a limited number of plots. Some of these plots have now had decisions made on individual approval of matters specified in conditions applications and these are now updated in the masterplan.

The uses and general layout accords with the development principles of LDP EW 2c: Granton Harbour. The updated plots mainly relate to housing development which is supported by Policy Hou 1 (Housing Development) and the hotel element complies with Policy Emp 10 (Hotel Development).

Plot 19A proposes a technology hub building instead of previous residential development. Such a use is acceptable with regards to the outline permission and the location ties in with the recently approved Granton Waterfront Development Framework which highlights West Harbour Road as an area for non-residential development.

Plot 35A now shows residential development on what was previously land shown as the marina. Previous masterplans have also highlighted this part of the site for development and residential use is acceptable in general terms of the outline permission and Policy Hou 1 (Housing Development).

The uses on Plots 19A and 35A are acceptable in principle, but as contextual information is lacking in terms of height, design and layout these approval matters cannot be approved through this masterplan application.

The current application makes no changes to the proposed local centre at Plots 12, 14, 15, 15A, 16 and 17 which were previously unacceptable as the proposals for these plots were contrary to LDP Policies Del 3 (Edinburgh Waterfront), Des 1 (Design Quality and Context), Des 4 (Development Design - Impact on Setting), Des 5 (Development Design

- Amenity) Des 7 (Layout Design) and Ret 7 (Entertainment and Leisure Developments
- Preferred Locations) and therefore are not approved through this masterplan.

The reserved matters covering footpaths and cycle routes in respect of the waterfront cycle/pedestrian route are not approved as sufficient detail has not been provided and the proposals do not complete the relevant section of the waterside Edinburgh Promenade cycle/pedestrian route as required by the LDP Policy Del 3 (Edinburgh Waterfront) and Policy Tra 9 (Cycle and Footpath Network). There are also insufficient details of a cycle track for shared cycle/pedestrian use on West Harbour Road/Lower Granton Road as required by Policy Des 7 (Layout Design).

Conditions are recommended to set out that the details on these plots are not approved. This is alongside conditions relating to amenity and flood risk.

Links

[Policies and guidance for this application](#)

LDPP, LDEL03, LDES01, LDES02, LDES04, LDES05, LDES07, LEMP10, LEN13, LEN14, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU06, LHOU07, LHOU10, LRET07, LTRA04, LTRA07, LTRA09,

Report

Application for Approval of Matters Specified in Conds 17/02484/AMC at Granton Harbour, West Harbour Road, Edinburgh. Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design, and configuration of public and open spaces, access, road layouts, footpaths and cycle routes at Granton Harbour, West Harbour Road.

Recommendations

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

Background

2.1 Site description

The site, known as Granton Harbour, comprises approximately 33 hectares of land to the north of West Harbour Road, Granton Square and Lower Granton Road.

There are a number of industrial units on the site. Part of the site is already developed with residential properties fronting Granton Square (plot 2), and within the site to the north of the existing industrial area (plots 4 and 28). Construction of flatted blocks on plot 27 and plot 3 is currently underway. The remainder of the site is largely cleared of buildings.

There is an existing canal feature to the north west of the site. The harbour has two basins: the western harbour has been partly infilled, and the eastern harbour is used as yacht moorings and is protected by the Eastern Breakwater. The site wraps around the western harbour. The eastern harbour lies to the east of the application site.

The western harbour is protected from the Firth of Forth by the Western Breakwater/ Esparto Wharf. This was constructed between 1842 and 1863 and is category B listed (reference number: 30219, listed on 28 November 1989). This area is tidal and lies within a designated Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA).

The two harbours are separated by the Middle Pier, a category A listed structure (reference number: 30216, listed on 28 November 1989). The pier contains a stone warehouse (formerly a gunpowder store) that is listed category B (reference number: 30217 listed on 28 November 1989), and Harbour Light, also listed category B (reference number: 30218, listed on 28 November 1989).

Local yacht clubs operate from buildings and boat yards on the Middle Pier.

The application site is not within or adjacent to a conservation area. The site is not a scheduled archaeological site but is of importance in industrial archaeological terms for the Middle Pier, Western Breakwater, any remnants of World War 2 naval defences, and any surviving railway lines.

The Surrounding Area:

The Eastern Breakwater is not part of the application site. It is category B listed (reference number: 30220, listed on 28 November 1989). The sea wall and embankment to the east of mid pier are category C listed (reference number: 45651, listed on 16 September 1998).

The site fronts onto Granton Square which creates a formal space at the entrance to the harbour. West Harbour Road is located to the west of the square and contains a number of buildings, many of them listed, related to uses connected with the harbour, including the lighthouse lantern cupola at 22 West Harbour Road (listed category C(S) reference number: 29925, listed on 20 February 1985).

2.2 Site History

20 June 2003 - Outline planning permission granted for the Granton Harbour Village, mixed use development comprising residential units, hotel and serviced apartments, shops and retail/services, restaurants/cafes, public houses, general business, leisure facilities and marina. This permission includes a legal agreement to secure contributions towards education and transportation infrastructure, 15% affordable housing, restrictions on future tenancies within Granton Industrial Estate and the long term maintenance and upkeep of the Western Breakwater (application number 01/00802/OUT).

20 October 2003 - Permission granted for 91 flats at Plot 2 (application number 02/03635/FUL).

29 April 2004 - Approval given to construct new partial quay wall and landfill along south edge of new harbour (application number 04/00191/REM).

11 June 2004 - Permission granted for the construction of new canals infrastructure (application number 04/00415/REM).

28 July 2004 - Permission granted for the construction of new road, verge, footpath and cycleway infrastructure (application number 04/00696/REM).

1 July 2005 - Permission granted for 295 flats at Plots 4 and 7A (application number 03/01922/FUL).

21 July 2005 - Approval of reserved matters for 131 flats at Plot 3 (application number 04/01662/REM).

5 October 2005 - Approval of reserved matters for 30 townhouses and 6 mews houses at Plot 29 Granton Harbour (application number 04/04630/REM).

21 October 2005 - Permission granted for new roads and related infrastructure at Plots 29 & 30 Granton Harbour (application number 05/00500/FUL).

1 March 2006 - Approval of reserved matters for 73 flats at Plot 30 (application number 05/00228/REM).

18 March 2006 - Approval of reserved matters for 120 flats at Plot 28 (application number 04/03604/REM).

31 May 2006 - Approval of reserved matters for 264 flats at Plots 26 and 27 (application number 04/01661/REM).

12 December 2006 - Listed Building Consent granted for demolition of former transit shed (application number 06/04029/LBC).

14 March 2009 - Approval of reserved matters to discharge the following reserved matters as attached to outline permission 01/00802/OUT (under condition 2): siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes; existing and finished ground levels in relation to ordnance datum. This took the form of a masterplan (application number 06/03636/REM).

27 March 2009 - Permission was granted for strengthening works to upper concrete wall forming part of the Western Breakwater (application number 05/01604/FUL).

10 November 2010 - Approval given for upgrading Lochinvar Drive; forming a new square (Heron Square), converting, upgrading and extending the Gunpowder Store into a restaurant/bar (application number 08/00098/REM).

30 August 2013 - Application to discharge matters specified in conditions as attached to outline permission 01/00802/OUT (under condition 2): siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes; existing and finished ground levels in relation to ordnance datum. This application sought to vary the existing masterplan as approved through application 06/03636/REM. The applicant requested that this application be withdrawn on 23rd August before a decision was taken by the Committee (application number 13/01013/AMC).

31 January 2014 - Application approved for matters specified in condition 2 as attached to outline permission 01/00802/OUT: covering siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes. The application was in the form of a masterplan. It was subject to a number of conditions including the requirement for a revised flood risk assessment and surface water management plan, no construction of new berths within the marina until the implementation of the Western Breakwater, landscape detailed design to be submitted for plot 12, detailed design of the proposed 4 metre wide cycle track on West Harbour Road/Lower Granton Road, restriction on the height of plot 35, and submission of detailed design of plot 12, reserved matters not including matters in connection with Middle Pier, storey heights being maximum heights, consent being for a maximum number of residential units with each plot having housing number and height being determined at detailed design individually, and residential amenity space not being included.

An informative was also added which stated that the new breakwater section to protect the marina would require separate consent from the Council under the Coast Protection Act 1949 (application number 13/04320/AMC).

17 August 2016 - Application approved for matters specified in condition 2 as attached to outline permission 01/00802/OUT: covering siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes. This was in the form of a masterplan and approved subject to a number of conditions and informatives. These included conditions 1 and 2 which indicated that the reserved matters applied for are not approved in respect of plots 12, 14, 15, 15A, 16 and 17 and S1 and S2. An informative sets out the Council's expectations in relation to the provision of affordable housing as detailed applications come forward on a plot by plot basis (application number 14/05305/AMC).

17 August 2016 - Application approved for matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes: Granton local shopping centre Masterplan. This was approved subject to a number of conditions and informatives which indicated that the details of matters specified in conditions, including the siting, height of development, design and configuration of public open spaces, access, road layouts, four storey car park structure, footpaths and cycle routes contained in drawings numbers 2b, 3, 4, 5 and 6 were not approved (application number 16/01273/AMC).

10 November 2016 - Application for approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes. The application sought a number of revisions to the masterplan in relation to a reduction in residential units and location of affordable housing. The committee report noted that the detailed proposals for plots 12, 14, 15, 15A, 16 and 17 (the local centre), plots S1 and S2 and plots 7B, 8B, 8C, 9A, 9B and 35. The application was recommended for refusal. The applicant requested that this application be withdrawn before a decision was taken by the Committee (application number 16/02621/AMC).

21 December 2016 - Application approved for 104 flats at Plot 3, Granton Harbour (application number 16/04342/AMC). Development Commenced.

2 February 2017 - Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes (Scheme 2) approved. However, the matters applied for in relation to plots 8C, 12, 14, 15, 15A, 16, 17, S1, S2 and 35 are not approved (application number: 16/05618/AMC). This is the most up to date masterplan for the Granton Harbour area.

21 April 2017 - Application approved for marina office with retail and cafe space, new community boatyard and associated dry stack at Plots 8A and 8B (application number 16/04409/AMC).

2 August 2017 - Application approved for 302 affordable units at Plots S1 and S2 approved (application number 17/01481/AMC). Development Commenced.

22 November 2017 - Application approved for 104 retirement flats on Plots 9A and 9B approved (application number 17/01219/AMC). Not yet started.

1 October 2018 - Application approved for a healthcare hub and retail units on Plot 19B (application number 18/01145/AMC). Not yet started.

31 July 2019 - Section 42 application to extend the time limit of the outline planning permission 01/00802/OUT for five years to 20th June 2023 granted on appeal by the DPEA against non-determination.

12 March 2019 - Application approved for a marina office with associated retail, cafe space and community boat yard on Plots 8A and 8B (application number 18/02833/AMC). Not yet started.

26 March 2019 - Application approved for 162 residential units on parts of Plots 20A, 20B, 21, 22 and 23A (KOPQUT) (application number 18/02721/AMC). Not yet started.

24 September 2019 - Appeal to the DPEA allowed for the approval of 100 residential units on Plots 7B and 8C (application number 18/02812/AMC).

24 September 2019 - Appeal to the DPEA allowed for housing, hotel and serviced flats on Plots 29 and 35 (application number 17/05306/AMC).

10 July 2020 - Permission granted for the formation of access roads and footways to serve Granton Harbour plots 7B and 8C residential development (application number 20/02026/FUL).

29 October 2020 - Planning permission appeal dismissed for the formation of access roads and footways and public realm; and associated quay edge retention scheme, to serve the Granton Harbour plot 29 (residential development) and plot 35 (hotel development) (application number 20/01368/FUL).

Main report

3.1 Description of the Proposal

The application seeks the approval of matters specified in condition 2 of outline planning permission 01/00802/OUT. The application form sets out that these covers:

- siting and height of development,
- design, and configuration of public and open spaces
- access, road layouts and
- footpaths and cycle routes.

The applicant has stated the revised masterplan is required due to opportunities that have arisen on plots within the masterplan area and to align the masterplan with other changes in other detailed Approval of Matters Specified in Conditions (AMC) applications for a number of individual plots. The previous masterplan referenced below is application reference 16/05618/AMC which was approved in part.

The changes relate to:

Marina, Hotel and Service Apartments:

Plots 35 - hotel and serviced apartments (plot 35) use. This element remains generally the same as the previous masterplan in form. This application updates the masterplan to reflect a more detailed approval.

Plots 8A and 8B - marina office and boat yard. The masterplan has been updated to reflect a more recent updated detailed approval.

There have also been alterations to the marina berths, though these are in the majority outwith the redline boundary of the application site.

Residential:

This masterplan proposes 2,457 units. This is an increase of 506 units from the previous masterplan number of 1,951.

Plot 29 - the proposed masterplan removes the internal streets/buildings as previously proposed. This opens up the central area. The masterplan has been updated to reflect a more detailed approval.

Plots 8C and 7B - flatted residential development across four blocks. The masterplan has been updated to reflect a more detailed approval. The previous masterplan showed lower density housing.

Plots 20A, 20B, 22, 23A and 23B - residential development in the southwest of the site. The proposal includes a number of flatted blocks up to six storeys alongside two storey houses. This includes areas of open space. This has partly been updated to reflect a more recent detailed approval. The previous masterplan showed more houses than flats.

Plots S1 and S2 - the masterplan drawing now also reflects the approved residential layout of 302 units for plots S1 and S2. The previous masterplan showed large blocks of residential development, but the details were not approved.

Plots 35A - now shows 46 terraced houses on land to the east of the hotel on the area previously intended for berths as part of the marina. This is on reclaimed land not included in the most recently approved masterplan.

Retail, Leisure and Commercial Uses:

The schedule on the masterplan drawing sets out that:

- Retail use now sits at 9,175 sqm up from the previous 8,674 sqm. The additional 501 sqm is on Plot 19B.
- Commercial/Business uses now sit at 10,149 sqm up from the previous 4,755 sqm. The additional numbers come from the proposed technology hub (4,500 sqm) on Plot 19A and health hub on Plot 19B (this is an additional 894 sqm over the previously identified 500sqm on this plot).

- Leisure uses are now down from 4,488 sqm to 3,998 (takes into account change in emphasis at Plot 19B health hub).

Plots 12,14,15,15A, 16 and 17 - continue to form the local centre. There has been very limited noticeable change from the previous masterplan. The proposed uses set out in schedule remain as Leisure use 3,518 sqm, Retail use 7,874 sqm and Commercial/Business use 1,571 sqm.

Plot 19A (part of) - a technology hub (class 4) has been proposed on a southern part of the plot fronting onto West Harbour Road. This replaces previously proposed residential development.

Plot 19B (part of) - a 'health hub' (Class 2) and retail units (Class 1) have been approved at this location. The masterplan has been updated to reflect this approval. The previous masterplan contained similar uses in a different layout.

Summary of Uses:

Overall, given that a number of plots now have detailed approval or are remaining relatively unchanged, the main changes relate to the inclusion of the tech hub at Plot 19A and the inclusion of housing at Plot 35A.

Supporting Documents

The primary drawings submitted in support of the application are:

- Proposed Masterplan;
- Massing Plan;
- Open Space Plan and
- Phasing Plan.

A number of additional drawings and supporting information has been submitted in relation to plots 29 and 35, plots 7B and 8C and also plots 20A, 20B, 22, 23A and 23B.

This information has been treated as background information to aid in assessing the acceptability of the changes to the masterplan. The detailed drawings (or versions of) have also formed part of detailed separate AMC submissions that have now been decided. These are accompanied by supporting information including, Noise Impact Assessments, Environmental Risk Assessment, a Flood Risk Assessment and a Surface Water Management Plan.

These documents are available to view on the Planning and Building Standards online services.

Previous Schemes:

These are changes that have been submitted through the course of assessing the planning application:

Scheme 1

Altered the previous masterplan with regards to changes to Plots 29 and 35 by removing the previous narrow streets and Plots 20A, 20B, 23A and 23B by providing proposing flats facing onto in Ross Kestrel Drive; and proposes terraces of houses along Hesperus Crossway.

Scheme 2

Added staggered flatted blocks on Plots 7B and 8C with an area of open space. Altered the layout of Plot 19B with the health hub and shop units.

Scheme 3

Altered the proposed health hub on plots 19B and updated development proposals at 19A.

Scheme 4

Added a technology hub on plot 19A.
Realigned the marina office
Updated the layout of residential development on Plots S1 and S2.

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 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority 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.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The proposal is acceptable in terms of impact on listed buildings;
- b) The proposed uses are acceptable;
- c) The siting, height and layout are acceptable;

- d) Transport issues are addressed;
- e) Residential amenity issues are addressed;
- f) Other relevant considerations have been taken into account;
- g) There are any equalities or human rights impacts and
- h) Matters raised in representations have been addressed.

a) Setting of Listed Buildings

In determining applications for planning permission or listed building consent, the Council is required to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest that it possesses.

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.

The site contains a number of listed structures, notably the A listed Middle Pier and B listed Western Breakwater. There are also the C listed structures to the south of the site along West Harbour Road.

Buildings are not proposed on Middle Pier and the Masterplan drawing states that any proposed building works are indicative only and are not part of the application. If any works affect the listed structures, a separate application for listed building consent will be required.

Development has been approved in more detail opposite the listed buildings on West Harbour Road.

The principle of mixed use development was approved through the outline permission (application number 01/00802/OUT). With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, based on the high level information provided, the proposed changes to the masterplan which would preserve the setting and character of the listed buildings. Further assessment would be required at the appropriate stage.

b) The proposed uses are acceptable

The principle of the redevelopment of Granton Harbour for a mixed use development has been established through the granting of outline planning permission in 2003. The outline permission allows for a mix of uses comprising residential units, hotel and serviced apartments, shops and retail/ services, restaurants/ cafes, public houses, general business, leisure facilities and a marina.

The conditions of the outline planning permission set the maximum threshold for the quantum of the various uses within the site. The main limitations are:

- residential units shall not exceed 3,396 units;
- commercial/ business space shall not exceed 23,190 sqm;
- public amenity and leisure uses shall not exceed 7,650 sqm and

- each retail unit shall not exceed 250 sqm with the exception of one that shall not exceed 1,500 sqm. There was no limit on the overall amount of retail proposed at the site.

The overall mix of uses proposed accords with the outline permission and the adopted Edinburgh Local Development Plan (LDP) policy Del 3 (Edinburgh Waterfront).

The revised masterplan relates to changes within specific plots within the development.

Marina, Hotel and Service Apartments:

A previous masterplan, part approved under application 14/053505/AMC, set out that hotel development was acceptable at this location in accordance with LDP Policy Emp 10 (Hotel Development). Its proximity to the proposed marina is supported by LDP Policy Ret 7 (Entertainment and Leisure Developments - Preferred Locations) which promotes Granton Waterfront as a location for leisure and visitor attractions.

The more recent masterplan (application 16/05618/AMC) did not approve the hotel in its entirety on Plot 35, due to concerns over the mix of hotel and serviced apartments across the plot which would result in a concentrated and transient population contrary to LDP Policy Del 3 (Edinburgh Waterfront) which seeks the provision of a mixed use sustainable neighbourhood.

However, the assessment for the more detailed hotel proposed under application 17/05306/AMC set out that the land use was acceptable in principle. The hotel and serviced apartments were subsequently approved by the DPEA on appeal.

The marina office building has been approved in separated locations within the same plot. The masterplan has been updated to show the most recent approval.

Accordingly, the marina office, hotel and service apartments use at this location are acceptable in principle.

Residential:

The previous masterplan application (16/05618/AMC) provided 1,951 units. This masterplan increases the number to 2,457 units. LDP Policy Hou 1 (Housing Development) gives priority to the delivery of housing land supply and the general increase in numbers is supported. The numbers are within the limit allowed under the outline permission.

Residential use remains largely within the same plots as previous masterplans. This masterplan now introduces houses on Plot 35A to the east of the hotel. A re-arrangement of boating berths has allowed additional land for development. Earlier masterplans showed development at this location, albeit with a different layout.

The applicant makes reference to affordable housing being delivered on sites within masterplan area. Plot 27 (132 units), Plot 3 (104 units) and Plots S1 and S2 (302 units) equate to 538 units.

The legal agreement attached to the outline permission requires 15% affordable housing provision across Granton Harbour. Taking the maximum amount of residential development allowed by condition at 3,396, then 15% of this is 509 units. This requirement has been met. As affordable housing has been secured on other sites with Granton Harbour, the proposed masterplan removes the affordable housing plots shown on the previous masterplan.

Residential use within the harbour area is acceptable in principle.

Healthcare/Retail Use:

The healthcare block and adjoining class 1 (Shops) units on Plot 19B are acceptable in principle, within the limits defined by the outline permission. LDP Policy Hou 10 (Community Facilities) sets out that planning permission for housing development will only be granted where there are associated proposals to provide any health and community facilities relative to the impact and scale of development proposed.

Development for healthcare/retail use at this location has been approved through a separate AMC application and this version of the masterplan reflects that approval.

The masterplan schedule indicates that the proposal includes 9,175 sqm of class 1 shop floorspace. This is predominately centred on a local centre at Plots 12, 14, 15, 15A, 16 and 17. The current application makes no substantial changes to this.

On 17 August 2016, Committee approved two masterplan applications, with conditions, for Granton Harbour. The retail assessment submitted with an earlier masterplan application (reference 16/01273/AMC) supported the level of retail use proposed within the local centre and demonstrated that this will not have an unacceptable impact on the City Centre, Ocean Terminal or other local centres. This established the principle of the proposed retail, which has then been followed through in subsequent masterplans.

The proposed uses are considered acceptable in principle.

Business Use:

The outline permission also allows for up to 23,190 sqm commercial/ business space with the schedule showing a general provision for 10,149 sqm.

The revised masterplan introduces a 'Technology Hub' onto the southern part of Plot 19A on the corner of West Harbour Road and Chestnut Street. The schedule provided shows this as being 4,500 sqm of commercial / business use. This is taken to be a Class 4 Business use which covers offices (other than those within class 2), research and development and industrial processes.

The use class order clarifies that these uses should be ones which can be carried on in any residential area without detriment to the amenity of that area.

The schedule also indicates a further 501 sqm of Class 1 Shops use is also identified within the Plot 19A. Though it should be noted that the outline permission restricts the gross floor area of each retail unit to up to 250 sqm with the exception of one retail unit up to 1,500 sqm.

The Granton Waterfront Development Framework (GWDF) identifies the area along West Harbour Road as an 'Urban Anchor' which is a focal area for non-residential development. The GWDF states that this area should be developed into a new, dense urban street with a mixture of homes and small scale businesses. It describes the typologies/uses as small-medium scale class 1, 2, 3, and 4 uses and creative and light industrial workshops/workspace.

In general, the proposed uses on the plot 19A are acceptable.

In, summary, the proposed uses on the plots that this masterplan seeks to update are acceptable in principle.

c) Siting, height and layout are acceptable

Granton Harbour is identified as proposal EW 2c in the adopted LDP. Table 11 sets out a number of development principles which policy Del 3 (Edinburgh Waterfront) requires proposals to accord with. These include completion of the approved street layout and perimeter block urban form. Policy Del 3 also required comprehensively designed proposals which maximise the development potential of the area. The proposals also require to be assessed against relevant LDP design policies. This section considers the changes to the masterplan.

Proposed hotel, serviced apartments and residential development (Plots 29 and 35):

The proposed masterplan and background information provided shows a similar layout to a detailed AMC application (application reference 17/05306/AMC) for the same uses.

It was refused on a number of design related matters such as scale, massing and layout, limited active frontages, impact on views and also levels of car parking.

The decision was appealed to the DPEA and ultimately allowed by the reporter. As such the level of information provided in this higher level masterplan is acceptable in the context of what now has approval on these plots.

Proposed residential development Plots 8C and 7B:

A recent detailed AMC (application reference 18/02812/AMC) for 100 residential units on the site across four blocks was refused for adverse impact on amenity with regards to daylighting for neighbouring developments, overshadowing of the internal courtyard space and an inadequate provision of green space.

Again, the decision to refuse the application was appealed to the DPEA. The reporter also allowed the appeal and approved the development. The masterplan has been updated to reflect the approved layout. Therefore, as these plots have detailed approval it is acceptable in relation to the matter of residential amenity.

Proposed residential development at Plots 20A, 20B, 22, 23A and 23B:

Approval for six storey flatted development and two storey terraced housing has been given for a large majority of these plots (application reference 18/02721/AMC) . The remainder of the site is largely the same as previous iterations and follows a similar layout with a central area of open space. The general layout is acceptable.

Proposed residential development at Plot 35A:

This is indicated as residential development set out in rows of terraces housing with rear gardens. No further contextual information provided and therefore the matters of siting, height or layout applied for in the description of development cannot be approved.

Other Uses:

Health Hub

Plot 19B (part of) - health hub (Class 2) and retail units (Class 1) approved at this location (application reference 18/01145/AMC). The masterplan has been updated to reflect this approval. The plan does show large areas of surface car parking on this plot. This is considered further in the transport section, but parking is not a reserved matter applied for and not consented through this application.

Technology Hub

Plot 19A - as described in section 3.3a) the principle of the use is acceptable at this location. A building fronting onto West Harbour Road would also be acceptable and would accord with the Granton Framework. Within this application the height of the proposed building has not been specified and therefore this aspect cannot be approved. Again, the layout shows large areas of parking which have not been applied for through this AMC.

Overall, the proposed general location and layout of the above elements is acceptable, subject to further details to demonstrate that matters such as daylighting, overshadowing and private open space are acceptable.

The Local Centre

However, in terms of the local centre, the current application makes no substantial changes to Plots 12, 14, 15, 15A, 16 and 17 which were previously unacceptable.

The assessment of a previous application concluded that there was insufficient information to adequately assess the siting, layout and height details and its approval was subject to a condition which indicated that these matters were not approved. A similar approach is recommended for this application. As the application makes no alterations to these elements then the same conclusions are applicable.

LDP policy Des 1 (Design Quality and Context) states that "design should be based on an overall design concept that draws upon positive characteristics of the surrounding area" and that the proposals should create or contribute towards a sense of place.

The proposed local centre does not represent a comprehensively designed proposal which draws upon the positive characteristics of the site's waterfront location as required by LDP policies Des 1 (Design Quality and Context) and Del 3 (Edinburgh Waterfront). The masterplan layout drawing suggests that the development of the north will be dominated by surface car parking, the gable of two units and a multi level car park. This does not provide a positive perimeter development form and will create a poor quality environment adjacent to proposed residential development and at this gateway location. The proposal will not deliver the LDP aspiration for the creation of a sense of place.

The proposal comprises a large commercial development which is not compatible with the vision for mixed use sustainable neighbourhoods set out in LDP policy Del 3 (Edinburgh Waterfront). In terms of the proposed leisure uses, the proposal does not meet the requirements of clause a) of LDP policy Ret 7 which supports high quality design.

The layout of the local centre does not provide satisfactory footpath and cycle connections with the wider area. The proposal incorporates an east west pedestrian route through plot 17, but this route does not extend west beyond the centre. The proposed route terminates in a play area and adjoining a service yard and fails to provide clear linkages with the proposed housing to the west. Good pedestrian and cycle access from the north is hindered by the extent and layout of surface car parking. The proposed layout does not represent a comprehensively designed proposal or achieve a permeable integrated urban form which encourages walking and cycling and is therefore contrary to LDP policies Del 3 (Edinburgh Waterfront) and Des 7 (Layout Design).

The proposed multi-storey car park is contrary to LDP policy Des 5 a) (Development Design - Amenity) due to the negative impact it would have on the immediate outlook of the occupiers of plot 4. The proposal does not promote community safety by providing active frontages to more important thoroughfares and is not designed for natural surveillance in accordance with LDP policy Des 7 (Layout Design). The proposal does not comply with LDP policy Des 4 (Development Design - Impact on Setting) as the proposed multi-storey car park and surface car parking is visually obtrusive and not sensitively integrated into the design.

The local centre incorporates two public spaces in the form of an area for public art and an area for play. This application seeks approval for the design of these spaces but no details are provided to demonstrate what would be in these spaces, nor how the spaces would be constructed, used or managed. It is not clear why they are so extensive and in the locations proposed. While the principle of a space for public art and a play space may be appropriate, there is insufficient information to demonstrate that these spaces are part of a cohesive masterplan, that there is sufficient need for these, or that this is an appropriate location, given the relationship to the waterfront itself. It is not appropriate to consent the design of these spaces without any detailed information.

The relationship between plot 11 (which is excluded from this application but includes part of the service area, some retail units and car parking) and the proposed local centre is unclear. The extensive area proposed for public art and plot 16 are aligned to reflect the retention of the existing shed in plot 11 (Go Outdoors). The proposed layout is dominated by car parking in front of the buildings. The proposed plan form does not accord with LDP policy Del 3 (Edinburgh Waterfront) and the development principles set out in Table 11 which seek to create a mixed use sustainable neighbourhoods nor does it create a logical perimeter block structure.

The height of buildings in the proposed local centre cannot be approved at this time as insufficient information has been submitted. The applicant has submitted a massing diagram which shows the number of storeys but no information on levels or dimensions. Condition 2 (01/00802/OUT) states that detailed plans and sections should be submitted and these are needed to understand how the proposed centre will look and function.

In conclusion and for similar reasons given in previous applications the siting, layout and height of the proposed local centre represent a poor design solution and are not acceptable from a placemaking point of view. The principle of the proposed local centre is acceptable but the siting, layout and height are contrary to LDP policies Del 3 (Edinburgh Waterfront), Des 1 (Design Quality and Context), Des 4 (Development Design - Impact on Setting), Des 5 (Development Design - Amenity), Des 7 (Layout Design) and Ret 7 (Entertainment and Leisure Developments - Preferred Locations).

Conclusions on the acceptability of Siting, Height and Layout

In summary, the elements of the proposal that now have the benefit of full approval through separate AMC applications have been reflected in this masterplan and are therefore acceptable.

The main new changes to this masterplan are for the proposed tech hub building on Plot 19B and the residential development on Plot 35A. However, further contextual information on these plots has not been provided or fully realised in terms of height and design, alongside areas of surface car park. Accordingly, these matters cannot be approved.

Additionally, like previous masterplans, the proposed Local Centre comprising plots 12, 14, 15, 15A, 16 and 17 remains contrary to the Development Plan and cannot be approved through this permission.

d) Transport

The application seeks the approval of access, road layout, footpaths and cycle routes.

The main access points and road layout are acceptable in principle and remain unchanged from the previous applications. The core north/south Hesperus Broadway and east/west Hesperus Crossway roads are already in place.

Further transport information has not been provided within this application, but the general overall layout remains similar to previous iterations of the masterplan.

Parking is not an approval matter that the applicant applied for and therefore any information provided in relation to car parking numbers (even if indicative) is not considered in this assessment and equally could not be approved.

As such, any large surface car parks at 19B, 19A at 14, 15 and 15A are not approved as part of this process and would need to be considered as part of any detailed submissions for individual plots.

In terms of the footpath and cycle path provision the masterplan shows general routes such as along the western breakwater and the cycleway through the site. However, the masterplan drawing does not complete the relevant section of the waterside Edinburgh Promenade cycle/pedestrian route as required by the LDP. Further information is also needed on the detailed design of a cycle track along West Harbour and Lower Granton Road. Consequently, these matters cannot be approved.

The proposal is acceptable in principle and the main access points and general road layout are acceptable. Further detail would be required to demonstrate how the proposal accords with LDP Policy Del 3 (Edinburgh Waterfront) which seeks the provision of safeguarded pedestrian/cycle routes and LDP policy Des 7 (Layout Design) which requires a layout which reduces the influence of the car and encourages walking and cycling. The detailed elements of the local centre do not accord with LDP policy Tra 4 (Design of Off-Street Car and Cycle Parking) because the siting and design of the proposed multi storey and surface car parking are unacceptable.

e) Residential Amenity

It is not possible to fully assess impact on amenity at the masterplan stage. A massing plan has been provided showing various heights across the plots. But it has not been fully updated to reflect the most recent masterplan. As noted in earlier sections, many of the proposed changes to the masterplan sought through this application have detailed approval where amenity matters have already been assessed.

Plot 35A now contains terraced houses, but as considered above there is not sufficient information to consider the proposed layout in detail.

For the proposed tech hub at Plot 19A no information on the height has been provided through this submission. It is within an area that the Granton Framework does propose mixed uses and Class 4 uses are generally acceptable in the midst of residential uses.

There have been no changes to the masterplan proposed Plots 12, 14, 15, 15A, 16 and 17 (local centre) and no further information to assess the proposed developments acceptability. Therefore, as with previous masterplan applications it has not been possible to assess this.

The proposed multi level car park, surface car park and blank facades of the proposed structures at the northern end of the local centre will have a significant impact on visual amenity of the residents living in plot 4 and is therefore contrary to the LDP policy Des 5 (Development Design - Amenity).

Detailed applications will need to demonstrate that adequate amenity is provided.

The outline planning permission to which this proposal relates included conditions requiring a noise assessment and noise protection measures based on an open windows scenario to be submitted to protect the proposed residential development from existing industrial and commercial activities. In addition, a condition was added to control any floodlighting at the site. This will ensure that no development can take place until it is shown that residential amenity will be protected in accordance with LDP policy Env 22 (Pollution and Air, Water and Soil Quality).

In terms of amenity spaces, LDP policies Env 20 (Open Space in New Development) and Hou 3 (Private Green Space in Housing Development) seek to ensure there is adequate provision for public and private open space. The applicant has submitted an open space plan showing the amount and distribution of public open space. Aside from those elements approved through more detailed AMCs, no further information is provided on private green space for the proposed housing developments. More detail on open space provision is required to enable a full assessment.

f) Other material considerations

Ecology and Natural Heritage:

The site is located adjacent to the Firth of Forth Special Protection Area (SPA), Ramsar and Site of Scientific Special Interest. These sensitive ecological areas are protected from development by LDP policies Env 13 (Sites of European Importance) and Env 14 (Sites of Special Scientific Interest).

Special Protection Areas are protected under the Conservation (Natural Habitats) Regulations 1994, as amended (the "Habitat Regulations"). The legislation requires an appropriate assessment to be undertaken by the Council (as competent authority) where the effects of development are likely to have a significant effect on the qualifying interest of the site.

The Firth of Forth SPA is designated for a variety of wintering and passage bird species. This designation includes the area to the east of Granton Harbour.

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

The changes proposed in this application are not expected to have any additional impact on ecological interests or the natural environment. SNH did not raise any concerns in relation to the more detailed AMC submissions for Plots 29 & 35, Plots 8C & 7B and Plots 20A, 20B, 22, 23A and 23B.

Some elements of the overall proposals, for example, dredging, breakwater works and marina facilities require a marine licence under the terms of the Marine (Scotland) Act 2010. A marine licence has been submitted to Marine Scotland and was considered against habitat regulations.

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

Archaeology:

The City Archaeologist recommends the use of condition. A condition is already in place and attached to the original outline.

Flooding and Drainage:

The outline planning permission to which this application relates contained a condition which required that surface water drainage arrangements be approved prior to commencement of works on site. In addition, all operations during remediation and preparation of the site must be in accordance with SEPA's pollution prevention guidelines.

Table 11 in the LDP identifies the need to provide a strategic flood risk assessment in the list of development principles for Proposal EW2c Granton Harbour.

Information has been provided in relation to flood risk and surface water management in relation to some of the plots, but not for the whole of the application site.

SEPA do not object to the application but do reference earlier consultations to masterplans that recommend the raising of finished floor levels.

Previous masterplan approvals contained a suspensive condition to the effect that no development could take place until a revised flood risk assessment has been submitted to and agreed in writing by the Council. In a similar vein, a condition is recommended requiring a flood risk and surface water management assessment to be submitted with all detailed AMC applications.

Likewise, previous masterplan approvals required the Western Breakwater extension to be constructed before the marina is operational and included a condition to that effect. Such a condition is therefore recommended here.

Sustainability:

The outline planning permission was granted prior to the adoption of the Edinburgh Standards for Sustainable Buildings (ESSB) and as such there is no requirement to comply with the relevant sustainability criteria. However, an informative on the outline planning permission states that the Council will expect new development to concur with the most current sustainable construction phase and throughout the life of the buildings. Each developer will be required to ensure that their buildings comply with the current required standards for sustainable development.

g) Equalities

This application was assessed in terms of equalities and human rights. No adverse impacts were identified at this stage. The site will have a general positive impact by regenerating the area. More detailed applications will be required to demonstrate adherence to standards on daylighting, privacy and open space. Issues such as disruption from the construction stage will be temporary.

h) Public Comments

Material Objections:

- Impact on the promenade proposal - considered in section 3.3d).
- Transport implications - considered in section 3.3d)
- The provision of a multi-storey car park - considered in section 3.3d) & e).
- Location of open space - considered in section 3.3e).
- Amenity issues - considered in section 3.3e)

Non-material:

- Representation of Plot 7A within the masterplan - plot 7A has an extant planning permission.
- Road names - not a planning consideration.
- Issues related to title deeds - not a planning consideration.

Conclusion

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, based on the high level information provided, the proposed changes to the masterplan which would preserve the setting and character of the listed buildings. Further assessment would be required at the appropriate stage.

The principle of mixed use development at Granton Harbour is supported. It accords with the Local Development Plan (LDP) and the outline planning permission 01/00802/OUT approved in June 2003.

The application seeks specific approval of matters set out in the original outline permission. These cover siting and height of development, design, and configuration of public and open spaces, access, road layouts, footpaths and cycle routes.

The changes to the masterplan relate to a limited number of plots. Some of these plots have now had decisions made on individual approval of matters specified in conditions applications and these are now updated in the masterplan. The uses and general layout accords with the development principles of LDP EW 2c: Granton Harbour. The updated plots mainly relate to housing development which is supported by Policy Hou 1 (Housing Development) and the hotel element complies with Policy Emp 10 (Hotel Development).

Plot 19A proposes a technology hub building instead of previous residential development. Such a use is acceptable with regards to the outline permission and the location ties in with the recently approved Granton Waterfront Development Framework which highlights West Harbour Road as an area for non-residential development.

Plot 35A now shows residential development on what was previously land shown as the marina. Previous masterplans have also highlighted this part of the site for development and residential use is acceptable in general terms of the outline permission and Policy Hou 1 (Housing Development).

The uses on Plots 19A and 35A are acceptable in principle, but as contextual information is lacking in terms of height, design and layout these approval matters cannot be approved through this masterplan application.

The current application makes no changes to the proposed local centre at Plots 12, 14, 15, 15A, 16 and 17 which were previously unacceptable as the proposals for these plots were contrary to LDP Policies Del 3 (Edinburgh Waterfront), Des 1 (Design Quality and Context), Des 4 (Development Design - Impact on Setting), Des 5 (Development Design - Amenity), Des 7 (Layout Design) and Ret 7 (Entertainment and Leisure Developments - Preferred Locations) and therefore are not approved through this masterplan.

The reserved matters covering footpaths and cycle routes in respect of the waterfront cycle/pedestrian route are not approved as sufficient detail has not been provided and the proposals do not complete the relevant section of the waterside Edinburgh Promenade cycle/pedestrian route as required by the LDP Policy Del 3 (Edinburgh Waterfront) and Policy Tra 9 (Cycle and Footpath Network). There are also insufficient details of a cycle track for shared cycle/pedestrian use on West Harbour Road/Lower Granton Road as required by Policy Des 7 (Layout Design).

Conditions are recommended to set out that the details on these plots are not approved. This is alongside conditions relating to amenity and flood risk.

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

3.4 Conditions/reasons/informatives

Conditions :-

1. The reserved matters covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes are not approved in respect of plots 12, 14, 15, 15A, 16 and 17 as shown on the masterplan drawing A-P-00-G7-001 Rev Z-7 (Council drawing reference 03D).
2. The reserved matters covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes are not approved in respect of plot 35A as shown on the masterplan drawing A-P-00-G7-001 Rev Z-7 (Council drawing reference 03D).
3. The reserved matters covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes are not approved in respect of plots 19A as shown on the masterplan drawing A-P-00-G7-001 Rev Z-7 (Council drawing reference 03D).
4. The reserved matters covering footpaths and cycle routes in respect of the waterfront cycle/pedestrian route is not approved.

5. The reserved matter covering footpaths and cycle routes in respect of the cycle/pedestrian use on West Harbour Road/Lower Granton Road is not approved.
6. This consent does not discharge any reserved matters in respect of the following:
 - (i) The private amenity space and car parking areas for the individual plots are shown on the plans for illustrative purposes only and do not form part of the development hereby permitted. These will be agreed through detailed AMC applications for the individual plots and shall be in accordance with the Council's Edinburgh Design Guidance and Parking Standards.
 - (ii) Development or works relating to Middle Pier. These should be the subject of a further application(s) for the approval of matters specified in conditions which should address the needs of the sailing community for berths and storage and other facilities.
7. All detailed AMC applications for individual plots will require to be accompanied by a flood risk assessment and surface water management plan to be agreed by the Council as Planning Authority.
8. No development shall take place to construct the new berths within the marina until the extension to the Western Breakwater has been implemented.

Reasons:-

1. The proposals for these plots are contrary to policies Del 3, Des1, Des 4, Des 7 and Ret 7 in the Edinburgh Local Development Plan because the siting of the buildings, and design and configuration of public spaces, roads and footpaths in the proposed large centre are unacceptable. These are not based on a comprehensive and integrated approach which draws upon the positive characteristics of the site's waterfront location to create a sense of place. In addition, the height, scale and form of the large centre will have a detrimental impact on the wider townscape and the layout of car parking spaces and pedestrian/cycle routes in this part of the site will not encourage walking and cycling.
2. The proposals do not provide sufficient details to demonstrate that the siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes are acceptable.
3. The proposals do not provide sufficient details to demonstrate that the siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes are acceptable.

4. The proposals do not provide sufficient details to demonstrate footpaths and cycle routes are acceptable as the masterplan drawing does not complete the relevant section of the waterside Edinburgh Promenade cycle/pedestrian route as required by the LDP Policy Del 3 (Edinburgh Waterfront) which seeks the provision of safeguarded pedestrian/cycle routes and Policy Tra 9 (Cycle and Footpath Network) which relates to the implementation of proposed cycle paths/footpaths shown on the Proposals Map.
5. The proposals do not provide sufficient details of a cycle track for shared cycle/pedestrian use on West Harbour Road/Lower Granton Road as required by Policy Des 7 (Layout Design).
6. In order to define the consent hereby permitted.
7. In order to minimise the risk of flooding.
8. In the interests of the safe operation of the marina.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or fifteen years from the date of the outline planning permission (01/00802/OUT), whichever is the later.
2. The new breakwater section to protect the marina will require separate consent from the Council under the Coast Protection Act 1949.
3. For the avoidance of doubt, the car parking numbers are not approved at this stage.

Financial impact

4.1 The financial impact has been assessed as follows:

There is an existing legal agreement.

A contribution towards primary and secondary school infrastructure needed to support the development will be secured under the section 75 agreement attached to the outline consent (01/00802/OUT). This required a total contribution of £1,366 per flatted or other form of residential unit indexed from July 2002.

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 considered and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Two representations have been received. An assessment of the representations can be found 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**

The development plan comprises the Strategic Development Plan for Edinburgh and South East Scotland (SDP) and the Edinburgh Local Development Plan (LDP).

The SDP identifies the Edinburgh Waterfront as one of the city's four Strategic Development Areas (SDAs).

The LDP identifies the site as part of Edinburgh Waterfront. Proposal EW 2c (Granton Harbour) sets out the development principles for this part of the Waterfront which is for a housing-led mixed use development. A local centre is indicated as proposal S2 for a new local centre. A transport route (T8) runs along some boundaries of the site to provide various off road cycle/footpath links. The route along the southern boundary is safeguarded as a tram route.

Date registered

31 May 2017

Drawing numbers/Scheme

01,03D,

Scheme 5

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 3 (Edinburgh Waterfront) sets criteria for assessing development in Granton Waterfront and Leith Waterfront.

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

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

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

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

LDP Policy Env 13 (Sites of International Importance) identifies the circumstances in which development likely to affect Sites of International Importance will be permitted.

LDP Policy Env 14 (Sites of National Importance) identifies the circumstances in which development likely to affect Sites of National Importance will be permitted.

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

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 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.

LDP Policy Ret 7 (Entertainment and Leisure Developments - Preferred Locations) identifies the City Centre, at Leith and Granton Waterfront and town centres as the preferred locations for entertainment and leisure developments.

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

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

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 Approval of Matters Specified in Conds 17/02484/AMC

**At Granton Harbour, West Harbour Road, Edinburgh
Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design, and configuration of public and open spaces, access, road layouts, footpaths and cycle routes. at Granton Harbour, West Harbour Road.**

Consultations

Archaeology response - dated 27 June 2017

Further to your consultation request I would like to make the following comments and recommendations in respect to this application for approval of matters specified in condition 2 of outline application 01/00802/OUT covering the siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes.

I refer you to my earlier comments in response to 01/00802/OUT, 06/03636/REM, 13/01013/AMC & 13/04320/AMC & 14/05305/AMC which outlined the archaeological significance of the site and mitigation requirements. As such this application, must be considered therefore under terms the Scottish Government Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and CEC Edinburgh Local Development Plan Policies DES 3, ENV4, ENV8 & ENV9.

An archaeological mitigation strategy was agreed for the redevelopment of Granton Harbour in response to the original 2001 Outline application. Although various elements have been undertaken in the intervening period, principally by CFA Archaeology, with the last element of field work to the Western Harbour was undertaken in 2008. However not all of the required mitigation has been undertaken.

Principally, in this case, mitigation is still required to be undertaken in areas that will affect/expose historic fabric relating to the listed middle pier (Masterplan plots: 14, 15, 15A & 17) which runs along the eastern part of the site and on-site interpretation and conservation of historic marine infrastructure/streetscape in these areas. In addition, archaeological excavation will be required across the site of the 19th century shipyard located in the SW corner of the application area (Masterplan plots: 22 & 23) as well as historic building recording and preservation of the listed structures on the Middle Pier.

Accordingly, it is essential that the following updated condition is attached to this consent to ensure the completion of this programme of archaeological works and the retention and conservation of significant maritime/ industrial historic fabric within the development.

'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (interpretation, conservation, 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.'

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 response - dated 4 July 17

We have no objection to this planning application, but please note the advice provided below.

1. Flood risk

1.1 No information about flood risk has been provided with this consultation. In responses to consultations on other development in this area we have recommend that the planning authority consider raising the minimum finished floor levels (FFL) to 5.07 mAOD to provide additional mitigation. Please see our response to planning application 17/01219/AMC of 01 May 2017, our reference PCS/152227. We recommend that FFL are also set at a minimum of 5.07 mAOD at this development.

2. Surface Water Drainage

2.1 Because the discharge of surface water is to coastal waters there is strictly no requirement for SUDS to be provided, or for a simple CAR license to be in place despite there being >1,000 CAR parking spaces proposed for the wider development of this area. continued'

2.2 Despite there being no requirement for SUDS for this site, we strongly recommend that SUDS are developed for this site to provide mitigation against the potential of a diffuse environmental impact from the drainage associated with this site.

SNH response - dated 4 August 2020

The Granton development site lies adjacent to the Firth of Forth Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI), as well as the proposed Outer Firth of Forth & St Andrews Bay Complex SPA.

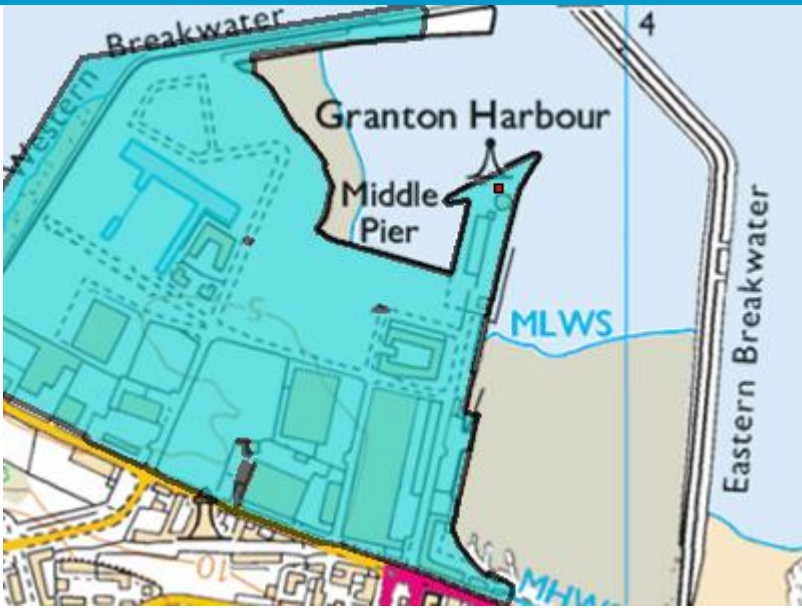
The original proposal underwent appropriate assessment and we have provided further advice and HRA updates where there have been changes to the masterplan. The SPA and proposed SPA have also been considered within the Edinburgh LDP Habitat Regulations Appraisal (HRA).

As we understand this is not a revised application, but an alteration of the masterplan to include more residential development and less marina/pontoon space. It is not proposing

to vary the masterplan into a plan which hasn't already been assessed and agreed in past iterations, as the original masterplan(s) have included this land for development. As such, no new likely significant effects are envisaged and therefore no additional assessment is required.

The marine elements of the masterplan have also gone through the Marine Licensing process, with a Marine Works EIA with HRA carried out. This HRA captured all potential ecological impacts (SPAs, SSSI and marine protected species), so it is useful for you to be aware of this work.

Location Plan



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