

Notice of meeting and agenda

Development Management Sub-Committee

2.00 pm Wednesday, 10th August, 2022

Dean of Guild Court Room - City Chambers

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

Please note that the Planning and Building Standards online systems (the planning portal) will be unavailable from Monday 8 August – Friday 12 August. The application details for this meeting of the Development Management Sub Committee will temporarily posted on the main Planning service website at <https://www.edinburgh.gov.uk/pbsupgrade>. The application details will be publicly available.

Contacts

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Tel: 0131 553 8242 / 0131 529 4085

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 8 August 2022** (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 None.

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.

4.1 None.

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 None

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 | 14 Muirhouse Parkway (Silverlea Old Peoples Home), Edinburgh
- application no. 21/05056/FUL - Protocol Note by the Chief Executive | 7 - 10 |
| 6.2 | 14 Muirhouse Parkway (Silverlea Old Peoples Home), Edinburgh
Proposed residential development comprising 142 flats including colonies with associated roads, parking and greenspace -
application no. 21/05056/FUL - report by the Chief Planning Officer | 11 - 76 |

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 None.

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

Nick Smith

Service Director – Legal and Assurance

Committee Members

Councillor Hal Osler (Convener), Councillor Alan Beal, Councillor Chas Booth, Councillor Lezley Marion Cameron, Councillor James Dalglish, Councillor Neil Gardiner, Councillor Euan Hyslop, Councillor Tim Jones, Councillor Amy McNeese-Mechan, Councillor Joanna Mowat and Councillor Kayleigh O'Neill

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 Development Management Sub-Committee usually meets in the Dean of Guild Court Room in the City Chambers on the High Street in Edinburgh and remotely by Microsoft Teams.

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

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The Council is a Data Controller under current Data Protection legislation. We broadcast Council meetings to fulfil our public task obligation to enable members of the public to observe the democratic process. Data collected during this webcast will be retained in accordance with the Council's published policy including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

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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)

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Development Management Sub-Committee

2.00pm, Wednesday 10 August 2022

Protocol Note for Hearing

**Silverlea Old Peoples Home, 14 Muirhouse Parkway, Edinburgh –
application no 21/05056/FUL**

Report number	6.1
Wards	B01 - Almond

Nick Smith

Service Director – Legal and Assurance

Contacts: Jamie Macrae, Committee Services

Email: jamie.macrae@edinburgh.gov.uk

Summary

Protocol Note for Hearing

Summary

The Council is committed to extending public involvement in the planning process. Hearings allow members of the public to put their views on planning applications direct to the Councillors on the Development Management Sub-Committee.

The Sub-Committee members have a report on the planning application which contains a summary of the comments received from the public. Copies of the letters are available for Councillors to view online.

Committee Protocol for Hearings

The Planning Committee on 25 February 2016 agreed a revised general protocol within which to conduct hearings of planning applications as follows:

- Presentation by the Chief Planning Officer	20 minutes
- Questions by Members of the Sub-Committee	
- Presentation by Community Council	5 minutes
- Presentations by Other Parties	5 minutes, each party
- Questions by Members of the Sub-Committee	
- Presentation by Ward Councillors	5 minutes each member
- Questions by Members of the Sub-Committee	
- Presentation by Applicant	15 minutes
- Questions by Members of the Sub-Committee	
- Debate and decision by members of the Sub-Committee	

Order of Speakers for this Hearing

1	Chief Planning Officer - presentation of report	2.10 - 2.30
2	Representors or Consultees Muirhouse and Salvesen Community Council Mr Colin Dudgeon Mr Malcolm Warrack Edinburgh Poverty Commission (Craig Sanderson) Living Rent Muirhouse-Pilton (Caroline Cawley) Save Our Silverlea (Michael Vallance)	2.40 - 2.45 2.50 - 2.55 3.00 - 3.05 3.10 - 3.15 3.20 - 3.25 3.30 - 3.35
3	Ward Councillors Councillor Kevin Lang Councillor Norman Work Councillor Louise Young (via Microsoft Teams)	3.40 - 3.45 3.50 - 3.55 4.00 - 4.05
4	Break	4.10 - 4.20
5	Applicant and Applicant's Agent Elaine Scott, Head of Housing Strategy & Development at CEC Elise Schneider, Senior Construction Manager, Edinburgh Waterfront Team Linda Hamilton, Planning Advisor, Edinburgh Waterfront Team Eugene Mullan, Smith Scott Mullan John Lancaster, Smith Scott Mullan	4.20 - 4.35
6	Debate and Decision on Application by Sub-Committee	4.40

Scheduled times are approximate but within this the time limits for speakers will be enforced – speakers will be reminded when they have 1 minute remaining. Speakers should keep to “material planning matters” that the Sub-Committee can take into account. Any visual material must be submitted to Committee Services at least 24 hours before the meeting. Decisions will generally be to approve or refuse. Conditions of approval or reasons for refusal may be considered at a subsequent meeting. If the application is continued for further information, the Hearing will not be re-opened at a later stage and contributors will not be invited to speak again. In such cases, the public can view the meeting via the webcast to observe the discussion.

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Development Management Sub Committee

Wednesday 10 August 2022

**Application for Planning Permission 21/05056/FUL
at Silverlea Old Peoples Home, 14 Muirhouse Parkway,
Edinburgh
Proposed residential development comprising 142 flats
including colonies with associated roads, parking and
greenspace.**

Item number

Report number

Wards

B01 - Almond

Summary

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals would preserve the setting of the assemblage of listed buildings at Nos.1-16 (inclusive numbers) Salveson Crescent (Listed Building ref LB45601). Therefore, the proposal complies with adopted Edinburgh Local Development Plan Policy Env 3 (Listed Buildings - Setting).

In its entirety the proposed development is not in accordance with the Edinburgh Local Development Plan (LDP) given that part of the site includes development within the green belt and on open space. Notwithstanding, there are significant material considerations which outweigh the presumption against granting planning permission for development on the green belt and also the loss of an area of open space and provide reasoned justification for granting planning permission for the proposed development on the site. These are:

- (i) The area of land within the application site has limited amenity value within the green belt and currently does not contribute towards the landscape setting of the city.
- (ii) The land within the green belt contains made-up land with contamination present. The proposal includes the remediation of and decontamination of the land. The land is unkept and fly tipping has taken place, which detracts from the appearance of the

area. The land is of low landscape value and low recreational value with few quality trees. The proposal will allow for further investment to be made in the part of the green belt land within the site boundary that is not to be built on. The re-purposing of that part of the site as an informal green space will enhance the amenity, recreational and landscape value of the land for the benefit of both the future occupants of the proposed new residences and the wider local community.

(iii) The edges of the built development will be enhanced by new tree and shrub planting that will link with the existing tree belt on the site's western boundary, providing visual screening to the new housing. The new planting on the western part of the proposed green space on the northern part of the site, will strengthen the landscape boundary with the neighbouring golf course. Furthermore, important green belt views, including from the existing footpath between Marine Drive and Salvesen Crescent, will be enhanced with proposed landscaping.

(iv) The ecology report accompanying the application does not identify any protected species or other species on the land (or any part of the site) worthy of protection. The tree and hedge planting proposed in the application will enhance local biodiversity and provide sheltered space for community growing areas.

(v) There is presently public access to the site, however, that access is informal and undefined. The proposal includes the creation of public pedestrian and cycle connections through the site, increasing connectivity with existing routes and the wider area, including neighbouring open spaces and woodland.

(vi) There are public benefits in delivering the proposed affordable and special needs housing.

The proposal is not a significant departure from Local Development Plan Env 10 (Development in the green belt and countryside).

Subject to the conditions of a grant of planning permission, there is no significant adverse impact on neighbouring amenity and the future occupiers of the residences will be afforded adequate residential amenity. The development is acceptable in transportation terms and the parking provision, including cycle parking, meets the Council's standards. The development has no detrimental impact on significant archaeological remains.

The proposals comply with all of the relevant sustainability principles set out in SPP.

The proposals do not conflict with equalities & human rights.

The proposals are acceptable and there are no material considerations that outweigh this conclusion.

**Policies and guidance for
this application**

LDEL01, LDES01, LDES02, LDES03, LDES04,
LDES05, LDES06, LDES07, LDES08, LDES09,
LDPP, LEN03, LEN08, LEN09, LEN10, LEN11,
LEN12, LEN15, LEN16, LEN18, LEN20, LEN21,
LEN22, LHOU01, LHOU02, LHOU03, LHOU06,
LRS01, LTRA02, LTRA03, NSG, NSGD02, NSHAFF,
SUPP, SPP,

Report

Application for Planning Permission 21/05056/FUL at Silverlea Old Peoples Home, 14 Muirhouse Parkway, Edinburgh. Proposed residential development comprising 142 flats including colonies with associated roads, parking and greenspace.

Recommendations

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

Background

2.1 Site description

The site, which has a total area of 4.03 hectares, comprises:

- (i) the site of the former Silverlea Care Home at 14 Muirhouse Parkway, located on the north side of Muirhouse Parkway and within the urban area. Silverlea Care Home was demolished in 2018, and the site is currently vacant;
- (ii) an area of open space adjacent to the north of the Silverlea Care Home site. This open space is located within the green belt;
- (iii) an area of open space further to the north which lies immediately to the south of Silverknowes Caravan Park site. This open space is located within the green belt and,
- (iv) an unsurfaced footpath and the access to it from a point on the south side of Marine Drive. That footpath, which is known as the "Cattle Track", is located within the green belt and is contained within a larger area of open space designated in the Council's Local Development Plan as a local nature conservation site.

On the south eastern part of the site there is a grouping of portacabins which house the club house and changing facilities of Craigroyston Community Youth Football Club (CCYFC).

The site slopes gently from north to south. There is a level difference of some 9 metres across the site. This gradient is relatively shallow on the southern part of the site, with only a 1-2m level difference from the south boundary to the central area. The northern part of the site, from the central area to the north boundary, has a steeper gradient with a level difference of 7-8m. There are trees adjacent to and overhanging site boundaries and there are mature trees within the site.

Silverknowes Caravan Park with Marine Drive beyond bounds the site to the north. Part of a local path that connects Marine Drive with Salvesen and Muirhouse Parkway with a combination of the sports pitches of World of Sport and housing in Salveson Crescent beyond bounds the site to the east and north east. The houses in Salveson Crescent comprises a mixture of single-storey and two-storey houses and includes a group of eight category B listed houses at Nos.1-16 (inclusive numbers) (Listed Building ref LB45601, listed 10/08/1998). These listed buildings are in four matching blocks in an identical format, with rendered walls and sash windows. They were built for lighthouse keepers. The group is an original example of planned and specific housing. Muirhouse Parkway bounds the site to the south, beyond which is the post-war housing estate of Muirhouse, which contains a mixture of high-rise and medium rise blocks of flats. Recently constructed four-storey flatted blocks and three-storey colonies are located nearby to the south west of the site. Silverknowes Golf Course bounds the site to the west. The Council has title to both Silverknowes Golf Course and the sports pitches adjacent to the site.

2.2 Site History

1 April 2021 - Proposal of Application Notice submitted for a residential development comprising of around 140 flats and colonies with associated roads, parking and greenspace on the site. (application number 21/01797/PAN).

Other relevant applications:

4th October 2021 - Planning application validated for the erection of proposed pavilion including changing rooms and club rooms and associated shared surface access road and car park for Craigroyston Community Youth Football Club at 25 Marine Drive. (application reference number 21/05175/FUL) - Pending decision.

Main report

3.1 Description Of The Proposal

The proposal is for the construction of 142 affordable flatted residences (100% of the proposed units) comprising: (i) five blocks of four-storey flats; (ii) a single two-storey block of flats; (iii) four two-storey and attic rectangular plan terraces of colony flats. The colony blocks contain a total of 48 flats. The split between the private and affordable is as follows:

Accommodation schedule	CEC(social rent) Living)	Mid-market rent (Edinburgh care	Blackwood HA CEC (social rent)	Health & social
1 bedroom	16	23	0	0
2 bedroom	36	20	19	4
3 bedroom	16	8	0	0
Total	68	51	19	4
Total no units			142	

The two flatted blocks located on the southern part of the site front southwards over an area of communal private open space onto Muirhouse Parkway. The rest of the flatted blocks, all of which are positioned to the north of the frontage blocks, have a north-south alignment and their windows have an east-west orientation. The colony blocks are located in the north eastern part of the site. The majority of them have a north-south alignment and their windows an east-west orientation.

A two-storey energy centre building housing air source heat pumps is located at a point on the west part of the site between two of the proposed flatted buildings.

The design of all flatted buildings is contemporary. The roof of the flatted blocks is flat and photo voltaic (PV) panels are mounted on them. All of the colony blocks have pitched roofs clad in dark grey roof tiles. The external wall material is facing brick. The framing of windows and external doors are grey in colour.

Vehicular access will be taken from Muirhouse Parkway from a point in the middle of the south boundary of the site.

The principal road within the proposed development is a north - south aligned road. Parallel to and along the length of the principal road is a 3.5 metres wide shared cycleway/footway which is separated from the road by a linear open swale. Accessed off that principal road is a one-way loop road from which the colony blocks will be accessed.

The proposal includes 36 car parking spaces (25%) which includes 27 standards bays and 9 disabled bays (25% of proposed parking). One in every six parking bays is to be equipped for electric vehicles. The car parking is interspersed with landscape pockets of tree planting.

An underground refuse storage (URS) solution is proposed. There are seven URS points dispersed within the layout. URS systems are designed to be lifted by crane lift refuse collection vehicles.

It is proposed to provide 200% cycle parking which will be contained within a mixture of cycle stores integral to flatted blocks and detached cycle stores adjacent to flatted blocks. The proposal includes 4 health and social care units and 23 Blackwood Homes and care units which do not require cycle parking. However, the latter will have a large store for the housing of electric scooters (which would also allow for some bikes should circumstances arise).

A communal open space is proposed roughly in the centre of the site in the vicinity of an existing grouping of trees. It includes a children's play area.

The northern part of the proposed residential development is on green belt land. An area of land within the green belt on the northern part of the site, located between the proposed residences and the existing football pitches, is to be recontoured as a green open space.

Sustainable urban drainage (SUDS) includes a combination of: (i) two swales running north-south; (ii) "blue-green" roofs to all flat roofed blocks, which provide water storage; (iii) A sunken "storm garden" adjacent to blocks 8 and 9 designed to flood in times of extreme rainfall whilst also functioning as an equipped children's play area; and (iv) supplementary areas of porous paving.

There is a grouping of small, dilapidated cabins located in the south east corner of the site adjacent to Muirhouse Parkway, which are presently used as club house and changing facilities for Craigroyston Community Youth Football Club. These are to be demolished to facilitate the proposed development. A replacement football pavilion, club house and changing facilities and associated car parking and access road off Marine Drive, for Craigroyston Community Youth Football Club, is proposed on the northern extremity of the site. These proposals are the subject of separate application 21/05056/FUL which stands to be determined on its own merits.

Supporting Statements:

- Planning Statement;
- Pre-Application Consultation Report;
- Design and Access Statement;
- Transport Assessment;
- Sustainability Statement;
- Topographical information;
- Tree survey assessment and tree constraints plan;
- Landscape and Visual Impact Assessment;
- Drainage Strategy and flood risk assessment;
- Ecological assessment Report;
- Noise Impact Assessment;
- Site Investigation;
- Archaeological Desk Based Assessment;
- Waste strategy;
- Sun path diagrams.

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

3.2 Determining Issues

The determining issue to consider in terms of assessing the development against Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 are:

- Would the development harm a listed building or its setting? If it would, are there any advantages of the proposal that are sufficient to outweigh the strong presumption against granting planning permission?

If the Development complies with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, it then requires to be considered in terms of Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997.

This report will consider the proposed development under Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

- 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?

In the assessment of material considerations this report will consider:

- the Scottish Planning Policy presumption in favour of sustainable development, which is a significant material due to the development plan being over 5 years old;
- equalities and human rights;
- public representations; and
- any other identified material considerations.

3.3 Assessment

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

- (a) the proposals preserve the setting of nearby listed buildings;
- (b) the principle of residential use on the site is acceptable;
- (c) the proposed density, layout, scale, form and design are acceptable;
- (d) impact on the amenity of existing neighbours and proposed residents is acceptable;
- (e) access, parking and road safety are acceptable;
- (f) waste disposal arrangements are acceptable;
- (g) the proposals meet sustainability criteria;
- (h) archaeology considerations are acceptable;
- (i) the proposals have impacts on infrastructure including affordable housing, education and health care;
- (j) other material considerations are considered;
- (k) equalities and human rights are considered;
- (l) public comments are addressed.

(a) Setting of listed buildings

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

In considering whether to grant planning permission for development which affects a listed building or its setting, a Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

The site is located close to a group of listed houses in Salveson Crescent. The proposed buildings closest to this group of listed buildings are colony style blocks with external stairs.

The proposals would be nearby to the east and north west of those listed building and not immediately adjacent to them. The proposed new buildings are sufficiently far away from the listed building so as not to impact on their immediate setting. Where the proposals will be seen in views of the listed buildings, they will appear as a separate, modern development, contrasting with the scale, form, design and appearance of the listed buildings. On these counts they would not have an intrusive impact on them or appear incongruous when seen in views of them. Therefore, the proposals are acceptable in terms of the impact on the setting of nearby listed buildings.

(b) Principle of use of the site

The southern part of the site is located within the urban area, as defined in the Edinburgh Local Development Plan. LDP Policy Hou 1 (Housing Development), states that priority will be given to the delivery of the housing land supply and relevant infrastructure. Criteria (d) of Hou 1 covers other suitable sites in the urban area, provided the proposals are compatible with other policies in the plan.

Housing within the urban area is acceptable where it conforms to other policies in the Local Development Plan. There is a need for affordable housing across the city. Housing is acceptable on this brownfield site at this location and the intention to provide 100% affordable units of a mix of tenures is supported. Therefore, the principle of the proposal on the part of the site within the urban area is acceptable.

The remainder of the site, which equates to approximately 27,253 sqm, is in the green belt, as defined in the Edinburgh Local Development Plan. Some 17,589 sqm of that green belt land is also designated as open space in the LDP and comprises: (i) the northern part of the proposed residential development; (ii) a sloping area of made-up rough grassland on the northern part of the site, located between the proposed residential development and existing neighbouring grassed playing fields. That land is proposed to be decontaminated and recontoured as a landscaped green open space; and (iii) an area of land on the northern extremity of the site located immediately to the north of the existing neighbouring grassed sports pitches.

That land is the subject of a separate planning application (reference: 21/05175/FUL) for the erection of the replacement Craigroyston Community Youth Football Club and its associated car park.

The current boundary of the green belt is around the curtilage of the former Silverknowes Riding School and former steading buildings and the former Silverlea Care Home and joins the urban edge to the east.

The Local Development Plan states that the purpose of the Green Belt designation is to:

- direct planned growth to the most appropriate locations and support regeneration;
- protect and enhance the quality, character, landscape setting and identity of the city and neighbouring towns and to
- protect and give access to open space within and around the city and neighbouring towns.

The LDP also states that the green belt designation can be used to prevent the coalescence of settlements.

LDP Policy Env 10 (Development in the green belt and countryside) permits development in this area if it meets with one of the criteria (a-d) set out in the policy and would not detract from the landscape quality or rural character of the area.

Criterion a) sets out types of uses where it is accepted a countryside location is essential for that use to take place. This includes agriculture and forestry for example.

Criteria b) and c) relate to changes of use and extension of an existing building.

Criterion d) is for the replacement of existing buildings with new buildings in the same use.

The proposal does not meet criteria a) as it includes built development that is not for the purposes of agriculture, woodland and forestry, horticulture or countryside recreation. The proposal does not meet criteria b) as it is not for a change of use of an existing building of architectural merit or a valuable element in the landscape worthy of retention. It does not meet criteria c) as it is not for the redevelopment relating to an existing use or building(s). It does not meet criteria d) as it is not for the replacement of an existing building with a new building in the same use. Given that the proposal does not meet criteria a)-d) of Policy Env 10 (Development in the green belt and countryside) it is contrary to that policy. The presumption is against granting planning permission for the development in the green belt unless there are any advantages of the proposal that are sufficient to outweigh this presumption. This matter is considered below.

Similarly, LDP Policy Env 18 (Open Space Protection) states that proposals involving the loss of open space will not be permitted unless it is demonstrated that certain criteria are met. These criteria relate to ensuring there would be no significant impact on the quality and character of the local environment; the open space is a small part of a larger area or of limited amenity or leisure value and there is a significant over-provision of open space serving the immediate area; biodiversity value, and; local community benefit.

In the Design and Access statement accompanying the application, the applicant sets out a number of matters that provides some justification for the development of this part of green belt. Relevant factors include the creation of a better defined and improved landscaped boundary between the new urban edge and green space beyond; the remediation of made-up and decontaminated land on the northern part of the site which presently has low landscape and recreational value, and re-purposing of the land as a green space with resultant amenity, recreational and landscape benefits; better protection of existing trees to be retained, and; the creation of public pedestrian and cycle connections through the site increasing connectivity with existing routes and the wider area.

The supporting text accompanying Policy Env 10 states that it is necessary to control the type and scale of development in the green belt to enable it to fulfil its important role in terms of landscape setting and countryside recreation. It goes on to say that the key test for all proposals in the green belt and countryside areas will be to ensure that the development does not detract from the landscape quality and/or rural character of the area.

The area of land within the application site has limited amenity value within the green belt and currently does not contribute towards the landscape setting of the city.

The land within the green belt contains made-up land with contamination present. The proposal includes the remediation of and decontamination of the land. The land is unkept and fly tipping has taken place, which that detracts from the appearance of the area. The land is of low landscape value and low recreational value with few quality trees. The proposal will allow for further investment to be made in the part of the green belt land within the site boundary that is not to be built on. The re-purposing of that part of the site as an informal green space will enhance the amenity, recreational and landscape value of the land for the benefit of both the future occupants of the proposed new residences and the wider local community.

The edges of the built development will be enhanced by new tree and shrub planting that will link with the existing tree belt on the site's western boundary, providing visual screening to the new housing. The new planting on the western part of the proposed green space on the northern part of the site, will strengthen the landscape boundary with the neighbouring golf course. Furthermore, important green belt views, including from the existing footpath between Marine Drive and Salvesen Crescent, will be enhanced with proposed landscaping.

The ecology report accompanying the application does not identify any protected species or other species on the land (or any part of the site) worthy of protection. The tree and hedge planting proposed in the application will enhance local biodiversity and provide sheltered space for community growing areas.

There is presently public access to the site, however, that access is informal and undefined. The proposal includes the creation of public pedestrian and cycle connections through the site, increasing connectivity with existing routes and the wider area, including neighbouring open spaces and woodland.

There are public benefits in delivering the proposed affordable and special needs housing.

These reasons are significant material considerations, and outweigh the presumption against granting planning permission for development on the green belt and also the loss of an area of open space. Therefore, they provide reasoned justification for granting planning permission for the proposed development on the site.

The proposal is not a significant departure from LDP Policy Env 10 (Development in the Green Belt and Countryside) and does not conflict with criteria a)-e) of LDP Policy Env 18 (Open Space Protection). Therefore, there is not a requirement under the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009, for the Planning Authority to notify Scottish Ministers of the planning application if the Council proposes to grant planning permission.

(c) Density, layout, scale, form and design

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.

LDP Policy Des 2 (Co-ordinated Development) presumes against development that would prejudice the effective development of adjacent land.

Proposed formal footpaths/cycleways connect to existing footpaths/cycleways on adjacent sites including Silverknowes Golf Course and therefore the proposed development is a comprehensive development and thus it complies with Policy Des 2.

LDP Policy Des 3 (Development design Incorporating and Enhancing Existing and Potential Features) supports development where existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated and enhanced through its design.

Existing features such as the roadside boundary stone wall along the western part of the south boundary of the site, are to be retained within the scheme. That boundary wall presently extends into the site for several metres. The extended section is to be removed to facilitate the proposal. The stone down-taking of the extended section should be salvaged and reused to construct a wall along the eastern part of the southern roadside boundary along which there is currently a palisade fence.

LDP Policy Hou 4 (Housing Density) promotes an appropriate density of development, taking account of the character of the site and its surroundings, and access to public transport. This policy also requires that in established residential areas, care should be taken to avoid inappropriate densities which would damage local character, environmental qualities or residential amenity.

There is not a consistent density within the surrounding area. Taking the new build element and excluding the proposed green space within the green belt on the northern part of the site, the site has a density of 60 dwellings per hectare. This is a higher density than the neighbouring residential development to the east at Salveson Crescent. However, it is not a dissimilar density to the existing recent housing development located nearby to the south east on the opposite site of Muirhouse Parkway.

Higher density development is encouraged where it is characteristic of the surrounding area and there is good access to a full range of neighbourhood facilities, including immediate access to the public transport network. The density of the proposal would not detract from the established mixed density of the area. The site is in a relatively accessible location where higher density development should be encouraged. Proposals would maximise the use of the site, part of which is a brownfield site, in a relatively accessible location, where high density development can and should be directed to. Comments on infrastructure are considered below.

LDP Policies Des 4 Development Design - Impact on Setting states that planning permission will be granted for development where it makes a positive impact on its surroundings, including the character of the wider townscape and landscape and impact on existing views.

The area is characterised by buildings of various ages, and each of a different character in terms of scale, density and materials. The development pattern, building types and uses on the south side of Muirhouse Parkway is predominantly low to mid-rise modern flatted form. This contrasts with the development pattern of the adjacent housing development to the east, which is predominantly single-storey and two-storey houses with generously sized gardens. The proposed development is a mixture of four-storey flatted block and three-storey terraced form. The variety of building heights in the locality largely defines the visual character. The building form and heights of the proposed development would not have an unsympathetic or uncomfortable relationship with the existing neighbouring development pattern. The proposed scale and massing of the new buildings are well-suited to the character of this part of Muirhouse, and the proposals respond well to the wider setting.

The surrounding area contains a variety of building styles and materials. This includes a mixture of brick and render on the houses to the east and render on the flats to the south.

The proposed design of the flatted blocks is modern form, with ordered fenestration. The architectural detailing is also modern and includes a variety of opening widths including wide openings, and Juliet balconies. Facing brick soldier courses serve to accentuate horizontality. The flat roofs of the proposed flatted buildings reference the flat roofs of the existing buildings on the south side of Muirhouse Parkway.

The steeply pitched roofs of the colony blocks contrasts with the flat roofs of the flatted blocks, however this contrast is complementary. Their pitched roofs are appropriate given their juxtaposition with the pitched roofs of the neighbouring houses to the east. Fenestration is ordered or consciously arranged to achieve duality. Similar to the flatted blocks, architectural detailing is modern and includes long wallhead dormers, a variety of opening widths including wide openings, Juliet balconies and protruding window features.

The primary material is facing brick and is not dissimilar to many modern developments found within the north of the city. The proposed use of brick on external walls will complement the brick of the houses to the east in Salveson and the brick of the new flatted blocks in Pennywell located nearby to the south east and is an appropriate material in the context of this site. The dark grey concrete tiles of the colony blocks will tie in with those of neighbouring housing to the east in Salveson. Variety and interest are achieved with the incorporation of façade detailing including sections of protruding brick detailing to entrances.

The primary finishing materials of the proposed buildings is sympathetic to the character and appearance of the area and are acceptable, subject to a condition for samples to be provided.

Policy Des 7 (Layout Design) set out that developments should have regard to the position of buildings on the site and should include a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths and open spaces.

There is a series of well-connected pedestrian and cycle accesses through the site. The proposed new buildings are positioned and orientated to front onto the principal routes through the site. The primary north-south active travel route through the site is alongside the principal road and connects to the proposed green space on the north part of the site, to the existing footpath network in Salvesen Crescent to the East, and to Silverknowes Golf Course to the west. The proposed active travel routes are acceptable in transportation terms. The colony blocks in the north eastern part of the site are accessed off a mixer court shared surface that is narrower than the principal access road. This street design differential adds variety and interest to the layout.

Active frontage and surveillance over the streets are achieved by communal entrances of flats and windows facing onto them. The buildings have narrow front gardens bounded by hedges, which provide defensible space between the residences and the public streets. Hard surfaces are broken up with pockets of soft landscaping and the overall landscaping of the public realm results in an attractive street scene.

The positions of the flatted buildings in relation to the streets helps to create an interesting sequence of streets and spaces in the development. The proposed layout encourages the use of cycling and walking.

In summary, the proposal provides a building fronting onto Muirhouse Parkway and includes a formal north-south orientated active travel link through the site and a secondary shared surface mixer court. The placement of the buildings frames the primary active travel route and create a new street frontage to the route which will enliven and animate the journey.

The new buildings have clearly defined fronts and backs and have been designed around the constraints of the site. The layout is acceptable and compliant with Policy Des 4.

LDP Policy Des 8 Public Realm and Landscape Design supports development where all external spaces, and features, including streets, footpaths, civic spaces, green spaces, boundary treatments etc. have all been designed as an integral part of the scheme as a whole.

The landscape design concept is built form and new landscape proposals integrated with the existing surroundings. This includes the retention and protection of many of the existing mature trees and sensitive site boundaries and integrating them within the landscape design. Proposed new planting includes: (i) perimeter tree and shrub planting, stands of trees and wildflower meadow within the green space on the northern part of the site which is to remain within the green belt; (ii) street trees; (iii) tree planting at the entrance along Muirhouse Parkway; iv) drainage swales planted with a variety of herbaceous plants; (v) hedge planting including within the majority of front gardens and along the edge of the built development. After a period of 12 months the maintenance of the landscaping of communal areas will be handed over to the Council.

Formal and informal footpaths and cycleways within the development connect to existing footways and cycle paths on adjacent sites within the greenbelt and thereby promote access to the countryside and green belt.

The proposed landscaping, as set out in the Design and Access Statement, will achieve strong landscaped edges to the development, enhance green networks and will improve amenity and enhance biodiversity. Detailed landscape planting plans and landscape maintenance plans have been submitted with the application and are considered acceptable. Subject to the new landscaping being carried out timeously the proposed landscaping scheme accords with Policy Des 8.

LDP Policy Des 9 Urban Edge Development states that planning permission will only be granted on the green belt boundary where it: a) conserves and enhances the landscape setting and special character of the city; b) promotes access to the surrounding countryside if appropriate, and c) includes landscape improvements that strengthen the green belt boundary, contribute to multi-functional green networks by improving amenity and enhance biodiversity.

As is stated above, the edges of the built development will be conserved and in places enhanced by new tree and shrub planting. This includes tree and shrub planting on the western part of the proposed green space on the northern part of the site, which when established will screen views of the development from the golf course, thereby conserving the landscape setting of the city.

The development does not impact any safeguarded key views. The Design and Access Statement contains verified views, including from Silverknowes Golf Course and the proposal, will not be detrimental to the context of the area when viewed from these vantage points. The proposal includes the provision of improved access paths to the surrounding countryside.

The applicant's rationale for proposed development in the green belt is addressed above and it is demonstrated that the proposal complies with criteria a), b) and c) of Policy Des 9.

The height of the proposal, which is four storeys at its highest, is not out of context with the wider area. The two-storey and attic colony blocks sit comfortably with the adjacent existing single-story and two-storey houses in Salvesen. The closest of the proposed flatted blocks to existing houses in Salvesen is block 4, which is four-storeys in height. That flatted block would be located some 26 metres away from the nearest houses, which are two-storey houses. At this distance it would have a comfortable height relationship with those neighbouring houses. Overall, the heights of the proposed buildings are acceptable.

A contextual analysis of the site, including photomontages of the buildings from a number of public viewpoints, has been submitted with the application. This shows that the existing established trees within and adjacent to the site, would provide an immediate structural landscape setting to the development. The existing woodland alongside the western boundary of the site will largely screen the development from views from Silverknowes Golf Course and from longer distance views from open green belt land to the west. The existing trees along the south roadside edge of the site and existing street trees alongside Muirhouse Parkway, will soften views of the development from Muirhouse Parkway. In long views, the buildings would mostly be seen from the north including from the "Cattle Track" where they would be seen against the backdrop of trees and in the context of existing high-rise flats in Muirhouse. In addition, there will be views of proposed colony block from Salvesen Crescent, where the design including scale, massing, height, roof profile and materials of the colonies would be complimentary to the existing houses there. In winter when the trees are not in leaf there would likely be filtered views or glimpses of the buildings through the trees. Where the buildings will be seen in close and long-distance views they will be viewed as being well integrated into the established treed landscape setting of the area. The landscape setting and character of the city will be preserved.

LDP Policy Hou 2 (Housing Mix) seeks the provision of a mix of house types and sizes where practical.

LDP 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.

The applicant has stated that all 142 of the homes will be affordable housing. There will be a mix of one, two and three bed flats and colony homes. A total of 91 of the homes will be delivered for social rent and 51 will be delivered for mid-market rent to help meet local housing needs.

The affordable homes have been designed to be tenure blind. They have also been designed to housing for varying needs standards and to The City of Edinburgh Council housing design requirements. Twenty-five of the homes are designed specifically for wheelchair users.

The Council's Affordable Housing Supplementary Guidance states that the Council aims to secure 70% of new onsite housing for social rent. Given that 100% affordable housing is proposed with the largest proportion being social rent, the 70% social rent expectation does not apply.

The proposal complies with and in some case exceeds the recommended minimum internal floor areas for flat sizes set down in the Edinburgh Design Guidance.

Thirty-one units (17% of the total) contain three bedrooms, which falls short of the expectation of the Edinburgh Design Guidance of 20% family housing. However, 55 of the two-bedroom units (70% of the total number of unit) have an internal floor area of at least 5.4 metres in excess of the recommended minimum. Additionally, a large proportion of the units are amenity/enhanced standard or wheelchair accessible. Therefore, the shortfall in the proportion of family housing is not a significant infringement.

The Council's Housing Management and Development Section confirm that the proposal is acceptable.

The provision of affordable housing proposed in the scheme is acceptable. The applicant has made a commitment to provide a minimum 25% onsite affordable housing and will issue a memorandum of understanding to the Planning Authority to commit to the delivery of the affordable homes.

The proposals comply with Local Development Plan Policies Hou 2 and Hou 6 and the Affordable Housing Guidance.

(d) Impact on amenity of existing and proposed residences

Dual-aspect units

The Edinburgh Design Guidance (EDG) recommends that no more than 50% of the total units should be single aspect. All of the 142 flats including colony flats are dual aspect.

Potential noise from existing sources

An environmental noise survey was carried out by an acoustic consultant to determine the noise levels due to road traffic on Muirhouse Parkway. The report on the survey advises that to achieve suitable internal noise levels, windows on north-east, south-east and south west elevations two flatted blocks closest to Muirhouse Parkway (blocks 1 and 2) should achieve a recommended minimum sound insulation. The Council's Environmental Protection Section concur that the recommended noise attenuation is achievable with thermal triple glazed window and standard trickle vents. They recommend that this be secured by a planning condition. However, given that Muirhouse Parkway is an urban road and not a major arterial road/motorway, it would not be reasonable to impose a condition to mitigate traffic noise.

Owing to the distance between the proposed new residences and the neighbouring football pitches, they can coexist without there being undue harm to the amenity of the residences in terms of noise from normal use of the football pitches.

Thereby the proposed residences would not jeopardise the continued operation of the football pitches.

Noise from proposed new sources

A Noise Impact Assessment (NIA) has been provided. This considers noise from the proposed energy centre incorporating air source heat pumps located on the western part of the site next to flats. From an air quality perspective, Environmental Protection fully supports the integration of the proposed air sourced heat pumps. However, there is potential for noise disturbance from these fans especially when grouped together. It is likely that the landlord/factor for the site will have control over the maintenance of the plant which should ensure noise is adequately controlled. Therefore, the applicant should ensure that an acoustic enclosure is built around the plant with an acoustic louvred, or baffled roof included. A condition is recommended, which would ensure that noise emissions from the air source heat pumps does not breach the required noise criteria (NR25).

Other environmental health matters

Environmental Protection welcomes that all heat and energy demand will be met through renewable sources with no requirements for any fossil fuels and that this will ensure that emissions from the development when operational are very limited.

Environmental Protection also welcomes that the applicant has considered the '20-minute neighbourhood' concept. The concept of having all basic needs within a 20-minute walk or cycle is essential to creating liveable cities and towns for everyone, removing the absolute need to drive everywhere and reduce inequality within communities. This has enabled the applicant to keep parking numbers to a minimum with the potential for electric vehicle charging points being installed. Environmental Protection advise that one in six electric vehicle spaces are fitted with 7Kw (32AMP) chargers, which should be operational prior to occupation.

The applicant has submitted site investigation reports that will be assessed throughout the development stage. Environmental Protection does not object on contamination grounds subject to a planning condition to ensure the appropriate investigation and mitigation is undertaken.

All of the controls recommended by Environmental Protection are reasonable and they can be secured by planning conditions.

Daylighting and Sunlight

A Daylight and Sunlight Assessment has been submitted in support of the application.

Proposed Block 4 is the closest building to existing houses in Salvesen Crescent. Windows of residences in Salvesen Crescent have been assessed applying the 25°-line methodology (i.e., where new development does not rise above a 25° line drawn in section from the horizontal, at the mid-point of the existing window to be tested). The assessment confirms that these windows are not affected by the proposed development and thereby no further analysis is required for these windows.

The *No-sky line* method has been used to show the worst-case scenarios on site. Block 5 is located some 13m from existing trees on adjacent land to the west. In the worst case, the area of the room on the ground floor of block 5 that will receive daylight by this measure is 49%, just falling short of the recommended 50%. This is a marginal and insignificant shortfall owing to the height of the trees and will change during the course of the year as the trees lose their leaves during the winter months. Block 6 (colony block) was assessed due to it being closest to another proposed building. Using the No-sky line method, a worst-case room on the ground floor can receive direct daylight by this measure to 50% of the area at the working plane, 850mm above floor level, which complies with the Design Guidance. All other proposed buildings within the development are generally further from trees or other proposed buildings and so no further analysis is required.

The proposal is in accordance 45 degree method for sunlight. Therefore, sunlight to neighbouring properties is adequately maintained.

With regards to sunlight to new gardens and open spaces in the development, 50% or more of the area of gardens or open spaces should be capable of receiving potential sunlight for more than two hours during the spring equinox, which is compliant with the Design Guidance.

To conclude, except for a marginal shortfall of the Design Guidance recommended 50% daylight in the case of ground floor flats in block 5, which is not significant and thus not justification to refuse the application, the proposed development complies with the Edinburgh Design Guidance for daylight and sunlight amenity.

Privacy and outlook

Rear (east facing) windows in the main part of proposed flatted block 4 are located some 26 metres away from the rear windows of the nearest house to the east in Salvesen Crescent, which is an acceptable separation distance. The northern section of block 4 extends further to the east than the main part of the block and therefore is the closest building to the nearest house in Salvesen Crescent. However, given that the windows in the east elevation of the northern section of block 4 are at an oblique angle to the rear elevation of nearest neighbouring houses in Salvesen Crescent, they would not give rise to significant harmful overlooking. The south gable wall of colony block 9 is located some 12.7m away from rear windows in the of the nearest house to the south of it in Salvesen Crescent. However, there are no windows of habitable rooms in that gable wall that would potentially give rise to overlooking.

Internally within the development, there are generally good separation distances with there being at least 18 metres directly facing window to window distance between the buildings except between blocks 5 and 10 and the opposite block - block 6, where the distance is some 17.3 metres. Given that the separation distance is between front elevations facing onto a public road, it is considered that the separating distance is acceptable.

In terms of their height, scale, massing and positioning the proposed buildings would not have an unduly dominant impact on existing neighbouring properties or a significant impact on their immediate outlook.

The proposals comply with Local Development Plan Policies Des 1, Des, 2, Des 3, Des 4, Des 5, Des 7, Des 8, Des 9 and Des 11, and the Edinburgh Design Guidance.

Open space, landscaping and Trees

LDP Policy Env 20 Open Space in New Development relates to development proposals other than housing. It does not set out specific requirements but does indicate that the Council will negotiate the provision of new publicly accessible and useable open space in new development when appropriate and justified by the scale of the development and the needs it will give rise to.

The proposal includes two publicly available open spaces, the largest of which is centrally located, contains a cluster of existing trees to be retained and measures some 1,605 sqm and is fronted onto by both flatted blocks 3 and 4. The other, secondary smaller open space is located on the north eastern part of the site adjacent to colony blocks 8 and 9 and measures some 312 sqm. As well as being an equipped children's play area it has a dual function as a sunken SUDS 'storm garden' and is designed to flood in times of extreme rainfall.

There are views through the site from the principal north-south internal road to the proposed landscaped green open space within the green belt on the northern part of the site. The boulevard tree planting alongside that road serves as a green corridor connecting the main public open spaces in the development to the northern green space and the grassed sports pitches beyond.

The quantity and quality of formal and informal publicly accessible open space provision is appropriate for the number of dwellings proposed.

LDP Policy Hou 3 Private Green Space sets out that for flatted developments there should be 10 sqm of open space provision per flat except where private space is provided. A minimum of 20% of the site should be open space.

All of the colony flats have direct access to their own private garden and all of the flats within the flatted blocks have access to communal semi-private outdoor gardens. The communal private open space equates to some 4,967 sqm, which is 4,027 sqm more than the minimum required 10 sqm per flat. Owing to their location in the development, the majority of the private communal open spaces benefit from being either south or west facing and thus being afforded good levels of sunlight and more than the minimum recommended in the Edinburgh Design Guidance.

Counting all elements of private green open space within the site including pockets of landscaping and landscape verges, approximately 25% of the site contains private green open space.

The main consideration in the site layout is the existing mature trees and landscaped setting and the principle of buildings within a landscape. The position of trees has influenced the siting and position of the proposed buildings and the central open space in order to ensure where possible protection of their root protection zones.

The tree survey recorded eighty individual trees on and around the site and hundreds more in groups. An Arboricultural Impact Assessment (AIA) was undertaken to evaluate the direct and indirect effect of the proposed design on trees to be retained and recommends tree protection measures. In addition, a tree constraints plan which delineates +20-year tree canopies and the locations of construction exclusion barriers, has been submitted.

A total of 30 trees on the site have been identified for removal, either due to their condition and limited life expectancy or inferior quality or due to conflicts with construction, or as part of the proactive management/restructuring of the tree provision on the site. The trees to be felled include 2 category A trees, 10 category B trees and 18 category C trees. None of the trees are covered by a Tree Preservation Order or are within a conservation area. The location of the trees to be felled would not allow for comprehensive redevelopment of the site. Several of the trees to be removed are of smaller subservient stature relative to their retained neighbours and their removal will not be significant. Groups in the middle of the site to be removed are of small semi-mature trees which are not providing shelter to other trees. The trees to be retained include four early mature trees where the central open space is proposed and trees along the southern part of the site close to Muirhouse Parkway.

With regards to direct and indirect effects on remaining trees of the proposal the Arboricultural Impact Assessment concludes the following: -

The aerial parts of several trees are close to construction activities, making them vulnerable to damage. These trees are so close to proposed buildings and/or proposed services that there could be severance of rooting by foundations or excavations. Several trees are close to proposed buildings, structures, surfaces, excavations etc. or construction activities, but the potential conflict cannot be mitigated by any protection measures and the extent of required pruning and/or the loss of rooting volume exceeds industry best practice and could result in the temporary decline of the trees, resulting in the loss of the amenity provided by the tree.

The Arboricultural Impact Assessment proposes mitigation measures in order to minimise damage to the affected trees. All of the recommended tree protection measures, which are listed in section 7.5) of the Arboricultural Impact Assessment report accompanying the application can be secured by a condition imposed on a grant of planning permission. The recommended mitigation measures are the best way to safeguard trees on the site to be retained. Subject to all of these tree protection measures being in place prior to development commencing on site and thereafter being retained until the development is completed, the proposals would safeguard the trees to be retained and thus the proposal is acceptable in terms of impact on trees.

Detailed planting has been proposed throughout the development including 131 new trees comprising: 60 extra heavy standard (between 4.25 and 6.25m high, with trunk girth of 16-18cm); 39 heavy standard (between 3.5 and 4.25m high, with trunk girth of 12-14cm); and 32 standard trees (between 3.0 and 3.5m high, with a trunk girth of 10-12cm). The area to the north of the developable area is designated for tree planting, wildflower meadows and open spaces. Along the north, west and east edge of this sub area are designated for tree planting. These areas have been shown on the Tree Protection Plan as Construction Exclusion Zones. The proposed tree planting adequately compensates for the loss of thirty trees on the site.

Subject to the recommended conditions of a grant of planning permission the proposals comply with Local Development Plan Policies Env 12, Env 20 and Hou 3.

(e) Access, car and cycle parking

A Transport Assessment (TA) has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of the estimated traffic generated by the development.

The site is within an accessible location with very good levels of accessibility by pedestrians and cyclists to local services and good access to public transport. The site will be accessed for vehicles by provision of a simple 'left in/left out' junction at the midpoint on the southern roadside boundary of the site. The junction is proposed to be located some 15m west of the existing access. The TA concludes that the proposed junction will operate satisfactorily for the traffic associated with the development. The existing road network is of an adequate standard to cope with the increase in use of it resulting from the development.

The Roads Authority has raised no objections to the application.

Car Parking

LDP Policy Tra 2 (Private Parking) requires that developments make provision for car parking levels that comply with and do not exceed the parking levels set out in the non-statutory guidance.

Applications should include reasoned justification for the parking provision proposed. In the Transportation Statement (TA) it is stated that the reduced levels of parking provision are justified by the site's location where there are good levels of accessibility at the site and it being within walking or cycling distance of a range of services and that public transport availability is good. The nearest car club provision is on the parallel route of Muirhouse Parkway (south side) close to the north end of Sharp Street, within a short walk of the application site. A Travel plan has been submitted with the application.

The parking standards contain no minimum amounts for car parking. The standards allow for a maximum of 142 spaces for the proposed residential flats. Thirty-six on-street car parking spaces are proposed, spread evenly around the site. These include nine disabled spaces, which equates to 25% parking provision overall. The Transportation Assessment submitted with the application states that a minimum of one in every six spaces within parking courts are to allow for future electric vehicle charging points to be installed. It goes on to state that where parking is within the roadway the provision of electric vehicle parking will be agreed in advance with the Council's Transportation Section. The Council's Transportation Section advise that a minimum of three parking spaces in the development (8%) should be provided for electric vehicle parking. However, the Council's Design Guidance advises that one in every six (16%) of parking spaces should be fully connected and ready to use electric vehicle charging. Therefore, a condition is recommended to require that one in every six parking spaces (six parking spaces) are fully connected and available for use for electric vehicle charging.

An informative for the provision within the area of car club space(s) is recommended.

In summary, the site is within an accessible location with very good levels of accessibility to local services and good access to public transport. Based on the justification provided, the proposed low level of car parking is considered acceptable at this location.

Cycle Parking

LDP Policy Tra 3 (Private Cycle Parking), requires that cycle parking and storage within the development complies with Council guidance.

It is proposed to provide 200% cycle parking for the general flatted accommodation. These are contained within integral cycle stores within blocks 1 and 2 and detached cycle stores adjacent to blocks 3, 4 and 5. The cycle parking within the stores is two tier storage. There will also be a large store for housing electric scooters (which would allow for some cycles should the circumstances arise). Each of the colony flats will be provided with a cycle store.

The proposals comply with Local Development Plan Policies Tra 2 and Tra 3 and the Edinburgh Design Guidance.

(f) Waste Planning

The layout of the development delineates a direct and unobstructed access for refuse storage and collection vehicles to/from the underground bin stores contained at points within the site. Swept path analysis has been provided to demonstrate that a refuse vehicle can access the site. Waste Services does not raise a concern with the proposal. They advise further input from the applicant/developer to ensure waste and recycling requirements have been fully considered. This can be adequately dealt with through the quality audit and Road Construction Consent process.

(h) Sustainable Energy

The applicant has submitted the sustainability form in support of the application. Part A of the standards is met through the provision of: (i) Photo Voltaic (PV) panels to all blocks; (ii) Air Source Heat Pump (ASHP) to the centralised Energy Centre. The proposal is a major development and has been assessed against Part B of the sustainability standards.

LDP Policy Des 6 (Sustainable Buildings) requires that developments can demonstrate that the current carbon dioxide emission reduction targets are met (including at least half of the target being met through the use of low and zero carbon generating technologies) and that other sustainable features are included in the proposals. This can include measures to promote water conservation, SUDS, and sustainable transport measures.

The applicant submitted a Sustainability Statement in support of the application. This examined the suitable low and zero carbon technologies which would be most appropriate for the development. In this case the abovementioned (i)-(iii) measures are proposed.

The applicant certifies that the results from the Standard Assessment Procedure (SAP) which is used to assess and compare the energy and environmental performance of buildings to ensure they meet building Regulations. The SAP calculations demonstrate that compliance with Policy Des 6 is achieved for all the above strategies.

With regards to carbon dioxide reduction, the proposed development is required to comply with Section 6 (Energy) of the Scottish Technical Handbooks. The applicant has completed a Section 6 model for the proposed development, to identify the fabric and energy performances required to comply with Section 6. This involves calculating the Building Emission Rate (BER) and Target Emission Rate (TER). Compliance is achieved where the BER is less than or equal to the TER (The BER and TER values are the kgCO₂/m² emissions for the actual building and a building regulation compliant building respectively).

The buildings meet the carbon dioxide reduction targets set out in Section 6 - "Energy" and Section 7 - "Sustainability" of the current Scottish Building Regulations through a combination of energy efficiency and the abovementioned low or zero carbon technology. Thereby, the proposal is in accordance with LDP Policy Des 6.

District Heating

The application considers the requirements of the adopted Heat Opportunities Mapping Supplementary Guidance.

Edinburgh's Sustainable Energy Action Plan (SEAP) sets out an approach to reduce carbon emissions through better use and generation of energy. A key objective of the SEAP is to decentralise energy. The programme aims to increase the use of district heating in the city, evaluating the potential for expanding existing schemes.

To comply with this requirement, new applications must submit to the planning authority, a district heating (DH)/ heat network (HN) evaluation that is specific to the development. This requires the applicant to investigate any existing or proposed DH/ HN that the development could utilise using the Scottish Government's Heat Map, and the Energy and Carbon Masterplan as a resource. Where there are no DH/ HN local to the development, an appraisal investigating the opportunity for the development to install its own DH/ HN is required, including an analysis of anticipated site heat, cooling and electricity loads.

The closest District Heat Energy Centre is currently planned to be constructed within the Granton Waterfront Development Framework area. It has been noted that there was potential to connect the Silverlea site into this proposed heat network. A review was undertaken in accordance with the Supplementary Guidance to consider the proximity of the developments to each other, the construction programming and the potential costs to connect into a local district heat network.

The proposed development at Silverlea will be complete prior to the completion of the new district heat energy centre within the Granton Waterfront development, which makes this not possible to receive heat energy from this heat source at this time. However, there is still the opportunity to connect into this in future, once completed and this option will be kept open. The Silverlea development therefore requires its own independent heat source at present. A smaller scale independent communal energy centre/communal heat network has now been proposed as part of this current application.

(h) Archaeology

LDP Policy Env 8 (Protection of Important Remains) seeks to protect archaeological remains from being adversely impacted from development.

The application site overlies the western half of the core estate surrounding the former Muirhouse House from which the local area takes its name. This former 16th century manor was ruinous by the 19th century and replaced in 1832 by Muirhouse Mansion constructed for Captain William Davidson. The remains of the main 17th century house survived principally to the west of this application site until the 1950's when they were finally demolished. As part of this demolition work however was the recovery of the two stone Griffin gate pier finials that were mounted on top of gate-pillars to the estate (see photo on page 12 of the Design and Access Statement). These are currently in store and ownership of the Council. Although out with the footprint of the 16th century mansion, the site overly the site of estate buildings including until the late 20th century the site of estates home farm, which prior to its demolition acted as a riding school.

Accordingly, the site is regarded as being historic and archaeological significance. This application must therefore be considered under terms of Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, Historic Environment Scotland's Historic Environment Policy for Scotland (HEPS) 2019 and Council's Local Development Plan (2016) Policies Des 3 & Env 9. 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.

Given the site's archaeological significance, a programme of evaluation was carried out by Headland Archaeology in June 2018 managed by the City of Edinburgh Council Archaeology Services on behalf of the Council. The results (see Headland's DSR accompanying this application) demonstrated that significant archaeological remains occurred within areas of the site principally out with the footprint of the 1960's care-home including the site of an historic pond, estate trackways. The site of the former estate's home farm (Muirhouse Mains) was not subject to evaluation at this stage as the remains, including historic well, were both known and in part visible.

As stated, the site is likely to contain important archaeological remains relating to the development of the Muirhouse Estate dating back to the 16th century, from which the local takes its name. Accordingly, the Council's Archaeology Officer has recommended that an archaeology condition is imposed on a grant of planning permission requiring the prior agreement and implementation of a programme of archaeological works (excavation, analysis & recording, publication, public engagement).

The proposals include the retention of the sites surviving well belonging to Muirhouse Mains with the site's public realm along with historic/archaeological interpretation (see plan page 4 of Design and Access Statement).

In addition to this, the Council's Archaeology Officer recommends that the two stone Griffin gate pier finials from the top of two gate-piers removed from the site in the 1950's, are reinstated on site as part of the historic interpretation and public realm/landscape. This control can be secured by a condition imposed on a grant of planning permission.

Subject to the abovementioned controls, the proposal complies with Local Development Plan Policies Env 8 and Env 9.

(i) Infrastructure

LDP Policy Del 1 (Developer Contributions) requires contributions to the provision of education infrastructure to mitigate the impact of development. The Action Programme and Developer Contributions and Infrastructure Delivery Supplementary Guidance sets out contributions required towards the provision of infrastructure.

The delivery of on-site affordable housing is addressed in section (c) above.

Education

Education contributions will be applied in accordance with the methodology set out in the finalised Developer Contributions and Infrastructure Delivery supplementary guidance and the figures set out in the Edinburgh Local Development Plan Action Programme of December 2021.

Communities and Families are seeking a sum of £1,036,629 (index-linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment) and £3,216 for land (not index-linked) based on a pro rata rate for all the flats in the development.

Contributions will not be sought for one bedroom flats or flats where there would not be a child living there. The finalised sum will be agreed between Communities and Families and the Chief Planning Officer prior to the memorandum of understanding being agreed.

Healthcare

Part of the site is included within the North West Edinburgh health care contribution zone 14 Muirhouse, as identified in the Council's finalised Developer Contributions and Infrastructure Delivery Supplementary Guidance. The Edinburgh LDP action programme identifies the need for new medical practice accommodation as part of health centre provision to mitigate the impact of new residential development within the locality. Policy Hou 10 (Community Facilities) of the LDP states that planning permission for housing development will only be granted where there are associated proposals to provide any necessary health and other community facilities.

The intentions of the Supplementary Guidance is for new development to contribute towards local, necessary improvements to the health care provision within the immediate locality. Although only part of the application site falls within the identified boundary of the relevant contribution zone 14, Muirhouse, the application seeks to promote a large number of residential units, the occupants of which will require health care provision. Therefore, a developer contribution of £559 per dwellings should be applied in this instance, which equates to £79,378 for the 142 dwellings.

A S75 legal agreement or Memorandum of Agreement is recommended as the suitable method of securing this health care contribution and ensuring the scheme complies with policies Hou 10 and Del 1 and the developer contribution supplementary guidance.

The Roads Authority does not advise of the requirement for developer contributions for transportation infrastructure works.

j) Other material considerations have been addressed

The following material considerations have been identified:

- Drainage and flooding
- Ecology
- Sustainable development as per Scottish Planning Policy (SPP)
- Equalities & human rights
- Public representations

Drainage and Flooding

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. The proposals meet the Council's requirements.

Scottish Water has not objected to the application.

Following significantly reduced Scottish Environment Protection Agency (SEPA) capacity to engage with development management due to a cyber-attack, SEPA advise the Planning Authority to check whether the consultation fits within their triage framework. The application proposal is not within an area identified within SEPA's flood maps as being at potential risk of surface water or coastal flooding and it is not one which meets the criteria within the triage for consultation.

Ecology

A report on an ecological assessment analysis undertaken by an ecologist has been submitted as part of the application. In respect of impact on designations and protected species the report concludes that: (i) there is no potential effect on European, UK or locally designates sites; (ii) there are two locally designated sites (as defined in The Edinburgh Biodiversity Action Plan) which are within 1km of the development site. A disused railway line - Davidson Mains to the Quarry LBS (Local Biodiversity Site) which is 850m south of the site, and the Silverknowes LBS which is adjacent to Silverlea.

Silverknowes LBS is the Silverknowes Golf Course and is in constant use and regularly maintained and has no notable habitats; and, (iii) The redevelopment of the site, as currently proposed will not compromise the integrity of the boundary of the LBS and will not compromise the habitat for which the LBS is valued; (iv) Only two protected species are likely to be found on the Silverlea Site and they are badgers and bats and the assessment found no evidence of either of these protected species.

In general, the Ecological Assessment concluded that: (i) The mature trees on the southern part of the site are valuable for wildlife and many are to be retained; (ii) Some of the vegetation does present nesting opportunities for birds on site. Care should be taken to remove vegetation out with the bird nesting period; and (iii) There will be a negligible adverse impact on the biodiversity of the development site from the loss of unexceptional habitats. It is therefore anticipated there will be a neutral/minor positive effect on the biodiversity by proposed development. The assessment states that the proposed landscape strategy for the site will maximise opportunities to enhance local biodiversity, provide a new gain in the extent of habitat suitable for species to thrive and integrate habitat and to the measures that will support biodiversity.

In order to encourage wildlife into the site the Ecological Assessment recommends that bat boxes could be placed in some of the existing trees and building facades throughout the development could incorporate under eaves swallow and swift nesting bricks. An informative for the inclusion of bat boxes and swallow/swift bricks within the development is recommended.

The proposals comply with Local Development Plan Policy Env 16.

SPP - Sustainable development

Scottish Planning Policy presumption in favour of sustainable development is a significant material consideration due to the development plan being over 5 years old.

For the reasons explained above in this report, the proposals comply with all of the relevant sustainability principles set out in SPP, which are:

- Principle 1 of giving due weight to net economic benefit.
- Principle 2 by responding to economic issues, challenges and opportunities, as outlined in local economic strategies.
- Principle 3 of supporting good design and the six qualities of successful places.
- Principle 4 of making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities.
- Principle 5 by supporting delivery of accessible housing, business, retailing and leisure development.
- Principle 6 by supporting delivery of infrastructure, for example transport, education, energy, digital and water.

- Principle 7 by supporting climate change mitigation and adaptation including taking account of flood risk.
- Principle 8 of improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation.
- Principle 9 by having regard to the principles for sustainable land use set out in the Land Use Strategy.
- Principle 10 of protecting, enhancing and promoting access to cultural heritage, including the historic environment.
- Principle 11 by protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.
- Principle 12 of reducing waste, facilitating its management and promoting resource recovery.
- Principle 13 of avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

Emerging Policy Context

NPF 4 - Draft National Planning Framework 4 is being consulted on at present. As such, it has not yet been adopted. Therefore, little weight can be attached to it as a material consideration in the determination of this application.

City Plan 2030 - While the proposed City Plan is the settled will of the Council, it has not yet been submitted to Scottish Ministers for examination. As such, little weight can be attached to it as a material consideration in the determination of this application.

(k) Equalities and Human Rights

Due regard has been given to section 149 of the Equalities Act 2010.

All ground floor flats, and main door flats will have level access from the street or paths leading to the doors. This also applies to the communal access doors to the common stairs.

Twenty-five dwellings are specifically designated for wheelchair users. These will be designed to allow the residents to live independently and provides a safe and secure environment as their needs change over time. Housing for Varying Needs Standards Older and Ambulant Disabled requirements will be met for this tenure.

In addition, 4 flats are designed to allow people with additional learning needs to live independently, and these will be designed to meet the individual's specific needs.

Nine parking spaces are for disabled people in recognition that there may a need for disabled people to have access to a car.

Noise issues will be mitigated against with the aforementioned proposed mitigation measures.

The proposals do not have negative impacts on equalities & human rights. No comments have been received in relation to human rights.

(I) Public Representations

Twenty-three written representations were received, including twenty objecting to the application, one of which is a petition containing 21 signatures, one neutral and two in support of the application.

Material Representations - Objections:

- There is not a need for new build housing in the area. - Addressing in section (b) and confirmed that there is a need for new build affordable housing across the city.
- loss of green belt land and resultant environmental and health impacts. - addressed in section (b).
- Loss of green space used by the community. - addressed in sections (b) and (d).
- loss of/harm to trees and resultant negative environmental impact - addressed in section (d).
- Impact of the proposal including the felling of trees, in terms of carbon emissions and implications for the environment. - addressed in section (d).
- loss of/harm to wildlife and habitat and protected species - addressed in section (j).
- The site should be designated a Special Landscape Area. - addressed in section (b).
- Concern about future possible loss of the neighbouring football pitches and their changing area. - The application does not include a proposal for the change of use of the neighbouring football pitches. The effect of the proposal on the neighbouring football pitches in addressed in section (d).
- Would be heavily care dependent owing to limited amenities within close walking distance. - addressed in section (e).
- The proposed access arrangement raised road safety concerns. - addressed in section (e).
- Insufficient parking within neighbouring streets for construction staff and contractors during periods of construction. - addressed in section (e).
- Insufficient quantity of disabled parking spaces. - addressed in section (e).
- Insufficient parking proposed resulting in displaced parking on neighbouring roads, leading to congestion and road safety hazards. - addressed in section (a), and it is acknowledged that a low parking development is acceptable given the site's accessible location.
- Lack of detail about proposed cycle parking. - addressed in section (e).
- Hours of construction and potential for noise and disturbance. - If noise nuisance were to arise this could be controlled through Environmental Protection legislation.

- Noise nuisance, including from traffic associated with the development. - addressed in section (d).
- Would put undue strain on existing infrastructure, services including health services and community facilities, which currently do not have capacity to cope with the increase in demands placed on them by the proposed development. The cumulative of other neighbouring developments needs to be taken into consideration.
- Pollution from associated traffic. - addressed in section (i) The low parking provision will ensure that air quality does not become a concern.
- The proposals for 64% of social rented housing is too low. - addressed in Section (i).
- Mid-market rental accommodation is too expensive for many and therefore all the units should be social rented tenure. - addressed in Section a. The LDP defines affordable housing as housing that is available for rent or for sale to meet the needs of people who cannot afford to buy or rent the housing generally available on the open market. In terms of priority order, Mid-Market Rent (MMR) ranks second behind Social Rent (highest priority).
- Insufficient transparent and meaningful community consultation carried out in accordance with the Edinburgh Planning Concordat. - The Planning Authority has not been presented with any evidence to substantiate this claim. On 21 April 2021 the Planning Authority approved the community consultation detailed in Proposal of Application Notice 21/01097/PAN. A report on that community consultation has been submitted with this application. The Planning Authority has not been presented with any evidence to question the accuracy of the content of that report.

Material Representations - Support

- The re-development of this site for affordable, and in this case accessible accommodation for those requiring additional support, is welcomed by people in the communities of Silverknowes and Muirhouse. - addressed in section (b) and the contribution towards affordable housing is acknowledged.

Non-Material objections

- Repairs to the current Council housing stock should take priority over new build homes. - This is not a material planning consideration.
- Road safety concern about mud and deleterious material from constriction vehicles being deposited on neighbouring roads. - Incidences of mud and deleterious material being deposited on public roads and not being addressed by the developer is a matter for the police and is not a material planning consideration.
- The site would be put to better use as a community garden. - Possible alternative new uses of the site is not a material consideration in the determination of this planning application.
- There are better alternative sites; including brownfield sites, in the area where new residential development could be constructed. - The suitability or otherwise for residential development/redevelopment of other sites in the area is not a material consideration in the determination of this planning application.

The matters raised by objectors are either not significant, are addressed in this report, can be mitigated through conditions imposed on a grant of planning permission or are not material considerations in the determination of this application.

Conclusion in relation to the Development Plan

In its entirety the proposed development is not in accordance with the Edinburgh Local Development Plan (LDP) given that part of the site includes development within the green belt. Notwithstanding, there are significant material considerations which outweigh the presumption against granting planning permission for development on the green belt and also the loss of an area of open space and provide reasoned justification for granting planning permission for the proposed development on the site. These are:

(i) The area of land within the application site has limited amenity value within the green belt and currently does not contribute towards the landscape setting of the city.

(ii) The land within the green belt contains made-up land with contamination present. The proposal includes the remediation of and decontamination of the land. The land is unkept and fly tipping has taken place, which detracts from the appearance of the area. The land is of low landscape value and low recreational value with few quality trees. The proposal will allow for further investment to be made in the part of the green belt land within the site boundary that is not to be built on. The re-purposing of that part of the site as an informal green space will enhance the amenity, recreational and landscape value of the land for the benefit of both the future occupants of the proposed new residences and the wider local community.

(iii) The edges of the built development will be enhanced by new tree and shrub planting that will link with the existing tree belt on the site's western boundary, providing visual screening to the new housing. The new planting on the western part of the proposed green space on the northern part of the site, will strengthen the landscape boundary with the neighbouring golf course. Furthermore, important green belt views, including from the existing footpath between Marine Drive and Salvesen Crescent, will be enhanced with proposed landscaping.

(iv) The ecology report accompanying the application does not identify any protected species or other species on the land (or any part of the site) worthy of protection. The tree and hedge planting proposed in the application will enhance local biodiversity and provide sheltered space for community growing areas.

(v) There is presently public access to the site, however, that access is informal and undefined. The proposal includes the creation of public pedestrian and cycle connections through the site, increasing connectivity with existing routes and the wider area, including neighbouring open spaces and woodland.

(vi) There are public benefits in delivering the proposed affordable and special needs housing.

The proposal is not a significant departure from Local Development Plan Env 10 (Development in the green belt and countryside).

Subject to the conditions of a grant of planning permission, there is no significant adverse impact on neighbouring amenity and the future occupiers of the residences will be afforded adequate residential amenity. The development is acceptable in transportation terms and the parking provision, including cycle parking, meets the Council's standards. The development has no detrimental impact on significant archaeological remains.

There is an infringement of the Edinburgh Design Guidance in terms of the proportion of three bed units suitable for growing families (units with a minimum of 91 sqm). However, given that 55 of the two-bedroom units (70% of the total number of unit) have an internal floor area of at least 5.4 metres in excess of the recommended minimum for a two-bedroom unit and given that a large proportion of the units are amenity/enhanced standard or wheelchair accessible, the shortfall in the proportion of family housing is not a significant infringement.

There are no material considerations that outweigh this conclusion.

Conclusion in relation to other material considerations

The proposals do not raise any issues in relation to identified material considerations. These material considerations therefore support the grant of planning permission.

Overall Conclusion

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals would preserve the setting of the assemblage of listed buildings at Nos.1-16 (inclusive numbers) Salveson Crescent (Listed Building ref LB45601). Therefore, the proposal complies with adopted Edinburgh Local Development Plan Policy Env 3 Listed Buildings - Setting).

In its entirety the proposed development is not in accordance with the Edinburgh Local Development Plan (LDP) given that part of the site includes development within the green belt. Notwithstanding, there are significant material consideration which outweigh the presumption against granting planning permission for development on the green belt and also the loss of an area of open space. The proposal is not a significant departure from Local Development Plan Env 10 (Development in the green belt and countryside).

Notwithstanding, there are significant material consideration which outweigh the presumption against granting planning permission for development on the green belt and also the loss of an area of open space and provide reasoned justification for granting planning permission for the proposed development on the site. These are:

(i) The area of land within the application site has limited amenity value within the green belt and currently does not contribute towards the landscape setting of the city.

(ii) The land within the green belt contains made-up land with contamination present. The proposal includes the remediation of and decontamination of the land. The land is unkept and fly tipping has taken place, which that detracts from the appearance of the area. The land is of low landscape value and low recreational value with few quality trees.

The proposal will allow for further investment to be made in the part of the green belt land within the site boundary that is not to be built on. The re-purposing of that part of the site as an informal green space will enhance the amenity, recreational and landscape value of the land for the benefit of both the future occupants of the proposed new residences and the wider local community.

(iii) The edges of the built development will be enhanced by new tree and shrub planting that will link with the existing tree belt on the site's western boundary, providing visual screening to the new housing. The new planting on the western part of the proposed green space on the northern part of the site, will strengthen the landscape boundary with the neighbouring golf course. Furthermore, important green belt views, including from the existing footpath between Marine Drive and Salvesen Crescent, will be enhanced with proposed landscaping.

(iv) The ecology report accompanying the application does not identify any protected species or other species on the land (or any part of the site) worthy of protection. The tree and hedge planting proposed in the application will enhance local biodiversity and provide sheltered space for community growing areas.

(v) There is presently public access to the site, however, that access is informal and undefined. The proposal includes the creation of public pedestrian and cycle connections through the site, increasing connectivity with existing routes and the wider area, including neighbouring open spaces and woodland.

(vi) There are public benefits in delivering the proposed affordable and special needs housing.

Subject to the conditions of a grant of planning permission, there is no significant adverse impact on neighbouring amenity and the future occupiers of the residences will be afforded adequate residential amenity. The development is acceptable in transportation terms and the parking provision, including cycle parking, meets the Council's standards. The development has no detrimental impact on significant archaeological remains.

The proposals comply with all of the relevant sustainability principles set out in SPP.

The proposals do not conflict with equalities & human rights.

The proposals are 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. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
2. Prior to the commencement of development, a phasing plan and phasing schedule shall be submitted to and approved in writing by the Planning Authority. The phasing schedule shall include the construction of each residential phase of development, the provision of affordable housing, the provision of open space, SUDS, landscaping, public realm and historical interpretation work, and transportation infrastructure including vehicular and cycle parking. Development shall be carried out in accordance with the approved phasing unless agreed in writing with the Planning Authority.
3. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, reporting, analysis, interpretation and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
4. The two salvaged two stone Griffin gate pier finials that once existed on the site and which the Council have title to and are presently storing, shall be reinstated on the site as part of a programme of historic interpretation and public realm to be carried out and in accordance with detailed plans and a conservation method statement to be submitted for the prior written approval of the Planning Authority. The reinstalment on site of the stone Griffin gate pier finials shall be included with the phasing plan and phasing schedule required by condition 2.
5. Prior to the use of any external finishing materials a sample panel(s) of them no less than 1.5m x 1.5m shall be produced and made available for the prior written approval of the Planning Authority.

6. Prior to any external finishing materials being used on the buildings a specification and detailed drawings of adequate scale, delineating the distribution of the external finishing materials and colours be submitted for the prior written approval of the Planning Authority. The details shall be implemented as approved.
7. The stone down takings of the existing north-south aligned section of wall within the site which integrally attaches to the roadside boundary stone wall on the west side of the existing access off Muirhouse Parkway and which is to be removed to facilitate the development, shall be used to construct a roadside boundary wall along to the east of the proposed new access off Muirhouse Parkway and in place of the existing palisade fence along that boundary. The new section of stone wall shall be erected in its entirety prior to the first occupation of the flats within flatted blocks 1 and 2.
8. Notwithstanding that delineated on application drawings the development shall not begin until details of a scheme of hard and soft landscaping has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
 - i proposed new planting in communal areas, road verges and open spaces, including trees, shrubs, hedging, wildflowers and grassed areas;
 - ii location and design of proposed walls, fences and gates, including those surrounding ancillary structures;
 - iii schedule of plants to comprise species, plant sizes and proposed numbers/density;
 - iv programme for completion and subsequent maintenance of all soft and hard landscaping;
 - v a woodland management plan for existing areas of woodland;
 - vi proposed footpaths and cycle paths (designed to be unsuitable for motor bike use); and,
 - vii details of existing and proposed services; water, gas, electric and telephone.

All hard and soft landscaping shall be carried out in accordance with the scheme approved in writing by the planning authority as the programme for completion and subsequent maintenance (iv).

Any trees or shrubs removed, dying, becoming seriously diseased or damaged within five years of planting shall be replaced in the following planting season by trees/shrubs of a similar species to those originally required.

9. Development shall not commence on site unless and until all of the measures to mitigate constraints and impacts of the proposals on trees to be retained, which are listed in section 7.5 (Issues to be Addressed) and Appendix 7 (Barriers) of the Arboricultural Impact Assessment report by Julian A Morris, dated November 2021 and the construction exclusion barriers delineated on the Tree Constraints Plan No.2013-A(00)052 REV D, both docketed to this planning permission, have been implemented/installed/erected in full. Thereafter, other than the recommended permanent measures which will remain in perpetuity, the tree protection measures shall remain in place until the development is completed in its entirety, unless otherwise agreed with the Planning Authority.

10. Noise emissions from all plant, including the proposed air source heat pump system, shall achieve NR25 within the nearest residential property with the windows of that property partially open for ventilation purposes. Prior to the first occupation of any residence hereby approved, details of acoustic attenuation measures to be implemented to achieve the stated acoustic attenuation, shall be submitted for the prior written approval of the Planning Authority.
11. The acoustic attenuation approved in terms of condition 10 shall be implemented/installed prior to the first occupation of the dwellings in which it is required to be installed and written evidence shall be submitted to the Planning Authority proving that the acoustic attenuation has been installed and that it achieves Nr25 as required by condition 10.
12. Prior to the development first being occupied, a minimum of six of the parking spaces hereby approved shall be equipped and made operational for electric vehicle charging, including being installed with a minimum 7Kw (32amp) Type 2 electric vehicle charging socket, unless otherwise agreed by the Planning Authority.

Reasons:-

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
2. To ensure that the development is implemented in a manner which mitigates the impact of the development process on existing land users and the future occupants of the development.
3. In order to safeguard the interests of archaeological heritage.
4. In order to ensure the incorporation into the development of salvaged features from the site, in the interests of safeguarding archaeological heritage and enhance public realm.
5. In order to enable the planning authority to consider this/these matter/s in detail in the interests of safeguarding the character and visual amenity of the area.
6. In the interests of safeguarding the amenity of the future occupants of the residential properties hereby approved.
7. In the interests of safeguarding the character and visual amenity of the area.
8. Reason: To ensure the quality of the development is enhanced by landscaping to reflect its setting in accordance with policies DEV 8 and DEV 9 of the adopted Edinburgh Local Development Plan.
9. In order to safeguard trees on the site and overhanging the site which are to be retained, and which contribute to the landscape character and amenity of the area and in the interests of the amenity of the future occupants of the residences hereby approved.

10. In the interests of safeguarding the residential amenity of the future occupants of the residences hereby approved.
11. In the interests of safeguarding the residential amenity of the future occupants of the residences hereby approved.
12. To ensure the provision and operation of electric vehicle charging points within the development, in the interests of reducing vehicle emissions with resultant air quality benefits.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement or Memorandum of Understanding relating to health care, education and affordable housing has been concluded and signed. The legal agreement/Memorandum of Understanding shall include the following:
 - a. Health care - Contribute the sum of £79,378 to health care infrastructure.
 - b. Education - To be agreed.
 - c. Affordable Housing - affordable housing is to be provided in accordance with Council policy.

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

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. The developer should liaise with the Planning Authority about the design and positioning on the site of signage informing of the purpose of the SUDS comprising the northern most green space adjacent to the north of proposed flatted Blocks 8 and 9.
6. The applicant should consider the provision of car club spaces in the area. This would require a contribution of £1,500 per order plus £5,500 per car.

7. 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.
8. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;
9. A Quality Audit, as set out in Designing Streets, should be submitted prior to the grant of Road Construction Consent.
10. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity.
11. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property.
12. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions regulations.
13. In order to encourage wildlife into the site bat boxes should be placed in some of the existing trees and throughout the development under eaves swallow and swift nesting bricks should be incorporated within building facades.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

Neighbour notification was carried out on the 29 September 2021. A full assessment of the representations can be found in the main report in the Assessment section.

Background reading/external references

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

**Statutory Development
Plan Provision**

The southern part of the site is located in the urban area, as defined in the adopted Edinburgh Local Development Plan. The remainder of the site is in the Green Belt, as defined in the Edinburgh LDP and Policy Env 10 (Development in the Green Belt and Countryside) applies to it. In addition, part of the site is designated as open space in the LDP and Policy Env 18 (Open space protection) applies to it.

Date registered

28 September 2021

Drawing numbers/Scheme

01, 02, 03, 04, 05A, 06, 07, 08A, 09A, 10-36, 37A, 38A, 39A, 42A, 43-56, 57A, 58-72,
,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Adam Thomson, Planning Officer

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

Links - Policies

Relevant Policies:

LDP Policy Del 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 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 Des 9 (Urban Edge Development) sets criteria for assessing development on sites at the Green Belt boundary.

Relevant policies of the Local Development Plan.

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

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

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

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

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

LDP Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

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

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

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 RS 1 (Sustainable Energy) sets criteria for assessing proposals for environmentally sustainable forms of energy systems.

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

Scottish Planning Policy (SPP) - The SPP sets out Scottish Government policy on nationally important land use matters and includes subject specific policies on: economic development, town centres and retailing, housing, rural development, coastal planning, fish farming, historic environment, landscape and natural heritage, open

space and physical activity, green belts, transport, renewable energy, flooding and drainage, waste management, minerals, on-shore oil and gas, surface coal mining and communications infrastructure.

Appendix 1

**Application for Planning Permission 21/05056/FUL
At Silverlea Old Peoples Home, 14 Muirhouse Parkway,
Edinburgh
Proposed residential development comprising 142 flats
including colonies with associated roads, parking and
greenspace.**

Consultations

Police Scotland) - Date: 18/08/2021

18 August 2021

Your Ref:

Our Ref: ALO016_21

National SBD Ref:

Craig Smith
Smith Scott Mullan Associates
378 Leith Walk
Edinburgh
EH74PE
c.smith@smith-scott-mullan.co.uk
Prevention, Interventions & Partnerships
West End Police Station
3-5 Torphichen Place
Edinburgh
EH3 8DY

Dear Craig,

**Silverlea, Edinburgh
Amended 18.08.21 to include north/ south footpath by the football pitches**

Further to our phone conversation, I would like to take this opportunity to thank you for considering Secured By Design (SBD) for the above development.

Please see below some recommendations in relation to the development:

Windows and Doors: All ground floor, easily accessible windows and doors must meet the PAS 24:2016 standard as minimum. This includes individual entrance doors to flats within common stairs and any patio / French doors. Any glazing within certified doors sets or adjacent (within 400mm) must incorporate one pane of laminated glass meeting or exceeding BS EN 356:2000 class P1A.

It is recommended that door chains meeting Hardware Federation Technical Specification 003 (TS003) and door viewers to TS002 are fitted to the front doors of all dwellings.

Access Control: It should be noted that service buttons on common stair doors do not met SBD criteria, frequently being linked to anti-social behaviour and criminality within blocks.

Entry door sets for communal buildings should be certified PAS 24:2016 (or higher) and be able to deal with a level of use expected in a multi-occupancy building.

All communal entry doors should be access controlled, preferably with magnetic or multi lock and fob/card systems so that any lost or stolen cards can be immediately removed from the system.

Break glass emergency door release devices (usually green) can be abused, leaving buildings insecure. As a result SBD recommends vandal resistant stainless steel self-resetting emergency exit systems as an alternative.

Any door release buttons located within the stair should be set well back from the entrance doors.

Mail Delivery: As noted above SBD criteria does not endorse traditional service buttons or post being delivered to individual flats within a block as both these features compromise the buildings security. It should be noted that letter plates have been linked to anti-social behaviour, arson, lock manipulation to gain access and 'fishing' for items such as house and car keys.

The mail delivery options SBD recommend are as follows:

- A bank of letter boxes located close to the main entrance for maximum surveillance opportunities, to which mail is delivered externally and collected internally.
- Locate letterboxes at the main entrance/exit point of the building within an 'airlock' access controlled entrance hall. Both door sets should meet the PAS 24 minimum, physical and security standards. The door entry system will have to operate both doors but the secondary door intercom would have no service button. Please note for this method the service button should be restricted to when Royal Mail deliveries are expected.

Letter boxes should be of robust construction, have anti-fishing properties, an aperture maximum 260mm x 40mm and be installed to manufacturers specifications.

Door & Hardware Federation Technical Specification 009 (TS 009) mail boxes meet all the above requirements.

Cycle Stores: I know we spoke at length about this, but the importance of strong robust cycle stores cannot be over stated as their level of security will be tested by thieves, cycle theft is a serious and persistent problem in Edinburgh. I understand there is still some work to be done on designing and locating bike stores throughout the site, with only Block 1 having space allocated to date.

A bike store should be of solid construction, with a roof and a single leaf PAS 24 standard door, (louvered doors are not suitable). They should be access controlled via electronic key fob of equal quality to that on the common stair door. This will mean fobs can be easily added or deleted from the system, manual push button key code pads are not strong enough to withstand attack by thieves and should not be used.

The use of jemmies and the like to force a door open can be prevented / deterred by the use of a metal strip, fixed to the outside edge of the door, to cover the slight gap between the door and frame.

Stores should be located where there is a high level of natural surveillance, ideally provided by the people who will be using them. The door should of course be lit of safety and security.

The stores must be fitted with anchor points securely fixed to the concrete foundations in accordance with the manufactures specifications, preferably certified to Sold Secure Silver Standard or LPS 1175 Issue 7.2 (2014) SR1.

Ideally it should be possible to lock the bike frame to the stand, securely at two points. Sheffield stands are the preferable option, double height, (Dutch style) stands are increasingly being used to conserve space, however these do not facilitate the use of D locks. Racks that require bikes to be hung / secured by wheels should be avoided as they are not secure.

Block 1 - The plans currently show 2 doors into the integral bike store although I presume one of these is to access the sprinkler room.

Block 2 - The mobility scooter / wheel chair store in this block should have the same level of access control as the bike stores and a PAS 24 standard door. As we discussed I presume ground anchors or similar will be fitted to provide additional security for this equipment.

Blocks 6, 7, 8 & 9 colony style flats ' As these properties have allocated private space bike storage can be provided underneath the external steps. Again single leaf PAS 24 doors should be fitted, British Standard 5 lever mortice locks would be appropriate to use in this situation, although I would suggest at least two locks be fitted for extra security, one a third from the bottom.

Lighting: There should be a comprehensive lighting strategy to ensure all paths, roads, parking spaces and entrances/exits to buildings are illuminated to an adequate level. All street lighting for both adopted highways and footpaths, private estate roads, footpaths and car parks must comply with

BS 5489-1:2013. Lighting should be matched to use and available surveillance. Lit bollards should be avoided as a sole source of lighting. While ideal when used to mark routes and footpaths, they rarely provide enough light to allow residents to effectively detect the presence or recognise the behaviour and intentions of others. Bollard lighting can also be prone to vandalism.

External lighting is required on each dwelling elevation that contains a doorset. Research has proven that a constant level of light is more effective at controlling the night environment. To this end, a light switched by LED photoelectric cell should be installed

at all entry/exit doors. PIR motion sensor lighting can increase the fear of crime, especially the elderly, due to repeated light activations.

Some areas of the buildings will require 24 hours lighting, such as entrances, corridors and stairwells, in which case LED photoelectric cells could be used.

The Institute of Lighting Professionals currently favours good quality LED lighting and energy effective light sources over fluorescent lighting which is not environmentally sustainable.

- **Landscaping:** Any landscaping should be designed and maintained with surveillance in mind. All trees should be crowned at no less than 2 meters and shrubs should not grow over 1 meter in height, they should not impede natural surveillance or lighting round the site.

- **Perimeter:** The site as a whole has a strong perimeter, a combination of existing stone walls and new weld mesh fencing, at least 1.8 meters high. I believe the current plan is that the traditional back greens for Blocks 1, 2, 3, 4, 5 and 10 will be fenced off for use by residents only.

Due to the layout of Blocks 1,2,3,4 and the two play parks it may be appropriate to have perimeter fencing slightly lower than the standard 1.8 meters to maintain good natural surveillance over the playparks.

There is no reason why the perimeter of Blocks 5 and 10 should not be 1.8 meter high.

The colony style flats of Blocks 6, 7, 8 and 9 will all of course have private gardens, again I would suggest perimeter fencing lower than the standard 1.8 meters to take advantage of the good natural surveillance generated by the colony design. Care should be taken not to create an alley between the gardens of Blocks 6 and 7 with overly high fencing. Consideration should be given to fencing off the growing gardens / allotments to the north of the site. Local ownership / care of the area should definitely be encouraged however to prevent casual vandalism / animals getting in I think they would benefit from some clear demarcation.

Playparks: It may be beneficial to site both playparks in front of Blocks 3 and 4 to avoid possible noise issues. It should also mean they benefit from better lighting and improved natural surveillance, for child safety and to deter vandalism. Secured By Design recommends that there is a single entry / exit point to assist parental supervision and that fencing is a minimum 1.2 meters to discourage casual entry.

Bins Stores: I see from the plans that the bins are underground which should remove the issues seen with traditional bin stores, particularly them becoming a dumping ground for old furniture and prams.

Footpath by Football Pitches: This existing path, which is well used by locals, is on the east edge of the site running north south from Salvesen Crescent to Marine Drive. It has a rural feel, being unsealed (which would make it difficult to use for wheel / pushchairs) and having hedges and vegetation on both sides. I visited during daylight hours and although there was at least one street light, this was over grown by trees. I believe the

path would be dark and uninviting out with daylight hours, enhanced by the fact that is also quite narrow, two people cannot easily pass without stepping off the path.

As this existing path is to link into a new path network I believe some simple changes would be appropriate to make it safer and enable a wider section of the community to use it. Also bearing in mind the proposed level of development in the Granton / Silverknows area I would suggest this path will see increased use, by visitors as well as locals.

Improvements such as a wider level surface suitable for wheel chairs and push chairs, which allows users to easily pass each other. Enhanced lighting, ideally to BS 5489-1:2013 so that users can clearly see who may be approaching them (bollard are not suitable). Vegetation does not have to be removed but the path needs to be part of a maintenance program so street lights are not over grown.

The foregoing recommendations are aimed at reducing the risk of criminal intrusion as far as possible taking into account various factors. With this in mind, however, no measure can ever be guaranteed to deter each and every potential intruder.

Police Scotland do not recommend or endorse specific products or companies. Any product used should, where possible, be endorsed as part of the 'Secured By Design' and 'Sold Secure' criteria.

A Secured By Design certificate will be provided for this development upon production of relevant test certification for windows and doors and at the conclusion of a satisfactory site visit on completion of the relevant works. I would be happy to sign off the development in phases and provide separate SBD Certificates should you require.

Should you wish to discuss or clarify any of the above recommendations, please free to contact me.

Yours sincerely

Samantha Campbell

Preventions / Architectural Liaison Officer Prevention, Interventions & Partnerships |
Edinburgh Division West End Police Station | 3-5 Torphichen Place, Edinburgh EH3 8DY
Tel: 0131 221 2080

Email: samantha.campbell@scotland.pnn.police.uk

CEC Archaeology Service) - Date: 11/10/2021

Further to your consultation request, I would like to make the following comments and recommendations concerning the above application for the proposed residential development comprising 142 flats and colonies with associated roads, parking and greenspace.

The application site overlies the western half of the core estate surrounding the former Muirhouse House from which the local area takes its name. This former 16th century manor was ruinous by the 19th century and replaced in 1832 by Muirhouse Mansion constructed for Captain William Davidson. As the photos depicted in Smith Scott Mullan's Design and Access Statement show the remains of the main 17th century house survived principally to the west of this application site until the 1950's when they were finally demolished. As part of this demolition work however was the recovery of the two stone Griffins mounted on the gate-pillars to the estate, currently in store and ownership of

CEC. Although out with the footprint of the 16th century mansion, the site overly the site of estate buildings including until the late 20th century the site of estates home farm, which prior to its demolition acted as a riding school.

As a result of the sites archaeological significance a programme of evaluation was carried out by Headland Archaeology in June 2018 managed by CECAS on behalf of CEC. The results (see Headland's DSR accompanying this application) demonstrated that significant archaeological remains occurred within areas of the site principally out with the footprint of the 60's care-home including the site of an historic pond, estate trackways. The site of the former estate's home farm (Muirhouse Mains) was not subject to evaluation at this stage as the remains, including historic well, were both known and in part visible.

Accordingly, the site is regarded as being historic and archaeological significance. This application must therefore be considered under terms of Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, HES's Historic Environment Policy for Scotland (HEPS) 2019 and CEC's Edinburgh Local Development Plan (2016) Policies DES3 & 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

The proposals will require ground-breaking works associated with development e.g. construction, new services, landscaping. These works will have a significant impact upon the surviving archaeological remains associated with the estate surrounding Muirhouse House dating back to the 16th century and its later home farm of Muirhouse Mains. It is therefore essential that a programme of archaeological work is carried out prior to development to fully excavate, record, analysis and publish the results from this work.

Historic Estate Features: Griffin gate-pillars and well

It is welcomed that the proposals will retain the sites surviving well belonging to Muirhouse Mains with the site's public realm along with historic/archaeological interpretation (see plan page 4 of Design and Access Statement).

Its considered important as discussed with the applicants that the surviving two Griffin gate-pillars (see photo page 12 of the Design Statement), removed from the site in the 1950's, are reinstated on site as part of the historic interpretation and public realm/landscape. It is recommended that detailed plans along with conservation method statement is submitted for agreement prior to development.

Public Engagement

As stated, the site is likely to contain a important archaeological remains relating to the development of the Muirhouse Estate dating back to the 16th century, from which the local takes its name. It is therefore considered essential that a programme of public/community engagement is undertaken during development as part of the overall programme of archaeological works. The full the scope of which will be agreed with CECAS but could include site open days, viewing points, interpretation, social media and exhibitions.

It is therefore recommended that a condition be applied to any permission granted to secure this programme of archaeological work, based upon the following CEC condition;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis, reporting, publication, conservation, interpretation & public engagement) 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.

Yours sincerely

John A Lawson
(Archaeology Officer)

Scottish Water - Date: 21/10/2021

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 Marchbank 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

There is currently sufficient capacity for a foul only connection in the Edinburgh PFI Waste 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.

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.

Asset Impact Assessment

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 via our Customer Portal to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

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 SW Public General arrangements to be installed, subject to compliance with Water Byelaws.

If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.

If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

Please find information on how to submit application to Scottish Water at our Customer Portal. Next Steps:

All Proposed Developments All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals. Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

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 Domestic 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 SW Public General launderettes. 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.

Yours sincerely,

Angela Allison Development Services Analyst
PlanningConsultations@scottishwater.co.uk Scottish Water

I 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.

Waste Planning - Date: 25/10/2021

REFERENCE NUMBER: 21/05149/FUL

As this is to be a residential development, waste and cleansing services would be expected to be the service provider for the collection of any household domestic and recycling waste produced.

Waste strategy agreed at this stage Y/N
N

I have looked at the drawings available in the planning portal file and we have been in contact directly with the architect for this site.

We would require further input to the points raised below in conjunction with our current instruction for architects and developers guidance, available at <https://www.edinburgh.gov.uk/wasteplanning> , to ensure waste and recycling requirements have been fully considered.

1. Confirmation on the waste strategy, number of URS sites and URS containers.
2. A swept path analysis for a 12m vehicle in line with our guidance. Please note there can be no overhang from the road surface, over grass or shared surfaces/pathways.
3. Number of properties using each URS and the provision of two DMR URS bins at each location.

4. Confirmation that all the points raised in our guidance have been adhered to.

In view of these factors I would ask that the Architect/developer contact myself Trevor.kelly@edinburgh.gov.uk and Claire Bolton Claire.Bolton@edinburgh.gov.uk directly at the earliest point to agree their options so that all aspects of the waste & recycling service are considered.

Regards

Trevor Kelly

Waste & Cleansing Project Officer | The City of Edinburgh Council | Seafield depot
Fillyside road Edinburgh EH7 6RD | Tel: 07872 048 943 |
Trevor.kelly@edinburgh.gov.uk |

New developments: The current Architect guidance is now available at <https://www.edinburgh.gov.uk/wasteplanning>.

Housing Management and Development - Date: 03/11/2021

1. Introduction

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

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

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

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

2. Affordable Housing Provision

This application is for a development consisting of 142 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (35) homes of approved affordable tenures.

The applicant (The City of Edinburgh Council) has stated that all 142 of the homes will be affordable housing. There will be a mix of 1, 2 and 3 bed flats and colony homes.

91 of the homes will be delivered for social rent and 51 will be delivered for mid-market rent to help meet local housing needs.

The affordable homes have been designed to be tenure blind. They have also been designed to housing for varying needs standards and to The City of Edinburgh Council housing design requirements. 25 of the homes are designed for wheelchair users.

3. Summary

The applicant has made a commitment to provide a minimum 25% onsite affordable housing and will issue a memorandum of understanding to the planning authority, to commit to the delivery of the affordable homes.

It is proposed that all the homes will be affordable, with 91 delivered for social rent and 51 for mid-market rent to help meet local housing needs.

The provision of affordable housing proposed in the scheme is acceptable to Housing Management and Development.

We would be happy to assist with any queries on the affordable housing requirement for this application.

Yours sincerely,

Ian Tame
Senior Housing Development Officer
Enabling and Partnerships
Place

Environmental Protection - Date: 18/11/2021

TOWN AND COUNTRY PLANNING ACT 1997

21/05056/FUL | Proposed residential development comprising 142 flats including colonies with associated roads, parking and greenspace. | Silverlea Old Peoples Home 14 Muirhouse Parkway

The proposed development site is on Muirhouse Parkway, a former Care Home (14 Muirhouse Parkway). `Silverlea; Care Home was demolished in 2018, and the site is currently vacant. The site is bordered on the West by Silverknowes Park, Edinburgh Caravan and Motorhome Club and Golf Course, to the North and North West by public playing fields and to the East by existing housing. A total of 142 dwellings are proposed, consisting of 94 flats and 48 colony style homes and a small, centralised energy centre. The proposed scheme includes total of 36 car parking spaces.

The applicant has advised that all heat and energy demand will be met through renewable sources with no requirements for any fossil fuels. This is something that Environmental Protection is pleased to see as this will ensure emissions from the development when operational are very limited. It's also good to see that the applicant has considered the `20-minute neighbourhood; concept. The concept of having all basic needs within a 20-minute walk or cycle is essential to creating liveable cities and towns for everyone, removing the absolute need to drive everywhere and reduce inequality within communities. This has enabled the applicant to keep parking numbers to a

minimum with the potential for electric vehicle charging points being installed. Environmental Protection would like to see the 1 in 6 electric spaces fitted with 7Kw (32AMP) chargers which should be operational prior to occupation.

As the site has been previously used as a care home the principle of residential use on the site has been established. The applicant has submitted a supporting noise impact assessment which has highlighted that traffic noise from Muirhouse Parkway will need to be mitigated. The worst affected facades (north-east, south-east and south-west) at the two 4- storey apartment buildings on Muirhouse Parkway will require glazing with a minimum sound insulation of R_w 31 dB. Trickle ventilators on these windows will need to have a minimum sound insulation of $D_{n,e,w}$ 31 dB, when in the open position. These sound insulation performances are readily achievable with standard thermal triple glazed window and standard trickle vents that is being proposed as standard by the developer. All remaining facades that are not affected and not require any specific noise mitigation measures. A condition shall be recommended.

From an air quality perspective, we fully support the integration of air sourced heat pumps. It is noted that they will be in a centralised area to the west of the site next to flats. There is potential for noise disturbance from these fans especially when grouped together. It is likely that the landlord/factor for the site will have control over the maintenance of the plant which should ensure noise is adequately controlled. The applicant should ensure that an acoustic enclosure is built around the plant with an acoustic louvred, or baffled roof included. We will recommend a condition which would ensure the applicant does not breach the required noise criteria (NR25).

It is noted that to the south east of the site a number of cabins which are the temporary club houses for Craigroyston Community Youth Football Club are located. In addition to the proposals for the residential development, a new Football Pavilion is to be provided for Craigroyston Community Youth Football Club to replace the existing temporary facilities on the south-east of the site adjacent to Muirhouse Parkway. The new pavilion is to be located closer to football pitches and will be detailed in a separate Planning application.

The applicant has submitted site investigation reports that will be assessed throughout the development stage. A Condition on contaminated land will required at this point.

Therefore, Environmental Protection offer no objections subject to the following conditions;

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

- a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
- b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

2. A minimum of 6 residential parking spaces shall be served by a minimum 7Kw (32amp) Type 2 electric vehicle charging sockets. These shall be installed and operational in full prior to the development being occupied.

3. The following noise protection measures to the proposed development, as defined in the sandy Brown 'Noise Impact Assessment' report (Ref 21487-R01-A), dated 5 November 2021:

Acoustic triple glazing shall be installed on affected facades (north-east, south-east and south-west) at the two 4- storey apartment buildings on Muirhouse Parkway. The required triple glazing shall have a minimum sound insulation value of Rw 31 dB. Trickle ventilators on these windows shall have a minimum sound insulation of Dn,e,w 31 dB, when in the open position.

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

4. Prior to occupation of the development, details demonstrating that noise from all plant (including air source heat pump system) complies with NR25 within the nearest residential property (with window partially open for ventilation purposes) shall be submitted for written approval by the Planning Authority.

Transportation - Date: 18/11/2021

Matthew Simpson
21/05056/FUL
SILVERLEA OLD PEOPLES HOME
14 MUIRHOUSE PARKWAY
EDINBURGH
EH4 5EU
TRANSPORT CONSULTATION RESPONSE
Summary Response

No objections subject to appropriate conditions and informatives.

Full Response

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

1. The applicant should be required to provide a minimum of 3 electric vehicle charging spaces (8% of total provision);
2. The applicant should consider the provision of car club spaces in the area. This would require a contribution of £1,500 per order plus £5,500 per car but does not require to be included in any legal agreement;
3. 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;
4. The applicant

should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;

5. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;

6. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

7. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of

sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer

is expected to make this clear to prospective residents as part of any sale of land or property;

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's vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions regulations.

Note: Parking provision proposed as follows:

- The proposed 36 car spaces are considered acceptable, including 9 disabled spaces;
- Cycle parking spaces are provided at 2 per unit for 119 of the 142 units. It is understood that the operator of the 23 social care and wheelchair units has indicated that specific cycle parking is not required. A store for electric scooters could accommodate cycle parking if required;
- An outline Travel Plan has been submitted.

Matthew Simpson

TRANSPORT

Matthew Simpson

Senior Transport Officer

Communities and Families - Date: 02/12/2021

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.

An assessment of the impact of further growth from the Proposed City Plan 2030 on the learning estate has also been carried out. An Education Appraisal outlining the infrastructure required to mitigate further housing growth is a supporting document to the Proposed City Plan.

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

The proposed site was not part of the Education Appraisal (August 2018), and has not therefore informed the per unit contribution rates in the finalised Supplementary Guidance on `Developer Contributions and Infrastructure Delivery¿ (August 2018).

Accordingly, the per unit contribution rates reflecting the total costs of delivering education infrastructure necessary to mitigate growth in the proposed City Plan, which includes the proposed site, have been updated.

The pupil generation rates and the per unit contribution rates are calculated by including all flats irrespective of individual unit size. All proposed units form part of this assessment.

Assessment based on:
142 Flats

This site falls within Sub-Area CB-1 of the `Craigroyston / Broughton 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. The required contribution should be based on the established `per house¿ and `per flat¿ contribution figures set out below and secured through a legal agreement

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:

£1,036,629

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:

£3,216

Note ¿ no indexation to be applied to land contribution.

Per unit infrastructure contribution requirement:

Per Flat ¿ £7,300

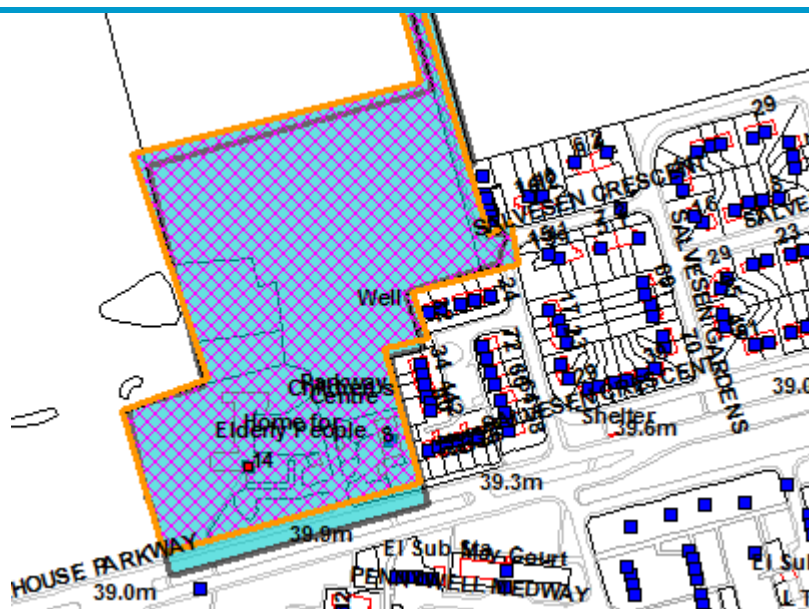
Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Per unit land contribution requirement:

Per Flat - £23

Note 2 no indexation to be applied to land contribution.

Location Plan



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END

Appendix to Item 6.2

Appendix to Item 6.2

**Application for Planning Permission 21/05056/FUL
At Silverlea Old Peoples Home, 14 Muirhouse Parkway,
Edinburgh
Proposed residential development comprising 142 flats
including colonies with associated roads, parking and
greenspace.**

Item number

Report number

Wards

B01 - Almond

Recommendations

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

Background information

At its meeting on the 12th of January 2022, the Development Management Sub-Committee agreed to continue consideration of application 21/05056/FUL - Silverlea Old Peoples Home, 14 Muirhouse Parkway, Edinburgh, to allow for a site visit and a hearing.

Due to an error in the publication of the Pre-application Consultation (PAC) report, interested parties were re-notified of the planning application on the 15th of June 2022 and the application was readvertised on the 24th of June 2022.

On 14 February 2022, planning permission was granted for a proposed football pavilion, changing rooms and clubhouse and associated development for Craigroyston Community Football Club (to replace the existing facilities within the south eastern part of the site) at 25 Marine Drive, EH4 5EJ (planning application ref.21/05175/FUL).

Main report

In the intervening period, further analysis was carried out in relation to the contributions towards education infrastructure. In addition, an assessment of the additional representations was also carried out.

(i) Infrastructure

LDP Policy Del 1 (Developer Contributions) requires contributions to the provision of education infrastructure to mitigate the impact of development. The Action Programme and Developer Contributions and Infrastructure Delivery Supplementary Guidance sets out contributions required towards the provision of infrastructure.

The delivery of on-site affordable housing is addressed in section (c) of the original report.

Education developer contribution

Education contributions will be applied in accordance with the methodology set out in the finalised Developer Contributions and Infrastructure Delivery supplementary guidance and the figures set out in the Edinburgh Local Development Plan Action Programme of December 2021.

Since the application was originally reported to the Committee, Communities and Families have updated the contribution model using a new pupil generation rate that excludes one bedroom and studio flats that do not generate additional pupils. They are now seeking a sum of £634,320 for 80 flats (£7,929 per flat) (index-linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment) and £2,000 for land (not index-linked) based on a pro rata rate for all the flats in the development. This sum excludes the proposed 39 one bed flats and the 23 flats for health and social care.

The developer contributions, including education contribution, will be secured through a memorandum of understanding.

Representations

The representations received in response to the first neighbour notification and advertisement of the planning application, which was carried out on 29th September 2021 and the 8th October 2021 respectively, are summarised in section I) of the original report and are addressed in that report.

The following representations were received in response to the neighbour re-notification, which was carried out on the 15th of June 2022 and the re-advertisement of the planning application on the 24th of June 2022. Many of these representations are similar in terms of the issues raised to those received following the first neighbour notification, and have already been addressed in the Sub-Committee report and are referenced accordingly:

Material Representations - Objection:

- Loss of greenbelt and open space in an area where there is a shortage of green space. - addressed in section b) of the original report.
- Loss of mature trees and resultant harm to landscape character and amenity - addressed in section d) of the original report.
- Loss of trees and consequent loss of carbon capture and negative impact on the climate. - addressed in section j) of the original report.
- Harm to the local eco system, including loss of habitat for wildlife, including birds. - addressed in section j) of the original report.
- Mid-market rent housing is too expensive to rent for many families. - addressed in Section a) of the original report. The LDP defines affordable housing as housing that is available for rent or for sale to meet the needs of people who cannot afford to buy or rent the

housing generally available on the open market. In terms of priority order, Mid-Market Rent (MMR) ranks second behind Social Rent (highest priority).

- Lack of social housing in Muirhouse, so 100% of the units should be social housing. - addressed in Section (c) of the original report which concludes that provision of 25% on site affordable homes is acceptable in planning policy terms.
- Insufficient car and cycle parking for the number of units proposed resulting in parking congestion on neighbouring roads. - addressed in section e) of the original report.
- Inadequate access for people with disabilities owing to inadequate provision of disabled parking spaces. - addressed in section e) of the original report.
- Cumulative impact of traffic. - addressed in section e) of the original report.
- Will generate private vehicle movements, resulting in traffic congestion. - addressed in section e) of the original report.
- Road and pedestrian safety concerns with Muirhouse Parkway. - addressed in section e) of the original report.
- Pollution from traffic emissions, particularly during periods of construction, giving rise to harm to human health. - The low parking provision will ensure that air quality does not become a concern.
- Noise nuisance from traffic associated with proposals. - addressed in section (d) of the original report and acknowledged that if noise nuisance were to arise this could be controlled through Environmental Protection legislation.
- Would exacerbate an already strained community facilities, including youth facilities, medical facilities and schools. - addressed in section i) of the original report.
- Inadequate community consultation undertaken and unfair method of consultation as assumption made that all residents have access to PCs and internet to participate in online consultation. - On 21 April 2021 the Planning Authority approved the community consultation detailed in Proposal of Application Notice 21/01097/PAN. A report on that community consultation was submitted with the planning application. The Planning Authority has not been presented with any evidence to question the accuracy of the content of that report.
- No Pre-Application Notice (PAC) report was submitted with the application. - The Planning Authority's records show that a PAC report was submitted with the application and its status on the Council's electronic application file was displaying as public on the planning portal. However, owing to an anomaly the PAC report was not displaying on the planning portal. This was resolved by the Planning Authority by re-inserting the PAC report into the application file and displaying as public. The Planning Authority then re-notified the notifiable neighbours and re-advertised the planning application.
- Concern that the concerns raised by objectors will not be given due consideration. - The matters raised in representations are addressed in the original report and this report.
- No benefit to local community or businesses and does not include or encourage innovation in local business. - addressed in section b) of the original report and concluded that there are public benefits in delivering the proposed affordable and special needs housing.
- The four-storey blocks will give rise to both loss of light and privacy to existing neighbouring properties. - addressed in section d) of the original report.
- Existing problems of fly tipping. - Evidence of fly tipping is acknowledged in section b) of the original report.
- concerns about flooding owing to the development not being permitted to connect to Scottish Water combined sewer. - addressed in section j) of the original report.
- The archaeological interest of the site should be exploited for educational purposes. - addressed in section h) of the original report.
- The current site conditions, including ground contamination and vandalism, fly tipping etc., does not provide reasoned justification for the development. Neither will the development address problems with anti-social behaviour. - addressed in section l) of the original report and concluded that there are a number of significant material considerations, including the current ground condition of the site, that collectively provide reasoned justifications for granting planning permission.

Non-Material Representations - Objection:

- Better alternative use of the site as a park, a wildlife trail or as allotments for local food growing. - the planning application stands to be determined on its own merits. The acceptability in planning terms of an alternative use(s) of the site is not a material consideration in the determination of the application.
- A brownfield site should be development instead. - The suitability or otherwise for residential development/redevelopment of other sites in Edinburgh is not a material consideration in the determination of this planning application.
- Alleged Council corruption and Councillors taking bribes. - Allegations of lawbreaking including corruption and bribery by Council officials or Elected Members is a police matter and not a planning matter.
- Private house builder profits before needs of local community. - Profits of the developer and how that influences the benefits to the community deriving from the proposal is not a material planning consideration.
- Incidents of speeding vehicles on Muirhouse Parkway and concern about lack of police enforcement of these offences. - This is a police matter and not a planning matter.
- Solar street lighting should be incorporated. - The specification of the street lighting is a matter for consideration at Road Construction stage. There is no planning policy requirement for the planning authority to insist that the developer to utilise solar street lighting.
- The Muirhouse/Salvesons Community Council, who are identified in the Pre-application Consultation (PAC) report as a key stakeholder, are defunct. - This is not a material planning consideration.
- The means of financing the development is objectionable. - This is not a material planning consideration.
- Priority should be given to repairing and maintaining existing affordable housing stock, including vacant properties, instead of building new homes. - This is not a material planning consideration.
- Existing problems of fly tipping is negatively impacting on property values. - The impact of fly tipping on property values is not a material planning consideration.

The matters raised by objectors are either not significant, are addressed in the original report or this report, can be mitigated through conditions imposed on a grant of planning permission or are not material considerations in the determination of this application.

Material Representations - Support:

- There exists a significant shortfall in the supply of new homes for social rent in Edinburgh against Council set targets. The proposal will help address the shortfall.
- Existing problems of anti-social behaviour, including vandalism to trees on the site, which is harming local wildlife and green space, will be addressed by the development.
- The development will regenerate the local area.

Links

Policies and guidance for this application

LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LDPP, LEN10, LEN03, LEN08, LEN09, LEN11, LEN12, LEN15, LEN16, LEN18, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU06, LRS01, LTRA02, LTRA03, NSG, NSGD02, NSHAFF, SUPP, SPP,

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

<https://citydev-portal.edinburgh.gov.uk/idxpa-web/applicationDetails.do?activeTab=documents&keyVal=R04QYDEWGBY00>

Or Council Papers online

David Givan
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