

# Notice of meeting and agenda

## Development Management Sub-Committee

**10.00 am Wednesday, 25th January, 2023**

Dean of Guild Court Room - City Chambers

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

### Contacts

Email: [jamie.macrae@edinburgh.gov.uk](mailto:jamie.macrae@edinburgh.gov.uk) / [taylor.ward@edinburgh.gov.uk](mailto:taylor.ward@edinburgh.gov.uk)

Tel: 0131 553 8242

## 1. Order of business

---

- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.
- 1.2 Any member of the Council can request a Hearing if an item raises a local issue affecting their ward. Members of the Sub-Committee can request a presentation on any items in part 4 or 5 of the agenda. Members must advise Committee Services of their request by no later than **1.00pm on Monday 23 January 2023** (see contact details in the further information section at the end of this agenda).
- 1.3 If a member of the Council has submitted a written request for a hearing to be held on an application that raises a local issue affecting their ward, the Development Management Sub-Committee will decide after receiving a presentation on the application whether or not to hold a hearing based on the information submitted. All requests for hearings will be notified to members prior to the meeting.

## 2. Declaration of interests

---

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

## 3. Minutes

---

- 3.1 Minutes of Previous Meeting of Development Management Sub-Committee of 11 January 2023 – submitted for approval as a correct record 9 - 14

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

---

The key issues for the Pre-Application reports and the recommendation by the Chief Planning Officer or other Chief Officers detailed in their reports on applications will be approved without debate unless the Clerk to the meeting indicates otherwise during “Order of Business” at item 1.

### Pre-Applications

- 4.1 Report for forthcoming application by Cullross Limited for Proposal of Application Notice at 14 Glennie Road, Newcraighall (At Land 70 Meters East Of) - The development will comprise a mix of houses and flatted blocks numbering approximately 220 units and will accommodate a mix of one, two and three bedroom flats, two and three bedroom colony flats, and three, four and five bedroom townhouses, all with associated amenity, parking, green space, bicycle storage and refuge stores - application no. 22/06227/PAN – Report by the Chief Planning Officer 15 - 20
- It is recommended that the Committee notes the key issues at this stage and advises of any other issues.
- 4.2 Report for forthcoming application by City Of Edinburgh Council for Proposal of Application Notice At Wester Hailes Education Centre, 5 Murrayburn Drive, Edinburgh - The project is to deliver a new 800 pupil high school building, it aims to consolidate the educational facilities into one building, allowing for community use whilst retaining shared facilities in the existing community centre building - application no. 22/06013/PAN – Report by the Chief Planning Officer 21 - 28
- It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

### Applications

- 4.3 17 Frogston Road East, Edinburgh (Telecoms Mast 120 Metres) 29 - 38

Southwest Of) - Removal of lattice and headframe, 6x antennas, 3x dishes and all ancillary development; installation of lattice and headframe, 12x antennas, 6x dishes and ancillary development - application no. 22/00472/FUL – Report by the Chief Planning Officer

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

- 4.4** Land At Greendykes North Site, Greendykes Road, Edinburgh - 39 - 62  
This proposal is to complete the last phases of the Greendykes North Masterplan - Phases K, L and M. It is a mixture of social and mid-market rent properties. There are 28 2 storey terraced houses and 112 flats, in 4 storey tenement style blocks. The courtyards are designed with landscaped SUDs basins in accordance with Vision for Water Management in the City of Edinburgh. The site is to achieve Net Zero Carbon in line with CoEC's Design Guide and employs a variety of green energy strategies - application no. 22/04955/AMC – Report by the Chief Planning Officer

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

- 4.5** 7 Murrayburn Gate, Edinburgh, EH14 2SS - Proposed affordable housing development comprising 73 units with associated infrastructure and landscape - application no. 22/03302/FUL – Report by the Chief Planning Officer 63 - 84

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

- 4.6** Lock Up 5, 2G Park Road, Edinburgh - Existing single storey flat roof adjoining garages to be removed. New two storey single dwelling erected using the existing footprint of the garages (as amended) - application no. 22/04557/FUL – Report by the Chief Planning Officer 85 - 94

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

- 4.7** Gas Holder North Of, Waterfront Broadway, Edinburgh - Public realm improvements to the site surrounding the Gas Holder. The design proposals for the public realm element have been set out to create a multi-functional public space, which aims to respect and complement the existing Listed-B Gas Holder frame, whilst remaining flexible to future change and uses - application no. 95 - 114

22/05318/FUL – Report by the Chief Planning Officer

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

## 5. Returning Applications

---

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

5.1 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 None.

## 7. Applications for Detailed Presentation

---

The Chief Planning Officer has identified the following applications for detailed presentation to the Sub-Committee. A decision to grant, refuse or continue consideration will be made following the presentation and discussion on each item.

7.1 6 Braid Hills Approach, Edinburgh, EH10 6JY - Demolish existing bungalow and erect new house, garage, hobby room and access road - application no. 22/00712/FUL – Report by the Chief Planning Officer 115 - 134

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

7.2 Lock Up, East Brighton Crescent, Edinburgh - Demolition of lock-up garages, repositioning of existing rear garden wall and proposal of two new dwelling houses on the Land South of 1 East Brighton Crescent - application no. 22/01472/FUL – Report by the 135 - 148

Chief Planning Officer

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

- 7.3** Lock Up, East Brighton Crescent, Edinburgh - Substantial demolition in a conservation area - application no. 22/01473/CON – Report by the Chief Planning Officer 149 - 156

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

- 7.4** Lock Up, East Brighton Crescent, Edinburgh - Demolition of lock-up garages, repositioning of existing rear garden wall and proposal of two new dwelling houses on the Land South of 1 East Brighton Crescent - application no. 22/01474/LBC – Report by the Chief Planning Officer 157 - 164

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

## **8. Returning Applications Following Site Visit**

---

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

- 8.1** None.

### **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 Dalgleish, 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. This meeting of the Development Management Sub-Committee is being held 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, email [jamie.macrae@edinburgh.gov.uk](mailto:jamie.macrae@edinburgh.gov.uk) / [taylor.ward@edinburgh.gov.uk](mailto:taylor.ward@edinburgh.gov.uk).

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

### **Webcasting of Council meetings**

---

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

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.

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

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

This page is intentionally left blank



# Minutes

## Development Management Sub-Committee of the Planning Committee

10.00am, Wednesday 11 January 2023

### Present:

Councillors Osler (Convener), Beal, Booth, Cameron, Dalglish, Gardiner, Hyslop, Jones, McNeese-Mechan, Mowat and O'Neill.

### 1. Minutes

---

#### Decision

To approve the minute of the Development Management Sub-Committee of 7 December 2022 as a correct record.

### 2. General Applications and Miscellaneous Business

---

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

#### Requests for a presentation:

Councillor Booth and Councillor Osler – Item 4.9 – 54 Rosslyn Crescent, Edinburgh – application no. 22/00745/FUL

Councillor Booth and Councillor Osler – Item 4.14 – 23 Yeaman Place, Edinburgh - application no. 22/03556/FUL

#### Requests for a hearing:

Ward Councillor Caldwell – Item 4.9 – 54 Rosslyn Crescent, Edinburgh – application no. 22/00745/FUL

Ward Councillor Walker – Item 4.14 – 23 Yeaman Place, Edinburgh - application no. 22/03556/FUL

Ward Councillors Mitchell, Nicolson, Dalglish and Bandel – Item 7.1 – 72-74 Eyre Place, Edinburgh - application no. 22/03833/FUL – and Item 7.2 – 72-74 Eyre Place, Edinburgh – application no. 22/03834/FUL

#### Decision

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

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

### 3. 54 Rosslyn Crescent, Edinburgh

---

Details were provided of proposals for planning permission for a proposed conversion of a bowling club and bowling green to residential dwelling and garden - application no. 22/00745/FUL.

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

A vote was taken for or against on whether to continue the application for a site visit and a hearing.

#### **Voting**

For Continuation - 8

Against Continuation - 3

(For Continuation: Councillors Cameron, Dalgleish, Gardiner, Jones, Hyslop, McNeese-Mechan, Mowat and O'Neill.)

(Against Continuation: Councillors Beal, Booth and Osler.)

#### **Decision**

To **CONTINUE** consideration of the application for a site visit and a hearing.

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

## Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.</p>		
<p><b>4.1 – <a href="#">Report for forthcoming application by City Of Edinburgh Council for Proposal of Application Notice at 103 Newcraighall Road, Edinburgh (at Land 445 Metres North Of)</a></b></p>	<p>All accommodation will be within the one, two-storey building and exceed a total gross external floor area (GEFA) of 5,000sqm. The development also includes landscaped school grounds and sports pitch. The school is situated in the centre of the wider new Brunstane Masterplan development (reference 16/04122/PPP - application no. 22/05563/PAN</p>	<p>To note the key issues at this stage.</p>
<p><b>4.2 – <a href="#">Report for forthcoming application by S Harrison Developments Ltd. for Proposal of Application Notice at 94 Ocean Drive, Edinburgh (at Land 58 Metres South Of)</a></b></p>	<p>Erection of mixed-use development potentially comprising residential, hotel, purpose-built student accommodation, along with commercial uses /co-working and amenity space, landscaping and infrastructure. – application no. 22/05811/PAN</p>	<p>To note the key issues at this stage.</p>
<p><b>4.3 – <a href="#">8 &amp; 9 Albyn Place, Edinburgh</a></b></p>	<p>Change of use from English language school to form 20 No. commercially managed short term let apartments including a rear extension and internal alterations.- application no. 22/01636/FUL</p>	<p>To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.</p>
<p><b>4.4 – <a href="#">8 &amp; 9 Albyn Place, Edinburgh</a></b></p>	<p>Rear extension and internal alterations. The accompanying design statement and plans detail the proposed alterations and small extension - application no. 22/01637/LBC</p>	<p>To <b>GRANT</b> listed building consent subject to the conditions and reasons as set out in section C of the report by the Chief Planning Officer.</p>

<p><b>4.5 – <a href="#">Granton Harbour, West Harbour Road, Edinburgh</a></b></p>	<p>Mixed-use development comprising houses, flats and commercial units; surrounding roads, public realm areas and infill of land (Plot 35A) - application no. 21/06413/FUL</p>	<p>To <b>REFUSE</b> planning permission subject to the conditions as set out in section C of the report by the Chief Planning Officer.</p> <p><b>Note: Councillor Cameron abstained from voting on this application.</b></p>
<p><b>4.6 – <a href="#">Gas Holder North Of, Waterfront Broadway, Edinburgh</a></b></p>	<p>Proposed external illumination of the existing Granton Gasholder guide frame - application no. 22/05147/LBC</p>	<p>To <b>GRANT</b> listed building consent subject to the informatives as set out in section C of the report by the Chief Planning Officer.</p>
<p><b>4.7 - <a href="#">Harlaw Reservoir, Harlaw Road, Balerno</a></b></p>	<p>To provide toilet facilities and create a seasonal (between March &amp; October) eco-campsite at Harlaw Reservoir - application no. 20/05112/FUL</p>	<p>To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.</p>
<p><b>4.8 - <a href="#">272 Portobello High Street, Edinburgh</a></b></p>	<p>Alter hours of operation approved in planning permission 21/00108/FUL from 8am-10pm to 8am-12am 7 days a week - application no. 22/04208/FUL</p>	<p>To <b>REFUSE</b> planning permission subject to the reasons as set out in section C of the report by the Chief Planning Officer.</p> <p><b>Note: Although committee resolved to refuse the application, the application was withdrawn the day before committee, and hence the decision to refuse planning permission was not within the Committee’s gift at that stage.</b></p>
<p><b>4.9 - <a href="#">54 Rosslyn Crescent, Edinburgh</a></b></p>	<p>Proposed conversion of bowling club and bowling green to residential dwelling and garden - application no. 22/00745/FUL</p>	<p>To <b>CONTINUE</b> consideration of the application for a site visit and a hearing.</p> <p>(on a division)</p>

<p><b>4.10 - <a href="#">14 Wester Coates Gardens, Edinburgh</a></b></p>	<p>Demolition of existing and construction of new dwelling - application no. 22/03600/FUL</p>	<p>To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.</p>
<p><b>4.11 - <a href="#">14 Wester Coates Gardens, Edinburgh</a></b></p>	<p>Demolition of dwelling - application no. 22/03601/CON</p>	<p>To <b>GRANT</b> planning permission subject to the conditions and reasons as set out in section C of the report by the Chief Planning Officer.</p>
<p><b>4.12 - <a href="#">10 Wheatfield Road, Edinburgh</a></b></p>	<p>Application for a Planning (Hazardous Substances) Consent Variation - application no. – 20/01709/HSC</p>	<p>To <b>GRANT</b> planning (hazardous substances) consent variation subject to the conditions and reasons as set out in section C of the report by the Chief Planning Officer.</p>
<p><b>4.13 - <a href="#">229 Willowbrae Road, Edinburgh</a></b></p>	<p>A residential development consisting of 48 apartments with a commercial unit at ground level – application no. 22/02740/FUL</p>	<p>To <b>GRANT</b> planning permission subject to the conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.</p>
<p><b>4.14 - <a href="#">23 Yeaman Place, Edinburgh</a></b></p>	<p>Proposed demolition of existing buildings and structures and erection of a purpose-built student accommodation development, with associated active travel routes, landscaping, cycle parking and other associated infrastructure, as amended – application no. 22/03556/FUL</p>	<p>To <b>CONTINUE</b> consideration of the application for a site visit and a hearing.</p>
<p><b>7.1 – <a href="#">72 - 74 Eyre Place, Edinburgh</a></b></p>	<p>Proposed erection of nine townhouses with associated amenity space, access, cycle parking, car parking and landscaping- application no. 22/03833/FUL</p>	<p>To <b>CONTINUE</b> consideration of the application for a hearing.</p>

<b>7.2 - <a href="#">72 - 74 Eyre Place, Edinburgh</a></b>	Erection of student accommodation with associated amenity space, access, cycle parking and landscaping (142 studio flats) (as amended) - application no. 22/03834/FUL	To <b>CONTINUE</b> consideration of the application for a hearing.
--	---	--

## Development Management Sub Committee

**Wednesday 25 January 2023**

**Report for forthcoming application by**

**Cullross Limited. for Proposal of Application Notice**

**22/06227/PAN**

**At Land 70 Meters East Of 14, Glennie Road, Newcraighall**

**The development will comprise a mix of houses and flatted**

**blocks numbering approximately 220 units and will**

**accommodate a mix of one,two and three bedroom flats, two**

**and three bedroom colony flats, and three, four and five**

**bedroom townhouses, all with associated amenity, parking,**

**green space, bicycle storage and refuge stores.**

**Item number**

**Report number**

**Wards**

B17 - Portobello/Craigmillar

### **Summary**

---

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission for residential development and ancillary infrastructure, at Land 70 metres East of 14 Glennie Road, Newcraighall Road, Edinburgh.

### **Links**

---

**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

## **Recommendations**

---

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

## **Background**

---

### **2.1 Site description**

The site lies to the south of Newcraighall Road with a number of trees, bushes and the railway embankment along the northern boundary of the site. The site is immediately east of Glennie Road, and to the west is more bushes and trees along the railway embankment. To the south, the site is on the Council boundary with East Lothian Council, and Queen Margaret University lies beyond. The site is within the Newcraighall area of the City.

The site is approximately 9.6 hectares. It is a greenfield site with the remnants of a stone wall and with overhead powerlines parallel to Glennie Road near the western boundary of the site. The site is generally flat although it slopes down to the southern boundary. The site is accessed from Glennie Road.

The site is within the LDP allocated housing site HSG 27 Newcraighall East.

### **2.2 Site History**

## **Main report**

---

### **3.1 Description Of The Proposal**

The proposal is for residential development comprising approximately 220 units in a mix of houses and flatted blocks. There would be a mix of one, two and three-bedroom flats, two and three bedroom colony flats, and three, four and five bedroom townhouses, all with associated amenity, parking, green space, bicycle storage and refuse stores.

### **3.2 Key Issues**

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

#### **(a) The principle of the development is acceptable in this location**

The proposal is located within an allocated housing site HSG 27 Newcraighall East, within the Local Development Plan (2016). The site lies within the urban area and is no longer in the green belt.



**(b) The scale, design, layout and materials are sustainable and acceptable within the character of the area**

The proposals would be assessed against the relevant design policies in the Local Development Plan, the LDP Newcraighall East HSG 27 Site Brief and Development Principles, and the non-statutory Edinburgh Planning Guidance (where applicable). The applicant should clearly demonstrate how the proposed design has considered the Council's policies and guidance.

**(c) The proposals will have a detrimental impact on the amenity of neighbours and future occupiers of the development**

The proposal will be assessed against relevant design policies in the Edinburgh Local Development Plan and Edinburgh Design Guidance. Supporting information is required to show the site's relationship to the various surrounding land uses to ensure that neighbouring amenity is adequately protected, and a good level of amenity can be achieved for future occupants of the site.

**(d) The proposed access arrangements, connectivity and parking levels are acceptable**

The proposal shall have regards to the LDP transport policies and the Edinburgh Street Design Guidance. The applicant will be required to provide transport information to demonstrate how the proposal prioritises active travel and is aligned with the parking standards, including service arrangements, cycle parking and provision for electric vehicles.

**(e) There are any other environmental factors that require consideration**

The applicant will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment. In order to support the application, the following documents will be required:

- Pre-application Consultation Report;
- Planning Statement;
- Design and Access Statement;
- Townscape and Visual Impact Assessment;
- Daylight, Privacy and Overshadowing Analysis;
- Noise Impact Assessment;
- Air Quality Assessment;
- Sustainability Form S1;
- Sustainability Statement;
- Transport Statement;
- Waste Management information;
- Flood Risk Assessment and drainage information;
- Surface Water Management Plan; and
- Ecological Survey.

The above is not an exhaustive list and other supporting details or assessments may be identified prior to the application being submitted or during the application assessment stage.

The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023 to proceed to adoption. On adoption the Revised Draft NPF 4 (2022) will form part of the Council's Development Plan, but at present it remains a material consideration. As adoption of the Revised Draft NPF 4 (2022) is understood to be imminent, and it is now the settled position of Scottish Ministers and the Scottish Parliament, it requires to be given significant weight. Revised Draft NPF 4 (2022) lists various policy provisions under the themes of Sustainable Places, Liveable Places and Productive Places.

The proposal will need to be screened under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, to determine whether an Environmental Impact Assessment is required.

### **3.3 Assessment**

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

## **Financial impact**

---

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

## **Risk, Policy, compliance and governance impact**

---

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

## **Equalities impact**

---

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

## **Sustainability impact**

---

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

## **Consultation and engagement**

---

### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

## 8.2 Publicity summary of representations and Community Council comments

The Proposal of Application Notice (reference: 22/06227/PAN) outlined the following pre-application consultation:

- 
- Project website available from 9 December 2022 at [www.newcraighall.com](http://www.newcraighall.com)
  - Stakeholders will be contacted week commencing 12 December 2022 with an offer to meet.
  - Publication in the Edinburgh Evening News for the first and second event during the week of 19 December 2022
  - Letter drop to local residents week commencing 5 January 2023.
  - Two consultation events on Wednesday 11 January 2023 and Wednesday 8 February 2023 both on 4pm to 8pm at Craigmillar Now, 58 Newcraighall Road, Edinburgh EH15 3HS.
- 

The applicant notes in the PAN application that both Portobello and Craigmillar Community Councils received notification of the PAN on 9 December 2022.

The applicant further advises that the following councillors were notified of the PAN on 9 December 2022: Councillor Kate Campbell; Councillor Tim Jones; Councillor Jane Meagher; and Councillor Alys Mumford.

Details were also sent to the local constituency MSPs and MPs.

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

### Background reading/external references

---

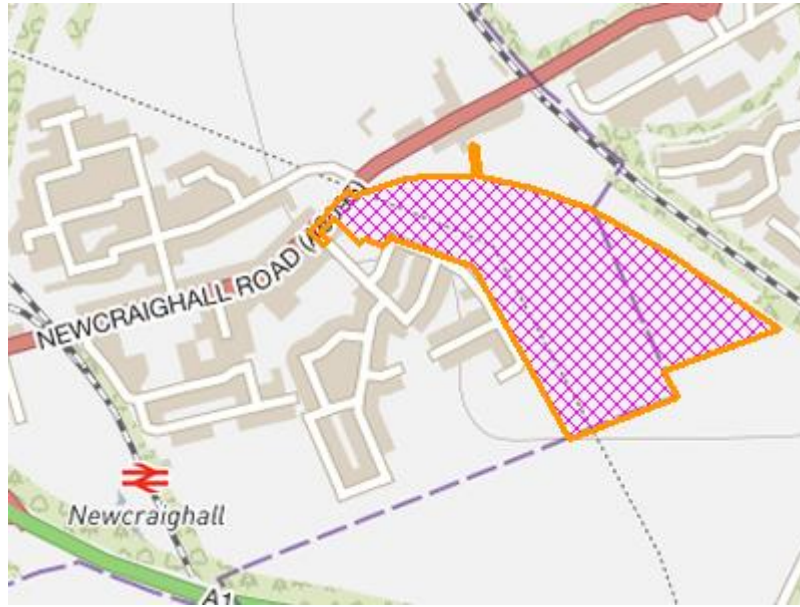
- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

David Givan  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Catriona Reece-Heal, Senior Planning Officer  
E-mail: [catriona.reece-heal@edinburgh.gov.uk](mailto:catriona.reece-heal@edinburgh.gov.uk) Tel: 0131 529 6123

## Location Plan

---



© Crown Copyright and database right 2015. All rights reserved. Ordnance Survey License number 100023420  
**END**

## Development Management Sub Committee

Wednesday 25 January 2023.

Report for forthcoming application by

City Of Edinburgh Council. for Proposal of Application Notice

22/06013/PAN

At Wester Hailes Education Centre, 5 Murrayburn Drive, Edinburgh

The project is to deliver a new 800 pupil high school building, it aims to consolidate the educational facilities into one building, allowing for community use whilst retaining shared facilities in the existing community centre building.

Item number

Report number

Wards

B02 - Pentland Hills

### Summary

---

The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming application for planning permission for the construction of a new high school building and associated landscaping, outdoor community facilities and parking at 5 Murrayburn Drive Edinburgh (i.e. the WHEC). The proposed school building will consolidate the educational facilities into one building allowing for community use whilst retaining shared facilities in the existing community centre building.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicants submitted a Proposal of Application Notice 22/06013/PAN on 28 November 2022.

### Links

---

Coalition pledges

Council outcomes

Single Outcome Agreement

## Recommendations

---

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

## Background

---

### 2.1 Site description

The application site is the WHEC, a secondary school and community hub on the west side of the city. The building dates from the 1960s/70s. It is bounded by Wester Hailes Road to the east, Union Canal to the south, open space to the west and Murrayburn Drive to the north. The school shares the site with community facilities such as a swimming pool and gym. There is a football pitch on the west of the WHEC site.

The proposed development site is on the south east side of the school. There is a car park to the north and an underpass to the east. This underpass sits below Wester Hailes Road, a dual carriageway. The main entrance to both the school building and the community facilities is shared. Vehicular access to the main buildings is from one entrance at the east end of the site from Murrayburn Drive. This is shared by service vehicles and cars.

The existing buildings, on site the south east part of the site, sit at the lowest level. The Canal is some 4 metres above the ground floor level of the school buildings. Wester Hailes Road rises to a further 3 or 4 metres above the level of the canal and is a busy arterial road feeding into the Wester Hailes area.

The Union Canal, a scheduled monument, sits to the south of the school and the area around the school is designated open space. The canal is also a local nature conservation site.

### 2.2 Site History

08 December 2022 - Application received for Prior notification for demolition of buildings (application number 22/06181/PND).

Other site relevant history:

27 January 1999 - planning permission granted for parkland & educational playing field areas (application number 98/02080/FUL);

24 November 2016 - planning permission granted for CHP to be installed externally above redundant chimney base outside plant room, ground floor. Existing site heating + power systems modified to adopt installation of CHP, enabling works to facilitate install (application number 16/04576/FUL);

11 January 2017 - permission varied for Non-Material Variation to consent 16/04576/FUL (application number 16/04576/VARY); and

30 June 2020 - Planning permission granted to change of existing blaes pitch to new 3G pitch, replacement of existing flood light with new LED flood lights, new fencing and associated hardstanding around perimeter (application number 20/01132/FUL).

## **Main report**

---

### **3.1 Description Of The Proposal**

The forthcoming application will be a full planning application for the erection of a four storey teaching block and associated landscaping, community areas and parking.

A four storey new passivhaus teaching block on the south east of the site is proposed. It will have a shallow pitched roof incorporating solar panels. Car parking will be relocated to the west of the buildings and a new access road taken from Murrayburn Drive. Cycle parking and pedestrian and cycle links will also be proposed.

### **3.2 Key Issues**

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

a) the principle of development is acceptable in this location

The site is situated in the Urban Area as defined in the Edinburgh Local Development Plan. The existing land use is for educational and community purposes and the proposed use will be for educational and community purposes. Such a land use is well established on the site and there will be no change of use. The replacement school building is acceptable in principle.

Any application will be required to demonstrate how this proposal supports and promotes regeneration objectives for the wider area including the emerging Wester Hailes Regeneration & Development Framework, the Wester Hailes Local Place Plan, and the West Edinburgh Link project aimed at improving the environment and connectivity for active travel across the area.

b) The scale, design, layout and materials are sustainable and acceptable within the character of the area;

The proposal will be assessed against relevant design policies in the Local Development Plan as well as non-statutory guidance where applicable (e.g. Edinburgh Design Guidance). The applicant should clearly demonstrate how the proposed design has considered the Council's policies and guidance.

A Sustainability Statement and Design and Access Statement will be required to support the planning application.

c) The proposal will have a detrimental impact on the amenity of neighbours and future occupiers of the development;

The proposal will be assessed against relevant design policies in the Edinburgh Local Development Plan and Edinburgh Design Guidance.

Supporting information is required to show the building's relationship to the adjacent buildings on the site and surrounding land uses to ensure that neighbouring amenity is adequately protected, and a good level of residential amenity can be achieved for future occupants of the site.

A Daylighting, Privacy and Sunlight Analysis will be required in support of the planning application.

d) The proposed access arrangements, connectivity and parking levels are acceptable;

The proposal shall have regards to the LDP transport policies and the Edinburgh Street Design Guidance. The applicant will be required to provide transport information to demonstrate how the proposal prioritises active travel and is aligned with the parking standards, including service arrangements, cycle parking and provision for electric vehicles. Full analysis of the connectivity as part of the forthcoming planning application is required.

Cognisance should be given to the proposals for the wider Wester Hailes area including proposals for Wester Hailes Road and the Wester Hailes Regeneration and Development Framework, the Wester Hailes Local Place Plan and the Edinburgh Link project.

e) The proposal has acceptable impacts on infrastructure;

It is not expected that the proposal will require infrastructure improvements. Should infrastructure improvements be required to support the proposed development, the application will be required to make appropriate developer contributions in accordance with LDP Policy Del 1 - Developer Contributions and Infrastructure Delivery.

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

The applicant will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment. In order to support the application, the following documents will be required:



- Pre-application Consultation (PAC) report;
- Design and Access Statement;
- Landscape and Visual Impact Assessment;
- Tree survey;
- Surface Water Management Plan (SWMP) and Flood Risk Assessment (FRA);
- Preliminary Ecology survey;
- Sustainability Statement;
- Daylight, Sunlight and Overshadowing Analysis; and,
- Heritage Statement (Union Canal).

The above is not an exhaustive list and other supporting details or assessments may be identified prior to the application being submitted or during the application assessment stage.

The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023 to proceed to adoption. On adoption the Revised Draft NPF 4 (2022) will form part of the Council's Development Plan, but at present it remains a material consideration. As adoption of the Revised Draft NPF 4 (2022) is understood to be imminent, and it is now the settled position of Scottish Ministers and the Scottish Parliament, it requires to be given significant weight. Revised Draft NPF 4 (2022) lists various policy provisions under the themes of Sustainable Places, Liveable Places and Productive Places.

The proposal will need to be screened under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, to determine whether an Environmental Impact Assessment is required.

### **3.3 Assessment**

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

## **Financial impact**

---

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

## **Risk, Policy, compliance and governance impact**

---

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

## **Equalities impact**

---

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

## **Sustainability impact**

---

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

## **Consultation and engagement**

---

### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

The Proposal of Application Notice (reference: 22/06013/PAN) outlined the following pre-application consultation:

- Public Engagement Sessions to be held at Wester Hailes Library on Tuesday 13 December 2022 6pm-7:30pm and Tuesday 24 January 2023 6pm-7:30 pm;
- Consultation Hub to be used; and,
- Direct consultations with Edinburgh Leisure and Wester Hailes High School teachers.

The applicant further advises that the following councillors were notified of the PAN on 21 November 2022: Councillor Graeme Bruce, Councillor Neil Gardiner, Councillor Fiona Glasgow, Councillor Stephen Jenkinson, Councillor Robert Aldridge, Councillor Euan Hyslop, Edward Thornley, Councillor Denis Dixon, Councillor Catherine Fullerton, Councillor Dan Heap and Councillor Ross McKenzie.

The Decision Notice - Proposal of Application Notice dated 16 December 2022 requires additional consultation to be carried out:

- Send copies of the PAN to Sighthill, Broomhouse & Parkhead CC & Juniper Green CC & Wester Hailes Community Trust
- Send copies of the PAN to local constituency MPs & MSPs
- Confirm dates for press adverts for minimum two events
- Leaflets/posters should be distributed to neighbouring properties and public buildings or businesses in the local area advertising the consultation

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

## Background reading/external references

---

To view details of the proposal of Application Notice go to:

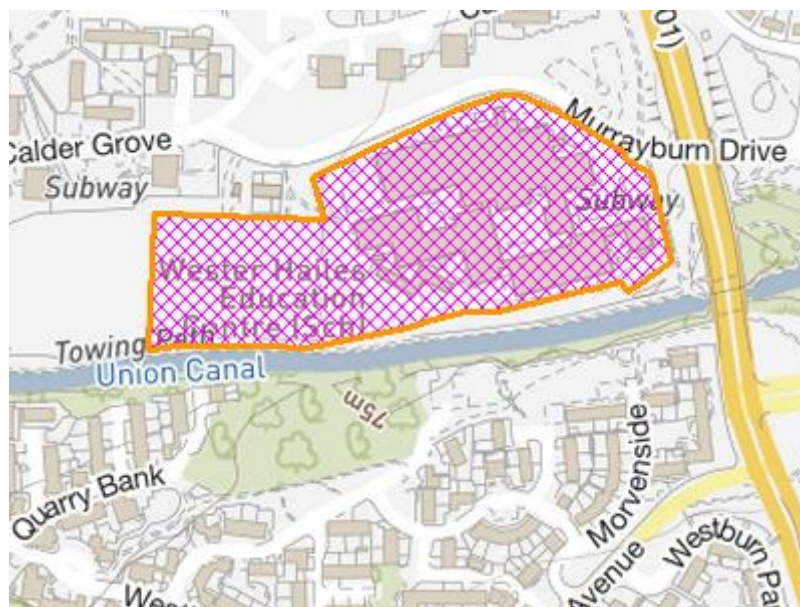
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

David Givan  
**Chief Planning Officer**  
PLACE  
The City of Edinburgh Council

Contact: Jackie McInnes, Planning officer  
E-mail: [jackie.mcinnnes@edinburgh.gov.uk](mailto:jackie.mcinnnes@edinburgh.gov.uk) Tel: 0131 469 3731

## Location Plan

---



© Crown Copyright and database right 2015. All rights reserved. Ordnance Survey License number 100023420  
**END**

This page is intentionally left blank

## Development Management Sub-Committee Report

**Wednesday 25 January 2023**

### **Application for Planning Permission**

**Telecoms Mast 120 Metres Southwest Of , 17 Frogston Road East, Edinburgh**

**Proposal: Removal of lattice and headframe, 6x antennas, 3x dishes and all ancillary development; installation of lattice and headframe, 12x antennas, 6x dishes and ancillary development.**

### **Item – Committee Decision**

**Application Number – 22/00472/FUL**

**Ward – B16 - Liberton/Gilmerton**

### **Reasons for Referral to Committee**

This application has been referred to the Development Management Sub-Committee because more than six objections have been received which raise material considerations. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

### **Recommendation**

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

### **Summary**

The proposal complies with the relevant policies set out in the Local Development Plan, the Council's Guidance for Communications Infrastructure, the Edinburgh Design Guidance and the relevant Scottish Planning Policy (SPP). The proposed replacement mast will not have an adverse impact on the character and appearance of the surrounding area, the built and natural heritage of the city or the amenity of neighbouring residents.

## **SECTION A – Application Background**

### **Site Description**

The site is an existing telecommunications compound, situated adjacent to the eastern side of Broomhills Road, and to the south of Frogston Road East. New build residential dwellinghouses are situated to the east and south of the site and a dense tree belt and open farmland are located directly to the west. The site encompasses an existing mast which is 17.7 metres high its highest point.

## **Description Of The Proposal**

The proposal seeks planning permission for the removal of an existing 17.7 metre high lattice mast and antennas and the installation of a replacement mast with a 22.5 metre high lattice tower, incorporating a top section on which antennas and equipment will be arrayed in a triangular configuration. The proposed mast will measure 4.3 metres in width at its widest point. The mast structure, antennas and ancillary infrastructure will be finished in RAL 7035 Grey.

## **Supporting Information**

Telecoms Development Background Information;  
ICNIRP Declaration; and  
Supplementary Information.

These documents are available on Planning and Building Standards On-line Services.

## **Relevant Site History**

03/01847/FUL

Telecomms Mast Adjacent To Broomhill Farm  
Frogston Road East  
Edinburgh

Replacement of existing 12.5m high telecommunications mast with a 17.5m high telecommunications mast, additional antennas and equipment cabinets, all located within existing compound adjacent to Broomhills Road  
Granted  
29 January 2004

05/02900/FUL

Telecomms Mast At Broomhill Farm  
Frogston Road East  
Edinburgh

Redevelopment of the existing 15m high lattice tower to a new shareable 17.5m high lattice tower incorporating 6 antennas and 4 microwave dishes for N3G and 6 antennas and one dish for T-mobile, including compound extension, radio equipment housing and ancillary development  
Granted  
28 October 2005

## **Other Relevant Site History**

## **Pre-Application process**

There is no pre-application process history.

## Consultation Engagement

Transport Planning

Edinburgh Airport

Refer to Appendix 1 for a summary of the consultation response.

## Publicity and Public Engagement

**Date of Neighbour Notification:** 19 May 2022

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** Not Applicable

**Site Notices Date(s):** Not Applicable

**Number of Contributors:** 14

## Section B - Assessment

### Determining Issues

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 material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations 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 consideration due to the development plan being over 5 years old;
- equalities and human rights;
- public representations; and
- any other identified material considerations.

### Assessment

To address these determining issues, it needs to be considered whether:

#### a) The proposals comply with the development plan?

The Development Plan comprises the Strategic and Local Development Plans. The relevant Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Resources Policy RS 7
- LDP Design Policies Des 11 and Des 5

The non-statutory Guidance on Communications is a material consideration that is relevant when considering LDP Policy RS 7.

### Principle of the Development and Character of the Surrounding Area

Scottish Planning Policy (SPP) relating to development supporting digital connectivity (SPP 292 - 300) highlights that the planning system should support development which helps deliver the Scottish Government's commitment to world-class digital connectivity and recognises the need for networks to evolve and respond to technology improvements and new services. The proposed upgrade has been identified as being necessary for the operator to meet its specific technical and operational requirements and provide 5G connectivity to the local area. The proposal therefore forms part of the national strategy for providing 5G access across the whole of Scotland and carries significant wider national economic and strategic implications.

An existing 17.7 metre high mast with antennas is already located on the site. A second mast is also located nearby to the application site directly to the south. Telecommunications infrastructure has therefore formed part of the character of this location for a considerable period. While the proposed tower is greater in height than the existing tower, it has a similar design and most of the structure will be predominantly screened from wider views by surrounding trees when approached from both the east and west along Frogston Road East. In addition, electricity pylons are located in surrounding fields, forming a relatively intrusive addition within the landscape.

Given these circumstances, the visual impact on the character of the area will be modest and the proposal will not have a detrimental impact on the character and appearance of the surrounding area.

The proposal is in compliance with LDP Policy RS 7

### Skyline and Key View

The site is situated within the scope of designated key view S15 - 'Captain's Road - Pentland Hills looking west up the rising line of Captain's Road, from Lasswade Road crossroads towards the Pentland Hills' in the Edinburgh Design Guidance.

When viewed from the key view at Lasswade Road crossroads, the mast will be largely be obscured by mature trees along Frogston Road East. The mast will not impact on direct views to the Pentlands from the crossroads and will not have a detrimental impact on the character or appearance of this key view. While the mast does rise above the building height which generally prevails in the surrounding area, its impact on the skyline will be less than that of the nearby electricity pylons. It will not harm the built or natural heritage of the city.

The proposal is in compliance with LDP Policy Des 11.



## **Neighbouring Amenity**

### **Overshadowing**

The proposed tower will be sited adjacent to a tree belt, consisting of densely planted mature trees, which predominantly reach around 15 metres in height. The sections of the tower which sit in line with or below the tree line will not cause any additional overshadowing beyond that which is already caused by the trees.

The sections of the tower above the tree line may result in additional overshadowing to the neighbouring properties to the east, with any overshadowing predominantly occurring during the later afternoon and evening period during the spring and summer months. However, the tower is predominantly a lattice structure, incorporating gaps between the antennas on the top section. It will not cast a solid shadow in the same manner as a conventional building and will allow some sunlight to pass through onto garden ground. The proposal will not result in an unacceptable degree of adverse overshadowing to neighbouring properties.

### **Daylight**

The proposal will not result in a loss of daylight to the windows of any neighbouring property.

### **Immediate Outlook**

The tower will be set within a densely planted tree belt, consisting of tall mature trees which forms a dominant natural feature in the surrounding area, and which already impacts on the wider outlook of neighbouring residents. In these circumstances, the proposal will not have an adverse impact on the immediate outlook of neighbouring residents.

The proposal complies with LDP Policy Des 5.,

### **Aerodrome Safeguarding**

Edinburgh Airport was consulted on the proposal and raised no issue in respect of aerodrome safeguarding concerns.

## **Conclusion in relation to the Development Plan**

The proposal is compliance with the relevant policies in the Local Development Plan. The proposal will not have a detrimental impact on the character and appearance of the surrounding area, the built or natural heritage of the city, or the amenity of neighbouring residents.

### **b) There are any other material considerations which must be addressed?**

The following material planning considerations have been identified:

## SPP - Sustainable development

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

The proposal complies with Paragraph 29 of SPP.

Paragraphs 292-300 of SPP highlights the important role which the planning system has to play in strengthening digital connectivity across Scotland.

The proposal complies with Paragraphs 292 -300 of SPP.

## Emerging policy context

The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023 to proceed to adoption. On adoption the Revised Draft NPF 4 (2022) will form part of the Council's Development Plan, but at present it remains a material consideration. As adoption of the Revised Draft NPF 4 (2022) is understood to be imminent, and it is now the settled position of Scottish Ministers and the Scottish Parliament, it requires to be given significant weight. Revised Draft NPF 4 (2022) lists various policy provisions under the themes of Sustainable Places, Liveable Places and Productive Places.

Policy 1 of the Draft NPF 4 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The application addresses this through:

- The proposal is aligned with and supports the delivery of local or national programs for the roll-out of digital infrastructure in accordance with Policy 24.

The proposed development is considered to broadly comply with the provisions of NPF 4 and there is not considered to be any significant issues of conflict.

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

## Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

## Public representations

A summary of the representations is provided below:

### *material considerations*

#### *Objection Comments - Material Considerations*

- The proposal will have an adverse impact on the character and appearance of the surrounding area. - This has been assessed in section a) of the main report
- The proposal will have an adverse impact on the amenity of neighbouring residents - This has been assessed in section a) of the main report

#### *Objection comments - Non-Material Considerations*

- The proposal will have an adverse impact on house prices - The impact of a proposed development on private property values is not a material planning consideration and cannot be taken into account when determining an application in the Scottish Planning System
- Neighbouring homes were not notified about the possibility of this development when purchasing properties.
- The submitted site location plan is out of date as it does not show neighbouring properties to the east - While the newly constructed residential buildings to the east are not shown on the submitted site plan, this does not prejudice the ability of the planning authority to make an assessment of the impact of the proposal on these properties. The planning authority is aware that these properties are in existence.
- Proposed development will have an adverse impact on the health of local residents - Potential health issues relating to telecommunications infrastructure are controlled under separate legislation and are not a material planning consideration. The applicant has submitted a declaration that the proposal will comply with the requirements of the International Commission on Non-Ionizing Radiation Protection (ICNIRP).
- Proposed development is close to a primary school and green space - The proposed development will be located in an existing telecommunications compound and is not sited on open green space.

#### *Support comments - Material Considerations*

- Proposal will improve 5G signal and communications signal
- *Non material considerations - neutral comments*

- Drawings are not available to view online - Neighbouring residents were subsequently re-notified of the proposal on 19 May 2022 once the originally submitted drawings had been made public.

## **Conclusion in relation to identified material considerations**

### **Overall conclusion**

The proposal complies with the relevant policies set out in the Local Development Plan, the Council's Guidance for Communications Infrastructure, the Edinburgh Design Guidance and the relevant Scottish Planning Policy (SPP). The proposed replacement mast will not have an adverse impact on the character and appearance of the surrounding area, the built and natural heritage of the city or the amenity of neighbouring residents.

The proposal is acceptable. There are no material considerations which outweigh the conclusion above.

## **Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following;

### **Conditions**

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.

### **Informatives**

It should be noted that:

1. 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.
2. 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.

## **Background Reading/External References**

To view details of the application go to the [Planning Portal](#)

## **Further Information - Local Development Plan**

**Date Registered: 3 February 2022**

## **Drawing Numbers/Scheme**

01 - 04

Scheme 1

David Givan

**Chief Planning Officer**

PLACE

The City of Edinburgh Council

Contact: James Allanson, Planning Officer

E-mail: [james.allanson@edinburgh.gov.uk](mailto:james.allanson@edinburgh.gov.uk)

Appendix 1

## **Summary of Consultation Responses**

NAME: Transport Planning

COMMENT: No objections.

No objections to the application.

DATE: 18 February 2022

NAME: Edinburgh Airport

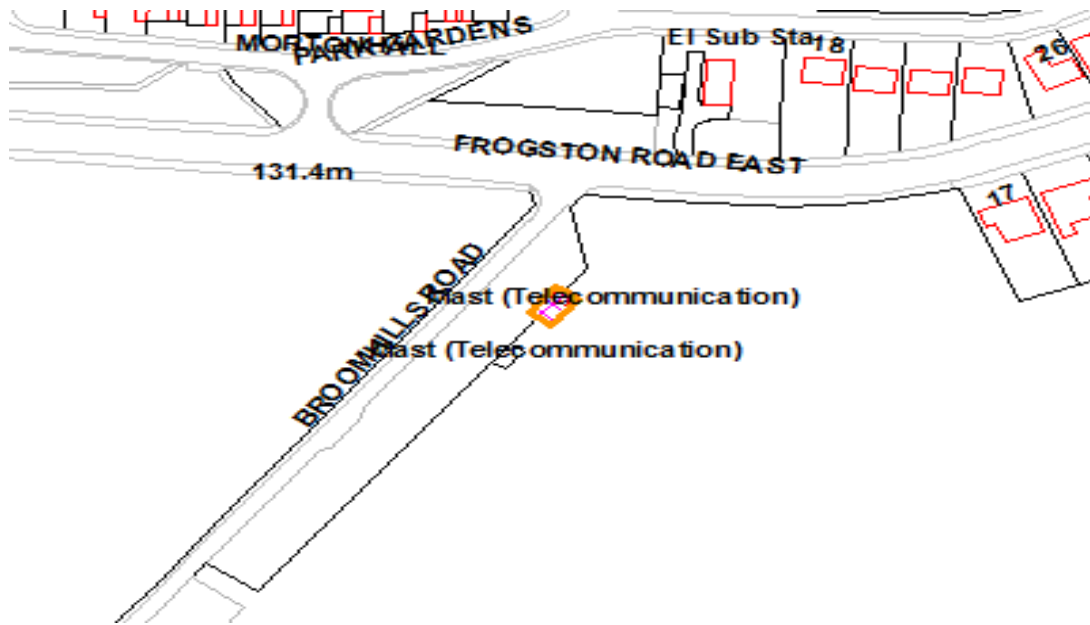
COMMENT: The proposed development has been fully examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria.

We therefore have no objection to this proposal.

DATE: 30 May 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

## Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420

## Development Management Sub-Committee Report

Wednesday 25 January 2023

### **Application for Approval of Matters Specified in Conds Land At Greendykes North Site, Greendykes Road, Edinburgh**

**Proposal: This proposal is to complete the last phases of the Greendykes North Masterplan - Phases K, L and M. It is a mixture of social and mid-market rent properties. There are 28 2 storey terraced houses and 112 flats, in 4 storey tenement style blocks. The courtyards are designed with landscaped SUDs basins in accordance with Vision for Water Management in the City of Edinburgh. The site is to achieve Net Zero Carbon in line with CoEC's Design Guide and employs a variety of green energy strategies.**

**Item – Committee Decision  
Application Number – 22/04955/AMC  
Ward – B17 - Portobello/Craigmillar**

#### **Reasons for Referral to Committee**

The application has been referred to the Development Management Sub-Committee because the Council is the applicant and the works are more than minor routine operations. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

#### **Recommendation**

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

#### **Summary**

The proposals are in accordance with the Development Plan and the relevant approval of matters specified in conditions of planning permission 05/01358/OUT.

The proposed layout conforms with that of the masterplan. The design, scale, height and density are appropriate for the location and the layout will be compatible with and connect well to existing streets. There will be an acceptable level of amenity achieved and the impact on neighbouring amenity is acceptable. Street layouts and the levels of car and cycle parking are acceptable as are the proposed landscaping, surface water, sustainability and waste and recycling arrangements, with the use of conditions. There are no flooding or archaeology issues. There are no material considerations which outweigh the proposal's accordance with the Development Plan.

## SECTION A – Application Background

### Site Description

The application site is on the north eastern side of the western section of Greendykes Road and is currently vacant/derelict land. To the north, east and south of the site there is housing and to the west is open space/parkland. The wider surrounding area is predominantly housing and there are other uses such as schools, hospital and places of worship nearby. The application site forms part of a wider regeneration of the area and is the last plot to be redeveloped in Greendykes North development area.

Further north is Niddrie Mains Road, the main thoroughfare running through Craigmillar, where there is a concentration of shops and community facilities. A frequent bus service links Craigmillar to the city and Musselburgh.

Two Scheduled Monuments are located near the application site; Craigmillar Castle (reference: SM 90129; designated 21/10/1994), including its gardens, and Niddrie Standing Stone (SM 13589; designated 25/8/2015).

The site forms part of the regeneration area for Craigmillar.

### Description Of The Proposal

Approval of matters specified in condition 2 of planning permission in principle 05/01358/OUT) is sought.

Condition 2 of 05/01358/OUT states that, "Details of the under-noted reserved matters shall be submitted and approved by the planning authority, in the form of a detailed layout of that phase of the site (including landscaping and car parking) and detailed plans, sections and elevations of the buildings and all other structures."

The reserved matters are:

- (a) Number and details of residential units to be developed, including affordable housing provision.
- (b) Detailed urban design frameworks showing how each application conforms to the Craigmillar UDF and the Greendykes North Design Guide.
- (c) Design and height of development, including design of all external features, detailed design and configuration of public and open spaces, all external materials and finishes, including their colour.
- (d) Finalised details of the car parking, cycling and pedestrian routes as specified within the 'Homezone' concept as identified and approved within the Greendykes North Design Guide and to the satisfaction of Head of Transport.
- (e) Waste management and recycling facilities.
- (f) Hard and soft landscaping details, which shall include:



- i) Existing and finished ground levels in relation to Ordnance Datum.
  - ii) Layout and design, including walls, fences, gates and any other boundary treatments;
  - (iii) The location of new trees, shrubs and hedges
  - (iv) A schedule of plants to comprise species, plant size and proposed number/density;
  - (v) Programme of completion and subsequent maintenance;
  - (vi) Existing and proposed services such as cables, pipelines, substations;
  - (vii) Other artefacts and structures such as street furniture, including lighting columns and fittings, and play equipment.
- (h) A detailed strategy covering the design, timing, phasing and management of the SUDS arrangements in relation to the approved drainage scheme for this outline and ultimately how it connects to a regional pond or wetland as put forward in the Craigmillar Urban Design Framework.
- (i) Details of suitable measures such as a porous parking, roadside filter drains or swales shall be provided ultimately connecting to a regional pond or wetland as put forward in the Craigmillar Urban Design Framework.
- (j) Number of accesses to be reserved.

The proposal is for 140 residential units along with associated roads, parking, footpaths and hard and soft landscaping. The site will be laid out in a grid block pattern with a central street and with rear communal courtyard space. It will complete the last phases of the Greendykes North Masterplan with a mixture of social and mid-market rent properties.

There will be 112 flats in four storey tenement style blocks and 28 two storey terraced dwellinghouses. They will range from one bedroom to three bedrooms. The flats will have flat roofs and the houses will have pitched roofs. Materials will be grey, buff and red brick, fibre cement roof tiles, metal window frames, metal entrance canopies and metal railings.

Cycle parking will be provided giving 236 cycle parking spaces in Sheffield Stands consisting of 188 cycle parking spaces and 48 cargo bike parking spaces. Seventy on street vehicle parking spaces including eight accessible parking spaces will be provided in the form of parallel, end on and centre street positions. Electric Vehicle Charging points are proposed for every 6 parking spaces.

Solar panels will be integrated into the roofscape and SUDS will be incorporated into the rear communal ground landscaping.

Water pump and sub station buildings are also proposed.

## Scheme 2

Revised drawings amended the block numbers and updated the drainage drawings.

## Supporting Information

- Design and Access Statement
- Flood Risk Assessment and Drainage Strategy
- Landscape and Planting Schedules
- Site Investigation Report
- Daylighting and Sunlight Analysis Report

### Relevant Site History

05/01358/OUT

Land At Greendykes North  
Greendykes Road  
Edinburgh  
EH16 4HQ

Residential development and public open space at approx 80 units per ha on 9.5 ha of land enclosed by Greendykes Avenue and Greendykes Road (outline application) and submitted housing design guide.

Granted

1 October 2015

06/03921/FUL

Greendykes Avenue, Greendykes Road + Greendykes Terrace  
Edinburgh  
EH16 4HQ

Redevelopment of brownfield land, roads and pavements to provide new roads, pavements, shared surface and landscape infrastructure

Granted

31 January 2007

08/03553/FUL

Land At Greendykes North Site  
Greendykes Road  
Edinburgh

Proposed residential development, comprising 38 dwelling flats and 9 townhouses for sale and 8 dwelling flats and 2 townhouses for rent

Granted

20 September 2011

08/03553/VARY

Land At Greendykes North Site  
Greendykes Road  
Edinburgh

Variation to planning consent 08/03553/FUL (proposed residential development)

VARIED

1 February 2012

15/04791/AMC

Land At Greendykes North Site  
Greendykes Road  
Edinburgh

Application for approval of matters specified in conditions of application (05/01358/out) for residential development of 158 new homes  
Approved  
16 May 2016

16/00110/AMC  
Land At Greendykes North Site  
Greendykes Road  
Edinburgh

Approval of matters specified in condition 2 (h) of planning permission 05/01358/OUT relating to a detailed SUDS strategy.  
Approved  
8 August 2016

16/04427/AMC  
Land At Greendykes North Site  
Greendykes Road  
Edinburgh

The proposal of 75 dwellings in Greendykes Area G as identified in masterplan approval reference 05/01358/OUT. We wish to discharge Condition 2 of the PPP reference 05/01358/OUT. As amended  
Approved  
12 December 2016

17/00895/AMC  
Land At Greendykes North Site  
Greendykes Road  
Edinburgh

Detailed design landscape proposals for the Greendykes North Park, forming part of the Greendykes North Masterplan area, satisfying CONDITION (F).  
Approved  
15 May 2017

16/04427/VARY  
Land At Greendykes North Site  
Greendykes Road  
Edinburgh

Non Material Variation to consent 16/04427/AMC.  
VARIED  
7 November 2017

16/04427/VAR2  
Land At Greendykes North Site  
Greendykes Road  
Edinburgh

Change of hard landscaping materials for Greendykes Site G.

VARIED

19 November 2018

16/00973/FUL

Land At Greendykes South Site

Greendykes Road

Edinburgh

Full planning permission for development of public open space incorporating the regional SUDS facility serving future residential developments at Greendykes North and Greendykes South and other associated works.

Granted

26 July 2016

16/00973/VARY

Land At Greendykes South Site

Greendykes Road

Edinburgh

Non-material variation to planning permission 16/00973/FUL to amend the layout plan and associated on street parking.

VARIED

24 May 2018

### **Other Relevant Site History**

08/02474/FUL

Land adjacent to Greendykes Road

Edinburgh

Restoration of Niddrie Burn involving excavation of river corridor + associated engineering works.

Granted

23.08.2010.

15/03821/FUL + 15/03821/VARY

Land 80 metres south east of 12 Almond Court

Greendykes Road

Edinburgh

Proposed residential development of 149 houses and flats on a partly brownfield site, including roads, car parking, landscaping and a centralised direct heating system.

Granted 19.05.2017

(Varied 20.12.2018)

16/03848/PPP

Land at Greendykes South Site

Greendykes Road

Edinburgh

Proposed residential development, potential retail/commercial uses, open spaces and associated infrastructure.

Granted

23.12.2016.

18/01004/AMC

Land at Greendykes South

Greendykes Road

Edinburgh

Approval of matters specified in conditions (ref: 16/03848/PPP) as per condition three (matters specified in conition/detailed design) and condition six (phasing plan) (as amended).

Approved

17.09.2018.

### **Pre-Application process**

Pre-application discussions took place on this application.

### **Consultation Engagement**

The Coal Authority

Waste and Cleansing

Archaeology

Roads Authority (Transport)

Flood Planning

Refer to Appendix 1 for a summary of the consultation response.

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** 17 October 2022

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** Not Applicable

**Site Notices Date(s):** Not Applicable

**Number of Contributors:** 6

## **Section B - Assessment**

### **Determining Issues**

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 material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations 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 consideration due to the development plan being over 5 years old;
- equalities and human rights;
- public representations; and
- any other identified material considerations.

## **Assessment**

To address these determining issues, it needs to be considered whether:

### **a) The proposals comply with the development plan?**

The Development Plan comprises the Strategic and Local Development Plans. The relevant Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Design policies Des 1, Des 2, Des 4, Des 5, Des 6, Des 7, Des 8.
- LDP Environment policies Env 8, Env 9, Env 21.
- LDP Housing policies Hou 1, Hou 2, Hou 3, Hou 4, Hou 6.
- LDP Transport policies Tra 1, Tra 2, Tra 3, Tra 4.

The non-statutory Edinburgh Design Guidance and Revised Craigmillar Urban Design Framework are material considerations that are relevant when considering the above policies.

To address compliance with the Development Plan and the terms of the planning permission in principle, it must be considered whether:

- the proposal complies with the terms of the planning permission in principle;
- the scale, design, mix and layout of the proposal is acceptable;
- the proposal does not have an unreasonable impact on neighbouring amenity and offers appropriate amenity for future occupants;
- access, road and parking arrangements are acceptable; and
- there are any other development plan considerations.

### Compliance with the planning permission in principle/outline

The proposal accords with the planning permission in principle (05/01358/OUT) for residential development and will have a density of 70 units per hectare, which is just under the "approximately 80 units per ha" of the outline permission. The proposed layout in block form reflects the indicated layout in the planning permission in principle (05/01358/OUT) and will link in with the other plots of the PPP development site which have already been constructed in a similar layout. The proposed layout will also co-ordinate with existing street layout and spatial pattern of the surrounding area.

The development plan has changed since the PPP was submitted and granted planning permission. However, the redevelopment of Greendykes North has been well established in the previous development plan and the LDP (2016). The proposal complies with LDP policy Hou 1 (Housing Development).

### *Condition 2 - (a)*

Condition 2 part (a) requires the number and details of residential units to be developed, including affordable housing provision.

140 residential units will be provided in the form of 112 flats and 28 houses:

#### Flats:-

56 x 1 bedroom 2 person with 4 main door flats

7 X 2 bedroom 3 person with 1 main door flat

28 X 2 bedroom 4 person

21 X 3 bedroom 5 person

Of these flats 14 will be wheelchair accessible including one main door flat.

#### Houses:-

15 x 3 bedroom 4 person

13 x 3 bedroom 5 person

More than 20% of the homes will be 3 bedroom or more to cater for families and 10% of the social rented properties will be provisioned for those who are physically disabled or wheelchair users.

All of the residential units will be provided by City of Edinburgh Council and will be a mixture of social and mid-market rent properties. It is proposed that the likely split will be 78 homes for social rent and 62 homes for mid-market rent.

The proposal gives an appropriate mix of housing types and sizes which adds to that already found in the area. As such it complies with LDP policy Hou 2 (Housing Mix).

Condition 2 part (a) will be complied with.

### *Condition 2 - part (b)*

Condition 2 part (b) requires detailed urban design frameworks showing how each application conforms to the Craigmillar and the Greendykes North Design Guide.

The Design and Access Statement shows how the design has been developed in context with existing surrounding developments which conform with the Craigmillar Urban Design Framework and the Greendykes North Design Guide. The Craigmillar Urban Design Framework set out the overview for regeneration including street hierarchies and design codes. The Greendykes North Design Guide developed the Framework in more detail and aimed to knit Greendykes into Craigmillar to create a dense, cohesive and sustainable new quarter of Craigmillar. This included creating a network of road, cycle and pedestrian routes linking through streets to, for example, parks. The Guide aims to establish a strong sense of place based on a cohesive and consistent spatial framework. It was set out in the masterplan and PPP application).

The information submitted for the proposal demonstrates that its layout, connectivity and street hierarchy is in line with both the Craigmillar Urban Design Framework and the Greendykes North Design Guide. It also shows that the proposed spatial pattern will achieve a dense, cohesive and sustainable place and that the design of the buildings is in keeping with both the Framework and Design Guide. The proposal will link well to existing adjacent developments and streets and, therefore, complies with LDP policy Des 2 (Co-ordinated Development). The density is similar to that of neighbouring residential areas and is characteristic of the surrounding area. It complies with LDP policy Hou 4 (Housing Density).

The proposal will be compatible with the context of the surrounding area and, therefore, the Craigmillar Urban Design Framework and the Greendykes North Design Guide.

The proposal accords with Condition 2 (b).

#### *Condition 2 (c)*

Condition 2 (c) requires details of the design and height of development, including design of all external features, detailed design and configuration of public and open spaces, all external materials and finishes, including their colour.

The four storey blocks around the edge of the site and the two storey terraces within the site, reflect the design code in term of heights and associated location set out in the Craigmillar Urban Design Framework and the Greendykes North Design Guide. The proposed buildings will maintain the block grid layout reflecting the spatial structure of the other, completed, sites within Greendykes North. Incorporation of communal open space within the internal courtyards also reflects the design characteristics of the surrounding streets and area. The mix of flat and pitched roofs used for flatted blocks and houses, respectively, is compatible with the pattern of roofs in relation to building heights in the area. Materials proposed will sit comfortably within the streetscape and with the variety of other materials, with much brick, and their colour found within the area.

Landscaping around the edge of the buildings, in the form of front gardens, in the rear courtyards and scattered around the parking bays will provide the soft setting and space environment for the proposed buildings.

The buildings will be sustainable and be constructed to the most recent Building Standard regulations. The aim of the provider, CEC, is for net zero carbon and there will be, for example, solar roof panels.

These components will contribute to the cohesion of the Greendykes North and to creating a sense of place. Therefore, the proposal complies with LDP policies Des 1 (Design Quality and Context), Des 4 (Development Design - Impact on Setting), Des 6 (Sustainable Buildings), Des 7 (Layout) and Des 8 (Public Realm and Landscape Design).



The proposal accords with condition 2 (c).

*Condition 2 (d)*

Condition 2 (d) requires finalised details of the car parking, cycling and pedestrian routes as specified within the 'Homezone' concept as identified and approved within the Greendykes North Design Guide and to the satisfaction of Head of Transport.

LDP Policies Tra 2 - Tra 4 set out the requirements for private car and cycle parking. The Council's Parking standards are set out in the Edinburgh Design Guidance.

The Roads Authority (Transport) has advised that it has no objection subject to appropriate conditions and informatives relating to on-street cycle parking, accesses and road construction consent; underground water storage/attenuation; Quality Audit; Travel Plan; new road names; parking spaces adjacent to the carriageway; canopy or similar structure overhanging the footway; and maintenance schedule for the SUDS infrastructure.

The proposed 70 car parking spaces, including 8 accessible spaces, are considered acceptable. Current Council standards would potentially permit up to 140 spaces. The proposed 236 cycle parking spaces are considered acceptable, subject to being located in secure and under cover locations. Sheffield Stands proposed are acceptable.

Sufficient numbers of cycle parking including parking for cargo bicycles will be provided. However, the on-street location of cycle parking must be provided in secure and under cover locations and as currently proposed is not considered acceptable. Therefore, an appropriate condition is recommended.

The numbers of vehicle and cycle parking will contribute to sustainability and climate change mitigation by encouraging the use of more sustainable modes of transport and discouraging vehicle travel and car journeys.

The applicant has advised that there will be an electric vehicle charging point for every six parking spaces. A drawing is required showing details of the locations etc of the proposed electric vehicle charging points. A condition is recommended should permission be granted.

The street layouts will tie into the existing streets with vehicle parking being laid out in a similar way. There will be a mix of centre street, end on and parallel parking bays. The overall design layout is acceptable in planning terms as it complies with the planning permission in principle and development plan policies. The Roads Authority has advised that the proposed layout is not approved at this stage. The exact details of the new roads including the layout will be consented through the Road Construction Consent and changes made in relation to the RCC may require amendments to the planning permission.

The proposal complies with LDP policies Tra 2 - Tra 4, with the use of conditions relating to cycle parking and electric vehicle parking.

Condition 2 (d), with the use of conditions, is complied with.

### *Condition 2 (e)*

Condition 2 (e) requires waste management and recycling facilities.

A Waste Strategy has been agreed with Waste and Cleansing. Bin stores integrated into the design will accommodate the required amount of refuse and recycling bins.

The proposal accords with condition 2 (e).

### *Condition 2 (f)*

Condition (f) requires hard and soft landscaping details, which shall include:

- i. Existing and finished ground levels in relation to Ordnance Datum.
- ii. Layout and design, including walls, fences, gates and any other boundary treatments;
- iii. The location of new trees, shrubs and hedges
- iv. A schedule of plants to comprise species, plant size and proposed number/density;
- v. Programme of completion and subsequent maintenance;
- vi. Existing and proposed services such as cables, pipelines, substations;
- vii. Other artefacts and structures such as street furniture, including lighting columns and fittings, and play equipment.

The proposed palette for the hard landscaping will be compatible with the existing hard will landscaping in the surrounding area and sit well within the streetscape. Its variety will set out different purposes for the various hard standing, such as setts for formal pavements and gravel for informal paths.

Soft landscaping will be provided for the gardens, rear communal areas and interspersed in amongst the parking bays. Tree planting will be included and a condition is recommended to ensure that the tree pits are suitable to support healthy tree growth which is important for the landscape structure and environmental amenity of the area. In the rear courtyards, the soft landscaping will incorporate SUDs and, due to the gradients and levels, this will add interest to the courtyards. Conditions are recommended to ensure that the planting is suitable and becomes established. As the proposal is a City of Edinburgh Council housing project, the Council will be responsible for ensuring landscaping is maintained.

Boundary treatments are acceptable and will provide robust and appropriate edges between spaces and buildings.

It is recommended that, should planning permission be granted, that conditions are used requiring details of the tree pits and landscaping.

Street furniture, such as benches, are proposed. Play facilities for the masterplan area have been provided through a previous AMC permission and, thus, are not required to be provided for this AMC application. The proposed substation and plant building are essential to facilitate the development. They have been positioned in the rear courtyards and, although stand-alone buildings, have been incorporated into the landscaping design.

The proposal complies with LDP policy Des 8 (Public Realm and Landscape Design). The design and materials are appropriate for their intended purpose and in relation to the character of the area. The planting of trees will provide a setting for buildings, boundaries and roadsides. A robust landscape structure will be created.

The proposal is in accordance with condition 2 (f), with the use of conditions.

#### *Condition 2 (h)*

Condition 2 (h) requires a detailed strategy covering the design, timing, phasing and management of the SUDS arrangements in relation to the approved drainage scheme for this outline and ultimately how it connects to a regional pond or wetland as put forward in the Craigmillar Urban Design Framework.

The drainage strategy for the Greendykes North Site (application 05/01358/OUT) was approved under two separate but related applications (application numbers 16/00973/FUL and 16/00110/AMC). LDP Policy Env 21 (Flood Protection) states that planning will not be granted for development that would increase flood risk or be at risk of flooding.

The Flood Authority has advised that the detailed drainage information, including additional information, submitted for this AMC application (22/04955/AMC) is acceptable and can proceed to determination with no further comments from CEC Flood Prevention.

Note: the information submitted also demonstrates that the application complies with condition 10 of the planning in principle (... not develop any areas of land that currently lie below the 1:200 year flood level (48.587m AOD) until after the Niddrie Burn has been realigned, and the new 1:200 year flood level confirmed to be below existing site levels.) and Flood Planning has confirmed this.

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

The proposal is in accordance with condition 2 (h).

#### *Condition 2 (i)*

Condition 2 (i) requires details of suitable measures such as porous parking bays, roadside filter drains or swales shall be provided ultimately connecting to a regional pond or wetland as put forward in the Craigmillar Urban Design Framework.

The proposed hard and soft landscaping together with the proposed drainage strategy and use of SUDs has demonstrated that the site will be suitably drained. This has been assessed in Condition 2 (f) and (h) and it was concluded that the site will be suitably drained in connection with the SUDs strategy for Greendykes North.

The proposal is in accordance with condition 2 (i).

### *Condition 2 (j)*

Condition (j) requires the number of accesses to be reserved.

The number of accesses has been considered in assessing the design and the road layout. The number of accesses proposed will tie into existing road network and is acceptable.

Condition 2 (j) will be complied with.

### *Summary of AMC condition compliance*

The proposal conforms with the planning permission in principle and accords with the design, housing, transport and flooding policies of the LDP.

### Scale, design, mix and layout

LDP Policies Des 1 - Des 8 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.

The scale, form and design has been considered above and concluded that it complies with the planning permission in principle and the relevant LDP design policies.

### Amenity - neighbouring properties and future occupiers

LDP Policy Des 5 (Development Design - Amenity) seeks to ensure that the amenity of neighbouring residents is not adversely affected by development and that future occupiers of residential properties have acceptable levels of amenity.

The Edinburgh Design Guidance states that the pattern of development within an area will help define appropriate distances between buildings and consequentially privacy distances.

### *Neighbouring Amenity*

The front windows will look onto public streets and will be opposite existing windows which also look onto public streets. Therefore, there will be no loss of privacy. It is acknowledged that existing windows overlook the current vacant site; however, the site has been designated as a housing site in the development plan and secured planning permission in principle for housing. Thus, the vacant site situation and, subsequently, the lack of windows opposite has been temporary.

An analysis of all the neighbouring properties around the perimeter of the site was undertaken using the BRE 2022 and Vertical Sky Component (VSC). This showed that the majority of the existing dwellings around the perimeter of the new development achieve the required daylight criteria, measured in Vertical Sky Component (VSC) set out within the Edinburgh Design Guidance and BR209. Almost all of the neighbouring windows would not be impacted in terms of daylighting. However, the 48 southeast windows of the block on the corner of Greendykes Road and Tudsbery Avenue fail the VSC criteria. The analysis found that all 48 of those windows currently fail the VSC

criteria, without the new development in place. This is due to the impact of the balconies / overhangs that are located immediately above each window. The VSC analysis shows that there is significant reduction in daylight to 12 of these 48 windows, located on ground floor, first floor and second floor levels when the new development is included, causing a >20% reduction in daylight to these windows. Average Daylight Factor (ADF) modelling has been carried out on the rooms that contain these failing windows in accordance with the Edinburgh Design Guidance to further assess daylight and to ascertain if the existing block did achieve compliance prior to the inclusion of the new development. The analysis shows that all rooms, excluding one, failed the ADF criteria prior to the inclusion of the development and, therefore, still fail when the new development is included. One room did pass the ADF criteria prior to the inclusion of the development and still passes when the new development is included.

The daylighting analysis shows that the proposed development will not exacerbate any loss of daylighting to neighbouring properties.

The impact on sunlight to neighbouring properties is within acceptable limits as set out in the Edinburgh Design Guidance.

It is expected that the noise associated with the proposal will be that normally associated with residential living. Should noise disturbance or anti-social behaviour occur, this is the responsibility of other legislation and services.

#### *Future occupiers*

The Edinburgh Design guidance sets out the minimum floor sizes required in residential developments. All of the proposed residential units meet the size standards. Daylighting and sunlight information submitted, which used the BRE 2022 for analysis, show that sufficient daylight will be received into the flats and houses and that levels of sunlight to gardens is acceptable.

The Daylight Analysis undertaken demonstrates that the proposed dwellings achieve the required daylight criteria, measured in Vertical Sky Component (VSC), set out within the Edinburgh Design Guide and the BRE.

Each house will have private outdoor amenity space and the flats will have access to communal gardens. All dwelling units will also have access to a rear communal courtyard consisting of grass and other soft landscaping. LDP policy Hou 3 (Private Green Space in Housing Development) requires a minimum standard of 10 square metres per flat and a minimum of 20% of the total site area to be useable green space. The proposal meets these policy requirements. In addition, the site is next to a local park with play facilities and Hawkhill Wood and is also within walking distance of nearby Hunter's Hall Park.

Condition 3 of 05/01358/OUT requires a site investigation and if necessary remedial measures. This is to enable consideration of the risks to human health and the wider environment are at acceptable levels. The condition has not been purified for the entire Greendykes North development site and, therefore, it is recommended that the condition be applied to this AMC application. This is to ensure that the site is safe to develop for residential use.

The Coal Authority has advised that the proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards and recommends an informative be included with any subsequent planning permission.

#### *Access, roads and parking*

LDP Policies Tra 2 - Tra 4 set out the requirements for private car and cycle parking. The Council's Parking standards are set out in the Edinburgh Design Guidance.

Consideration of the access, roads and parking arrangements has been assessed above in terms of Condition 2 (d). It was concluded that the proposal would comply with Tra 2- Tra 4 with the use of a condition.

#### *Archaeology*

LDP Env 8 (Protection of Important Remains) and Env 9 (Development of Sites of Archaeological Significance) aim to prevent damage or destroying of archaeological remains.

Condition 9 of 05/01358/OUT requires a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.

The City Archaeologist has advised that archaeological work as part of the 2006/7 initial applications, confirmed that although occurring within an area of archaeological potential, 20th century developments have had a significant impact upon the chances of significant remains surviving on site. Given this and taking into consideration that no significant remains have been recorded/discovered on this site since then, it is confirmed that there are no, known, archaeological constraints upon this scheme.

Therefore, the proposal complies with LDP policies Env 8 and Env 9 and condition 9 of 05/01358/OUT has satisfactorily been addressed.

#### *Natural Environment*

Policy Env 15 (Sites of Local Importance) aims to protect and prevent adverse impacts on the flora, fauna, landscape or geological features of a Local Nature Reserve Site.

Policy Env 16 (Species Protection) aims to protect and prevent adverse impact on species protected under European or UK law.

Opposite the site's western edge is a Local Nature Reserve and park. The application site is not in a Site of Importance as defined in the LDP. A letter of objection has raised the matter of the impact of illumination from the proposed development on the habitat of animals, including bats. Previous development has been on the application site and its current vacant status has been temporary. Street lighting exists on Greendykes Road and there is some illumination from other buildings opposite the park. There are no protected species living on the application site. In these circumstances, the proposal will not detrimentally impact on the habitats in the nature reserve and, park nor on the species which live there.

## Conclusion in relation to the Development Plan

The proposals are in accordance with the Development Plan and the relevant approval of matters specified in conditions of planning permission 05/01358/OUT.

The proposed layout conforms with that of the masterplan. The design, scale, height and density are appropriate for the location and the layout will be compatible with and connect well to existing streets. There will be an acceptable level of amenity achieved and the impact on neighbouring amenity is acceptable. Street layouts and the levels of car and cycle parking are acceptable as are the proposed landscaping, surface water, sustainability and waste and recycling arrangements, with the use of conditions. There are no flooding, archaeology issues or natural environment issues. There are no material considerations which outweigh the proposal's accordance with the Development Plan.

### **b) There are any other material considerations which must be addressed?**

The following material planning considerations have been identified:

#### SPP - Sustainable development

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

The proposal complies with Paragraph 29 of SPP. The development will re-use brownfield land and make efficient use of the land. It will help deliver accessible housing and supports climate change mitigation. The communal rear courtyards will improve health and wellbeing by offering opportunities for social interaction and physical activities.

#### Emerging policy context

The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023 to proceed to adoption. On adoption the Revised Draft NPF 4 (2022) will form part of the Council's Development Plan, but at present it remains a material consideration. As adoption of the Revised Draft NPF 4 (2022) is understood to be imminent, and it is now the settled position of Scottish Ministers and the Scottish Parliament, it requires to be given significant weight. Revised Draft NPF 4 (2022) lists various policy provisions under the themes of Sustainable Places, Liveable Places and Productive Places.

Policy 1 of the Draft NPF 4 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The application addresses this through:

- Provision of SUDS, soft landscaping, porous hard landscaping, solar panels and a net zero carbon design.

The proposed development is considered to broadly comply with the provisions of NPF 4 and there is not considered to be any significant issues of conflict.

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

### Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Fourteen flats will be wheelchair accessible and homes will be provided for social rent. The effect of the development on emotion and health resulting from reduce sunlight was raised in the objections. The impact on sunlight was assessed in section b) and found to be acceptable.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

### Public representations

A summary of the representations is provided below:

#### *material considerations*

- loss of privacy. Addressed in section a).
- loss of sunlight. addressed in sections a) and b).
- increased noise. Addressed in section a).
- landscaping. Addressed in section a).
- traffic increase. Addressed in section a).
- lack of parking. Addressed in section a).
- lack of electric vehicle charging points. Addressed in section a).
- emotion and health impact. Addressed in section b).
- impact on habitat in park. Addressed in section a).

#### *non-material considerations*

- suggest a park is developed on the site. *The planning authority can only consider the application submitted.*
- construction work.
- security.
- valour.
- volume of existing traffic.
- state of existing roads and improvement of existing roads. *This is the responsibility of the Roads Authority.*
- existing parking and unsafe parking on existing roads. *This is the responsibility of driver and/or the Roads Authority and/or Police Scotland.*
- inadequate parking of previous developments.



- anti-social and criminal behaviours.
- lack of employment and social opportunity.
- impact on Police resources.
- ratio of mid-market, private rent and ownership.
- information provided by housebuilder regarding future development of neighbouring sites.

### **Conclusion in relation to identified material considerations**

There are no material considerations that indicate the application should be refused. The material considerations support the presumption to grant planning permission.

### **Overall conclusion**

The proposals are in accordance with the Development Plan and the relevant approval of matters specified in conditions of planning permission 05/01358/OUT.

The proposed layout conforms with that of the masterplan. The design, scale, height and density are appropriate for the location and the layout will be compatible with and connect well to existing streets. There will be an acceptable level of amenity achieved and the impact on neighbouring amenity is acceptable. Street layouts and the levels of car and cycle parking are acceptable as are the proposed landscaping, surface water, sustainability and waste and recycling arrangements, with the use of conditions. There are no flooding or archaeology issues. There are no material considerations which outweigh the proposal's accordance with the Development Plan.

## **Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following;

### **Conditions**

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or ten years from the date of the planning permission in principle 05/01358/OUT) whichever is the later.

2. 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.

3. Notwithstanding the approved drawings, the tree pits for the new trees are not consented and a drawing detailing appropriate tree pits (at least 1.2m dia x 900mm deep, including topsoil BS 3882 Multipurpose Classification, Grade 2-6mm to be used, aeration) shall be submitted to and approved in writing by the planning authority.

4. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

5. The approved landscaping scheme shall be fully implemented within six months of the completion of the development. Replacements for any dead, dying, missing, disease, damaged/vandalized plants should be carried out on an annual basis for at least a 5-yr period following completion.

6. Prior to the commencement of development a drawing showing the details of the Electric Vehicle Charging Points (location, etc) shall be submitted to and approved in writing by the planning authority. EV charging points shall be installed and be operational prior to occupation of the related residential units in agreement with the planning authority.

7. Notwithstanding the submitted drawings, the on-street location of cycle parking is not approved. A drawing detailing the on-street cycle parking provision in secure and under cover locations shall be provided to and approved by the planning authority in writing prior to the commencement of development. Cycle parking provision shall be installed and be operational prior to occupation of the related residential units in agreement with the planning authority.

## **Reasons**

1. In order to ensure applications for approval of matters specified in condition are made timeously and in accordance with section 41 (1) (c) of the Town and Country Planning (Scotland) Act 1997.

2. In order to ensure the most efficient and effective rehabilitation of the site.

3. In order to ensure trees grow and survive to contribute to landscaping plan.

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

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

6. In order to provide infrastructure for sustainable vehicles and contribute to climate change mitigation.

7. In order to provide secure cycle storage and comply with the Edinburgh Design Guidance.

## **Informatives:**

It should be noted that:

1. 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.

2. 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.

3. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

4. 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. For the avoidance of doubt, the proposed layout is not approved at this stage.

5. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation.

6. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.

7. The applicant should consider developing a Travel Plan including provision of public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.

8. 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.;

9. 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.

10. Any canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984. It is unclear from the submitted drawings whether the proposed building canopies comply with this requirement.

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

### **Background Reading/External References**

To view details of the application go to the [Planning Portal](#)

### **Further Information - Local Development Plan**

**Date Registered: 3 October 2022**

### **Drawing Numbers/Scheme**

01,02,03A,04A,05-91,92A,93,94A,95-111.

Scheme 2

**David Givan**  
**Chief Planning Officer**  
PLACE  
The City of Edinburgh Council

Contact: Jackie McInnes, Planning officer  
E-mail:jackie.mcinnnes@edinburgh.gov.uk

Appendix 1

### **Summary of Consultation Responses**

NAME: The Coal Authority

COMMENT: The application site is located within the defined Low Risk Area. It will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

DATE: 14 November 2022

NAME: Waste and Cleansing

COMMENT: 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 (Only).

Waste Strategy agreed.

DATE: 1 December 2022

NAME: Archaeology

COMMENT: There are no, known, archaeological constraints upon this scheme.

DATE: 17 October 2022

NAME: Roads Authority (Transport)

COMMENT: No objection subject to appropriate conditions and informatives relating to:-

1. On-street cycle parking;
2. Accesses and road construction consent;
3. Underground water storage / attenuation;
4. Quality Audit;
5. A Travel Plan;
6. New road names;
7. Parking spaces adjacent to the carriageway;
8. Canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway);
9. Maintenance schedule for the SUDS infrastructure.

DATE: 10 January 2023

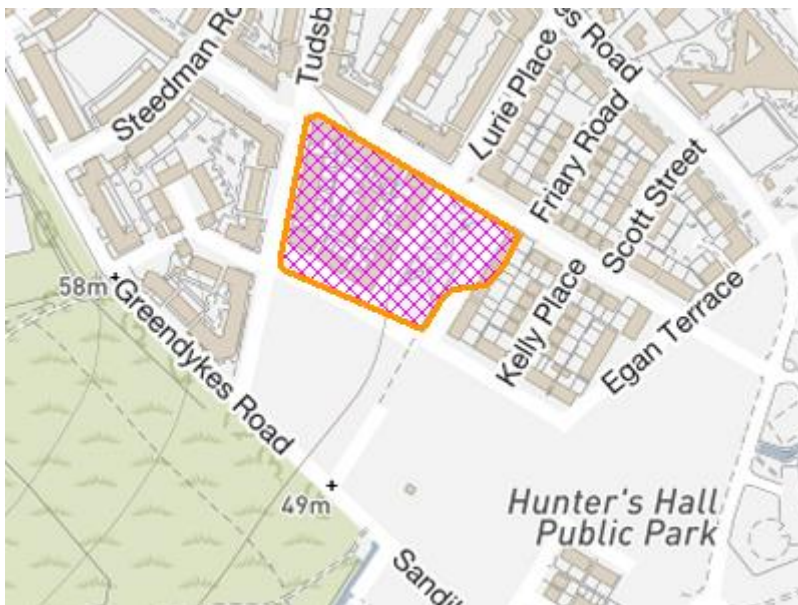
NAME: Flood Planning

COMMENT: The application can proceed to determination, with no further comments from CEC Flood Prevention.

DATE: 16 November 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

## Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420

This page is intentionally left blank

## Development Management Sub-Committee Report

**Wednesday 25 January 2023**

**Application for Planning Permission  
7 Murrayburn Gate, Edinburgh, EH14 2SS**

**Proposal: Proposed affordable housing development comprising 73 units with associated infrastructure and landscape.**

**Item –  
Application Number – 22/03302/FUL  
Ward – B02 - Pentland Hills**

### **Reasons for Referral to Committee**

#### **Recommendation**

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

#### **Summary**

The proposed development is in accordance with the Local Development Plan and is compatible with the character of Wester Hailes and the surrounding area.

There is no significant adverse impact on neighbouring amenity and the future occupiers of the residences will be afforded adequate residential amenity.

A reduced reliance on car usage is supported through low levels of car parking and cycle store provision . No specific road or pedestrian safety issues will occur as a result. The proposal minimises environmental resource use and incorporates sustainable features.

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.

## SECTION A – Application Background

### Site Description

The application site is located in Wester Hailes at 7 Murrayburn Gate. The site was previously developed as the former Wester Hailes Health Centre.

The site is bounded to the west by Murrayburn Gate and the Westside Plaza shopping centre, to the north by a public footway beyond which lies residential properties at Murrayburn Place which measure between three and five storeys in height, to the south by a telecommunications exchange building and to the east by a public footway with Canal View Primary School located beyond in an open space setting. The public footway also provides a southward connection beneath a nearby railway line.

Previous health centre buildings at the site have been cleared, and there are a number of trees around parts of the site associated with the former landscaping scheme of the health centre and the telephone exchange building. The site's gradient where the health centre once stood varies with a noticeable slope at its northern extents. A retaining wall is located immediately north of the site, where it transitions to Murrayburn Place, and the site slopes down to Murrayburn Gate and its pavement at the west side of the site, signifying the varied land levels. There is also a difference in levels between the site's south east corner and the adjacent public footpath that runs along the site's eastern boundary. A raised footway provides a link from the site over Murrayburn Gate to the neighbouring shopping centre.

### Description Of The Proposal

The proposal is for an affordable housing development comprising of 73 units (100% of the proposed units) with associated infrastructure and landscape; comprising of 5 to 6 storey flats across a modern perimeter block.

The split between the private and affordable is as follows:

	No.	%
Tenure Type		
Social Rent	41	56
Mid-Market Rent	32	44
Wheelchair Accessible	5	7
Total no units		73

The design of the proposal is based around a central, south facing communal courtyard area which provides shared amenity space. The block plan infills the frontage to the street on Murrayburn Gate and returns around the northern and eastern boundaries, continuing the urban form from Murrayburn Place to the north.

The design of all flatted buildings is contemporary. The roof of the blocks are flat while the external materials are a combination of grey-facing brick, red multi-facing brick and buff facing brick. Juliet balconies are also proposed across the vast majority of window openings.



Access is proposed to be retained from Murrayburn Gate and is required for servicing and parking provision for accessible parking (2 spaces) and car club spaces only (2 spaces). The site is located close to the city's active travel network, a train station and is well served by the bus network. Lower levels of car parking are proposed given the site's proximity to public transport and the city's active travel network.

The refuse storage will be provided within integral stores within Blocks 2, 3 and 7.

It is proposed to provide a total of 188 cycle spaces are proposed, which exceeds the minimum requirements as sets out in the Edinburgh Design Guidance. These will be contained within two-tier cycle stands within secure integral stores comprising of high level Josta type racks and low level. Sheffield stands to achieve max 50% two-tier racks & internal Sheffield stands to achieve 20% non-standards cycle spaces.

The landscape framework includes a central recreational space with play facilities, tree/structured landscape planting to the northern embankment and eastern edge of the site, private gardens provided to ground floor dwellings and private terraces provided to ground floor dwellings along the Murrayburn Gate frontage.

The drainage strategy includes: an underground surface water storage structure located within the central recreational space and a smaller structure located adjacent to Block 3; a rain garden 'strip' within the central recreational space; filtration trenches within the private gardens facing the courtyard; an aco channel on footpath to the north-eastern corner of the central area of the site; proposed water surface water/foul water sewers and supplementary areas of porous paving.

### **Supporting Information**

- Design & Access Statement
- Architectural drawings
- Archaeological Assessment
- Flood Risk Assessment and Drainage Strategy
- Noise Impact Assessment
- PAC Report
- Extended Phase 1 Habitat Survey
- Preliminary Ecological Assessment (PEA)
- S1 Sustainability Form
- Site Investigation Report
- Tree Report
- Daylight Sunlight Study
- Visual Appraisal

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

## **Relevant Site History**

21/06024/PAN

7 Murrayburn Gate

Edinburgh

EH14 2SS

Proposed affordable housing development with associated infrastructure and landscape.

Pre-application Consultation approved.

1 December 2021

22/00837/SCR

7 Murrayburn Gate

Edinburgh

EH14 2SS

EIA screening request.

EIA Not Required

3 March 2022

## **Other Relevant Site History**

### **Pre-Application process**

Pre-application discussions took place on this application.

### **Consultation Engagement**

Environmental Protection

Affordable Housing

Communities and Families

Archaeology

Waste Management

Refer to Appendix 1 for a summary of the consultation response.

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** 28 July 2022

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** Not Applicable

**Site Notices Date(s):** Not Applicable

**Number of Contributors:** 1

## Section B - Assessment

### Determining Issues

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 material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations 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 consideration due to the development plan being over 5 years old;
- equalities and human rights;
- public representations; and
- any other identified material considerations.

### Assessment

To address these determining issues, it needs to be considered whether:

#### a) The proposals comply with the development plan?

The Development Plan comprises the Strategic and Local Development Plans. The relevant Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Environment policies Env 8, Env 12, Env 16, Env 18, Env 20
- LDP Housing policies Hou 1, Hou 2, Hou 3 Hou 4, Hou 6
- LDP Design policies Des 1, Des 2 , Des 3, Des 4, Des 5, Des 6, Des 7, Des 8, Des 9 , Des 11
- LDP Transport policies Tra 2, Tra 3
- LDP Delivering Strategy policies Del 1

#### Principle of use of the site

The application 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.

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.

A small strip of land in the north-eastern corner of the application site has been identified as 'open space' in the Local Development Plan. This area is provisioned as 'private garden space' in the site masterplan.

It is considered that this strip of land in its current form contains limited amenity value and its use as a private garden space will not contribute towards the loss of landscape character.

#### Density, layout, scale, form and design

LDP Policies Des 1 - Des 8 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 Westside Plaza Shopping Centre, 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 retaining wall which is located immediately north of the site, where it transitions to Murrayburn Place and where the site slopes down and meets the pavement at the west of the site have been incorporated and enhanced through the development's design.

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 a consistent residential density within the surrounding area. The proposed development has a density of 182 dwellings per hectare. This is not too dissimilar to the density in neighbouring residential development to the north (Murrayburn Place) and south (Harvesters Way).

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 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.

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 from different periods with the density and scale of buildings similar across the surrounding area. The development pattern, building types and uses to the north of Murrayburn Place is predominantly mid 20th century low to mid-rise modern flatted form while the housing developments to the south at Harvesters Way are modern perimeter blocks, varying from 4-6 stories flatted block and three-storey terraced form with spacious central courtyard space and private gardens. The proposed development is a mixture of five-six-storey flats in the style of a modern perimeter block. The continuation of buildings heights in the surrounding area largely defines the visual character. The building form and heights of the proposed development would not have an unsympathetic relationship with the existing neighbouring built form. The proposed scale and massing of the new buildings are well-suited to the character of this part of Wester Hailes, and the proposals respond well to the wider setting.

The surrounding area contains a variety of building styles and materials. This includes render on the flats to the north and a mixture of brick and render on the flatted development 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. The flat roofs of the proposed block reference the flat roofs of the existing buildings to the south at Harvesters Way.

The primary materials are a combination of grey-facing brick, red multi-facing brick and buff-facing brick which is not dissimilar to many modern developments found within the south-west of the city. The proposed use of brick on external walls will complement the render of the flatted blocks to the north at Murrayburn Place and the brick of the flatted blocks at Harvesters Way and is an appropriate material in the context of this site. Variety and interest are achieved with varied brick tones used to break up the elevation and accentuate verticality, with the key corners of the development highlighted in red multi-facing brick to define key entrances points/stair cores.

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 which surround the site. The proposed new buildings are positioned and orientated to front onto these principal routes. The primary north-south active travel route runs past the site, connection points are well positioned to core paths, NCR 754 and the pedestrian bridge to the west which allows pedestrians to access the Westside Plaza Shopping Centre. The proposed footpaths and connections to active travel routes are acceptable in transportation terms.

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/central courtyard space. Hard surfaces are broken up with street trees and boundary treatments which results in an attractive streetscape.

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 and Des 7.

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: (i) new trees and structured to the northern embankment and eastern edge of the site; (ii) private garden space for all ground floor dwellings; (iii) central recreational space; (iv) play facilities located centrally within the central recreational space; and (v) a rain garden 'strip' within the central recreational space. Detailed landscape planting 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.

#### *Affordable housing provision*

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 73 of the homes will be affordable housing. There will be a mix of one, two and three bed flats. A total of 41 of the homes will be delivered for social rent and 32 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. Five of the homes are designed specifically for wheelchair accessible.

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 the recommended minimum internal floor areas for flat sizes set down in the Edinburgh Design Guidance.

Fifteen units (21% of the total) contain three bedrooms, which exceeds the expectation of the Edinburgh Design Guidance of 20% family housing.

The Council's Housing Management and Development Section have stated 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 100% 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.

#### 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 73 flats are dual aspect.

##### *Potential noise from existing sources*

A Noise Impact Assessment (NIA) has been carried out by an acoustic consultant which covered noise from road and train traffic. During the day measurements were made of ambient noise at site including road traffic, trains, activities from the school and plant. In addition, measurements were made close to the trains and the B701 dual carriageway. Furthermore, night-time measurements were taken of background noise, plant noise and road traffic noise. Measurements of commercial delivery noise were not possible at Murrayburn Gate but were substituted by alternative measurements. Environmental Protection concurs with the NIA recommendation of a glazing and ventilation specification to ensure that transportation noise will be within acceptable internal noise levels.

### *Other environmental health matters*

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.

The proposed Block 4 is the closest building to the existing properties at Murrayburn Place. Windows of residences in Murrayburn Gate have been assessed applying the Vertical Sky Component (VSC). This is where the amount of daylight reaching an external wall measured is required to be more than 27% or 0.8 of its former value. The assessment confirms that these windows are not affected by the proposed development and thereby no further analysis is required for these windows.

The impact on the daylighting to the proposed buildings has been assessed using the No Skyline methodology which relates to skylight penetrating at least halfway into a room. 21 of the 301 rooms assessed using this methodology failed. Overall, 93% of the rooms pass this methodology and across 73 units on a brownfield site this is an acceptable level.

### *Privacy*

There are generally good separation distances between the proposed development and existing neighbouring properties/buildings, with a range of 20-30 metres provided between north-facing elevation of Block 4 and the gable ends of the existing properties at Murrayburn Place and a range of 20-25 metres between south-facing elevation of Block 1 & 7 and the telecommunications exchange building. Regarding the western and eastern elevation, there would no significant overlooking due to the large distance which separates the development from the Westside Plaza Shopping Centre and Canal View Primary School respectively.

Internally within the development, there are generally good separation distances with there being at least 30 metres directly facing window to window distance between the different blocks.

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 5 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 a central recreational space with play facilities and rain garden 'strip', tree/structured landscape planting to the northern embankment and eastern edge of the site, private gardens provided to ground floor dwellings and private terraces provided to ground floor dwellings along the Murrayburn Gate frontage.

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 ground floor flats have direct access to their own private garden space to the front and rear of the block (this accounts for a total of 451 sqm of the overall amenity provision). The central courtyard and amenity space equates to 1154sqm or 15.8 sqm per flat. This excludes the flats which are afforded private gardens. This amenity provision exceeds the minimum requirements of 10sqm per flat. The total amenity provision onsite is 1,605 sqm, which exceeds the minimum requirement of 800sqm at 20% of the total site coverage.

### *Trees*

Regarding trees, the tree report has stated that the majority of the surveyed trees provide little amenity value to the site. The loss of existing trees is proposed with the applicant stating that their removal is a result of the "previous land use where a series of platforms had been created on the site with trees within the sloped areas between the platforms and now demolished buildings. To facilitate development on this urban brownfield site, the existing levels require to be regraded to provide level access to each block, allow gravity drainage and deliver a suitable density to make the site viable / align with the council aspirations on densities which result in the loss of trees. This is unavoidable to facilitate development on such a sloping site and new compensatory tree planting is proposed within the site".

The reasons provided above are acceptable and 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.

## Access, Car and Cycle Parking

The proposed development was assessed by transport officers and was considered to be acceptable due to low numbers of traffic which was likely to be generated by the development.

Access is proposed to be retained from Murrayburn Gate and is required for servicing and parking provision for accessible parking and car club spaces only. The site is located close to the city's active travel network, a train station and is well served by the bus network. A low approach to parking was supported given the site's proximity to public transport and the City's active travel network. The addition of ramped access from the pedestrian path to the site's east is supported.

### *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 Design & Access Statement (DAS) 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 adequate.

The site is situated within City Standards Parking Zone 2, which permits a maximum of 1 parking space per unit. The standards allow for a maximum of 73 spaces for the proposed residential flats. As a result of the site's connectivity to existing public transport infrastructure 4 parking spaces are proposed (2 Enterprise Car Club bays and 2 accessible bays) within the parking court to the south of the site.

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 116% cycle parking for the proposed development. These are contained within integral cycle stores within blocks 2, 7 and 8. The cycle storage will consist of two-tier stands, comprising of high level Josta type racks and low level/ internal Sheffield stands.

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

## Waste Planning

The refuse storage will be provided within integral stores within Blocks 2, 3 and 7. The layout of the development delineates a direct and unobstructed access for refuse storage and collection vehicles to/from the collection points contained 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.

## 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) Rooftop Photo Voltaic (PV) panels; (ii) Air Source Heat Pump (ASHP). 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)-(ii) 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 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.

## Archaeology

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

Given the scale of previous development on the site it is considered unlikely that significant archaeological remains will have survived on this site. Accordingly, it has been concluded that there are no known archaeological implications regarding this development.

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

### 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 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 £274,750 (index-linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment). No indexation will be applied to land costs.

23 studio / one bed flats have been excluded from the assessment. The finalised sum will be agreed between Communities and Families and the Chief Planning Officer prior to the memorandum of understanding being agreed.

### 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. A self certification certificate has been submitted to Flood Planning.

### Ecology

A report on an ecological assessment analysis undertaken by an ecologist has been submitted as part of the application. In general, the Preliminary Ecological Assessment (PEA) concluded that: (i) the development will not result in any negative impact upon designated sites: (ii) The habitats within the site are of low ecological value and include areas of ephemeral/short perennial vegetation, rank amenity grassland, introduced shrub and hardstanding: (iii) Some trees and shrubs on site may provide nesting habitat for a range of passerine birds and commuting and foraging habitat for small mammals. However, there is sufficient habitat in the surrounding landscape to support these species should these habitats be removed for development: (iv) Some mature trees have low bat roost potential (BRP). These trees are likely to be removed for the development. No further survey work is required but trees should be felled in a sensitive manner.

In order to encourage wildlife into the site the Ecological Assessment recommends that bat boxes could be placed in some of the 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.

### **Conclusion in relation to the Development Plan**

The proposed development is in accordance with the adopted local development plan. There are no material considerations which indicate that the proposal should be refused.

#### **b) Other material considerations have been addressed**

The following material considerations have been identified:

- Scottish Planning Policy (SPP)
- Emerging policy context
- Equalities & human rights
- Public representations

#### 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

The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023 to proceed to adoption. On adoption the Revised Draft NPF 4 (2022) will form part of the Council's Development Plan, but at present it remains a material consideration. As adoption of the Revised Draft NPF 4 (2022) is understood to be imminent, and it is now the settled position of Scottish Ministers and the Scottish Parliament, it requires to be given significant weight. Revised Draft NPF 4 (2022) lists various policy provisions under the themes of Sustainable Places, Liveable Places and Productive Places.

Policy 1 of the Draft NPF 4 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The application addresses this through:

- The proposals will maximise the use of brownfield land through sustainable design approaches . The proposals will also utilise rooftop photovoltaic (PV) panels and air source heat pumps.
- SUDs measures are incorporated into the scheme through rain gardens and filter trenches.
- Low levels of car parking are proposed within the development with the site accessible by alternative transport modes and on-site cycle parking is to be provided.

The proposed development is considered to broadly comply with the provisions of NPF 4 and there is not considered to be any significant issues of conflict.

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

## Equalities and Human Rights

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

All ground floor 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.

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.

Two 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.

## Public Representations

One neutral representation was received.

### **Material Representations - Neutral:**

- Cycle parking does not comply with guidance- addressed in part (a)

### **Conclusion in relation to identified material considerations**

There are no material considerations that indicate the application should be granted. The material considerations support the presumption to refuse planning permission.

## Overall Conclusion

The proposed development is in accordance with the Local Development Plan and is compatible with the character of Wester Hailes and the surrounding area.

There is no significant adverse impact on neighbouring amenity and the future occupiers of the residences will be afforded adequate residential amenity.

A reduced reliance on car usage is supported through low levels of car parking and cycle store provision. No specific road or pedestrian safety issues will occur as a result. The proposal minimises environmental resource use and incorporates sustainable features.

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.

## Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

### 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. The noise mitigation and ventilation measures as specified within New Acoustics Report No. 7420-00-02 and dated 17th June 2022 should be installed and operational prior to occupation of the development.
3. 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.
4. 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.
5. 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 proposed footpaths and cycle paths (designed to be unsuitable for motor bike use);  
and,  
vi 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.

## **Reasons**

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
2. In the interests of safeguarding the residential amenity of the future occupants of the residences hereby approved.
3. 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.
4. In the interests of safeguarding the character and visual amenity of the area.
5. 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.

## **Informatives**

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement or Memorandum of Understanding relating to education and affordable housing has been concluded and signed. The legal agreement/Memorandum of Understanding shall include the following:

- a. Education - £274,750
- b. 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. Regarding the provision of car club spaces, this would require a contribution of £1,500 per order plus £5,500 per car.

6. 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.

7. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation

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

9. 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 the earliest opportunity.

10. 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.

11. 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 they wish 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.

12. 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.

13. Prior to the commencement of works on site, further details of the cycle parking will be provided for approval by the Planning Authority. For the Avoidance of doubt, the

cycle parking will contain a higher proportion of single tier racks to comply with Council guidance.

## **Background Reading/External References**

To view details of the application go to the [Planning Portal](#)

**Further Information - Local Development Plan**

**Date Registered: 4 July 2022**

## **Drawing Numbers/Scheme**

1-2, 3(B), 4(B), 5(A), 6-10, 11(A), 12(A), 13(A), 14, 15(A)16(B), 17(B), 18(C), 19, 20(B), 21, 22(B), 23(A), 24(B)25(A), 26(A), 27(B)

Scheme 4

**David Givan**  
**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

Contact: Adam Cairns, Planning Officer  
E-mail:adam.cairns@edinburgh.gov.uk

Appendix 1

## **Summary of Consultation Responses**

NAME: Environmental Protection  
COMMENT: No objections to proposed development  
DATE: 13 July 2022

NAME: Affordable Housing  
COMMENT: No objections to proposed development  
DATE: 8 August 2022

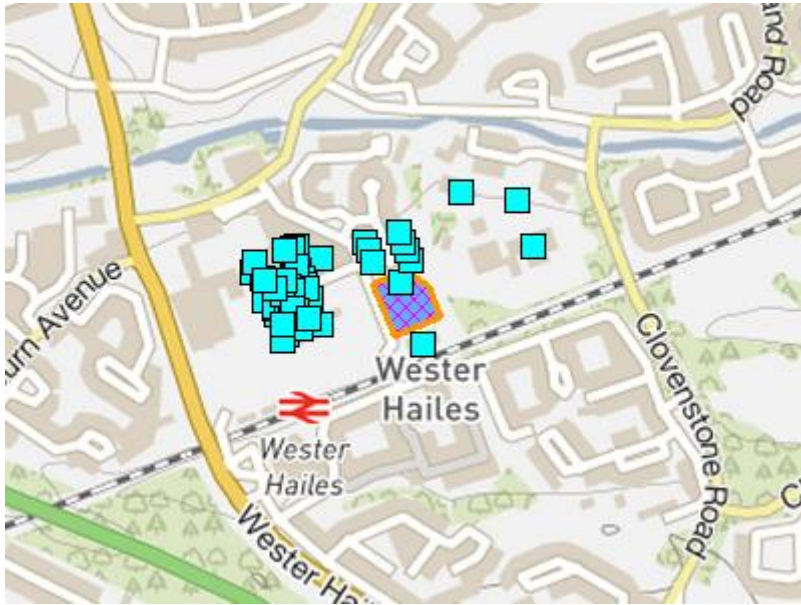
NAME: Communities and Families  
COMMENT: If the appropriate infrastructure contribution is provided by the developer, as set out in consultation response, Communities and Families does not object to the application.  
DATE: 9 January 2023

NAME: Archaeology  
COMMENT: No objections to proposed development. Given the scale of previous development on the site it is considered unlikely that significant archaeological remains will have survived on this site. Accordingly, it has been concluded that there are no, known, archaeological implications regarding this application.  
DATE: 13 July 2022

NAME: Waste Management  
COMMENT: Waste strategy previously agreed with agent  
DATE: 19 July 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

## Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420

## Development Management Sub-Committee Report

**Wednesday 25 January 2023**

**Application for Planning Permission  
Lock Up 5, 2G Park Road, Edinburgh**

**Proposal: Existing single storey flat roof adjoining garages to be removed. New two storey single dwelling erected using the existing footprint of the garages (as amended).**

**Item – Committee Decision  
Application Number – 22/04557/FUL  
Ward – B04 - Forth**

### **Reasons for Referral to Committee**

In accordance with the statutory scheme of delegation, the application has been referred for determination by the Development Management Sub-committee as it has received more than six material representations in objection and the recommendation is to approve planning permission.

### **Recommendation**

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

### **Summary**

The application is acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. It preserves the special character and appearance of the conservation area and has no adverse impact on neighbouring residential amenity. The application complies with the relevant policies contained within the Edinburgh Local Development Plan. There are no material considerations which outweigh this conclusion.

## **SECTION A – Application Background**

### **Site Description**

The application site is a single storey double vehicular garage within a walled area (2.7m in height) on the north side of Park Road. It sits at the end of a terrace row of one and two storey houses. The surrounding area is residential in nature, with one and two storey dwellings and three to four storey tenements within the vicinity.

The property is in the Newhaven Conservation Area.

## **Description of the Proposal**

The application is for the erection of a two storey, one bedroom dwelling (40 sqm approximately), with amenity space located at the front of the building.

The amended scheme introduces sandstone to the external facade of the property in place of brick and timber and soft landscaping and porous materials to the courtyard (37sqm approximately).

### **Relevant Site History**

No relevant site history.

### **Other Relevant Site History**

No other relevant planning history.

### **Pre-Application process**

### **Consultation Engagement**

Refer to Appendix 1 for a summary of the consultation response.

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** 29 September 2022

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** 7 October 2022

**Site Notices Date(s):** 4 October 2022

**Number of Contributors:** 8

## **Section B - Assessment**

### **Determining Issues**

Due to the proposed development falling within a conservation area, this report will first consider the proposals in terms of Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

- Is there a strong presumption against granting planning permission due to the development conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then 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 material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations 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 consideration due to the development plan being over 5 years old.
- equalities and human rights.
- public representations; and
- any other identified material considerations.

## **Assessment**

To address these determining issues, it needs to be considered whether:

### **a) The proposals harm the character or appearance of the conservation area.**

The following HES guidance is relevant in the determination of this application:

- Managing Change - Conservation Areas.

The Newhaven Conservation Area Character Appraisal emphasises the importance of the harbour area, the historic alignment and traditional character of the buildings, the prominent views to Fife across the Firth of Forth, and the predominant use of traditional materials.

The application site is a single storey double car garage with a small drive-in section to the front situated on the corner of Park Road and Newhaven Road. The site commands a prominent position within the conservation area due to its corner location. However, the scale and form of the structures on site lack integration with their surroundings and do not reflect or relate to the conservation area as a whole.

The proposal would create a development that would sit comfortably within the context of the architectural styles of the surrounding buildings. It would respond positively to the scale of the buildings to the north and west of the site. The use of natural stone would form a high-quality design solution, creating a visually stimulating addition within a relatively enclosed site

As part of the amended scheme, the proposed materials were changed to reflect the character and quality of the surrounding area. The eastern site boundary is formed of a large stone wall and the use of natural stone as a finish, particularly on the eastern gable of the property, would help create a more harmonious and sympathetic addition to the streetscape.

The proposed house would represent a suitable addition to the application site and the surrounding area. It would create a high-quality development, having regard to the built character of the streetscape and would not have a detrimental impact on the character and appearance of the conservation area.

### **Conclusion in relation to the conservation area**

The proposal is acceptable with regards to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 in that it would preserve the character and appearance of the conservation area.

#### **b) The proposals comply with the development plan.**

The development plan comprises the Strategic and Local Development Plans. The relevant Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Environment Policy Env 6
- LDP Design Policies Des 1, Des 4, Des 5 Des 7 and Des 12.
- LDP Housing Policies Hou 1, Hou 2, Hou 4 and Hou 7.

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering the aforementioned LDP Policies.

#### Principle

The proposed development would be acceptable in principle as it would be a compatible use and built form with the character of the surrounding area and would be in compliance with the other policies within the LDP.

This proposal complies with LDP Policy Hou 1.

#### Size, Scale and Design

The proposed new dwelling would be a sympathetic design that would sit comfortably within the footprint of the site. The size and scale of the proposal would be subordinate and subservient in its design and would be set back from the building line of the street, reflecting the predominate building line of the street. The amended scheme would represent harmonious additions to the application site and street scene forming a sympathetic relationship with the adjacent residential dwellings.

It would not have a detrimental impact on the character and appearance of the surrounding conservation area. This has been addressed in section a).

The application complies with LDP Policies Hou 4, Des 1, Des 4, Des 6 and Des 7.

#### Amenity

The application was assessed in terms of its impact on amenity, specifically against the criteria in the Edinburgh Design Guidance.



In relation to privacy, the visual splay from the proposed gable window (south-east facing) falls upon Newhaven Road and this is an area that is not protected in terms of amenity. The proposed rear windows (north facing) would be 18 metres approximately away from the closest neighbouring property's windows and this would represent an acceptable distance in terms of amenity. In addition, the visual splay from these windows would mirror that of the 2 Park Road and no additional privacy concerns would be created by virtue of this. In relation to the primary elevation windows, the visual splay from these would mainly fall upon the application site's courtyard and Park Road itself. Any side splay on to 2 Park Road would not be detrimental as this is an area that is already overlooked by 4 Park Road, 1 Derby Street and is also widely visible to the public realm.

In terms of daylighting, the proposal would comply with the 25- and 45-degree criteria in relation to the adjacent neighbouring properties.

In relation to overshadowing, the proposal would not have a detrimental impact on the curtilages of the adjacent neighbouring properties.

The proposed internal layout complies with criterion within the Edinburgh Design Guidance. In relation to the external amenity space, the application proposes amenity space to the front of the site. Whilst situated to the front, the site is relatively enclosed in nature and the garden ground would still provide useable space for future occupiers.

In addition to this, the application site is within close proximity to a number of parks and walkways: Hawthornvale Path, Victoria Park, Starbank Park and North Fort Street Park. These parks and walkways would offer further external amenity space in addition to that of the application site.

The proposal complies with LDP Policies Des 5 and the aforementioned Guidance.

### Surface Water

The surface of the existing site is currently concrete hard standing. As part of the amended scheme, the front garden will have an area of lawn and the remaining hard surface will be formed in porous materials, thereby ensuring the introduction of the building would not increase the rate of surface water run off or have a detrimental impact on the water environment.

This proposal is in compliance with LDP Policy Des 6.

### **Conclusion in relation to the Development Plan**

The proposal complies with the development plan and non-statutory Guidance.

### **c) There are any other material considerations which must be addressed?**

The following material planning considerations have been identified:

### Emerging policy context

The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023 to proceed to adoption. On adoption the Revised Draft NPF 4 (2022) will form part of the Council's Development Plan, but at present it remains a material consideration. As adoption of the Revised Draft NPF 4 (2022) is understood to be imminent, and it is now the settled position of Scottish Ministers and the Scottish Parliament, it requires to be given significant weight. Revised Draft NPF 4 (2022) lists various policy provisions under the themes of Sustainable Places, Liveable Places and Productive Places.

Policy 1 of the Draft NPF 4 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The application addresses this through:

- Soft landscaping and surface water management.

The proposed development is considered to broadly comply with the provisions of NPF 4 and there is not considered to be any significant issues of conflict.

While City Plan 2030 represents 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.

### Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

### Public representations

Eight comments were received (Objections).

Material Representation -

Character and appearance; this is addressed through the amended scheme and in in sections a) and b).

Internal size: this is addressed in section b).

Sunlight: this is addressed in section b).

Privacy: this is addressed in section b).

## **Conclusion in relation to identified material considerations**

These have been identified.

### **Overall conclusion**

The application is acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. It preserves the special character and appearance of the conservation area and has no adverse impact on neighbouring residential amenity. The application complies with the relevant policies contained within the Edinburgh Local Development Plan. There are no material considerations which outweigh this conclusion.

## **Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following.

### **Conditions**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

### **Reasons**

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to enable the planning authority to consider these matters in detail.

### **Informatives**

It should be noted that:

1. 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.
2. 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.

### **Background Reading/External References**

To view details of the application go to the [Planning Portal](#)

**Further Information - Local Development Plan**

**Date Registered: 12 September 2022**

**Drawing Numbers/Scheme**

01-03c

Scheme 3

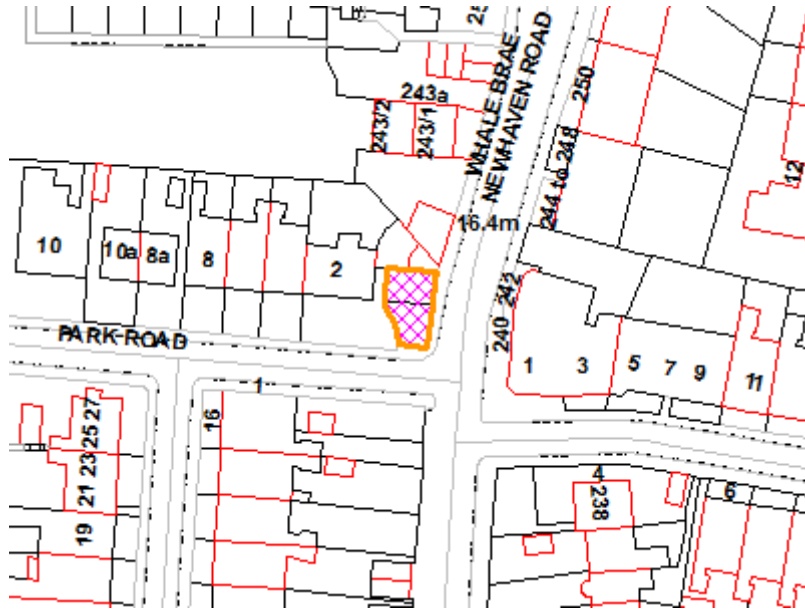
**David Givan  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council**

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

## Summary of Consultation Responses

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

### Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420

This page is intentionally left blank

## Development Management Sub-Committee Report

**Wednesday 25 January 2023**

**Application for Planning Permission  
Gas Holder North Of, Waterfront Broadway, Edinburgh**

**Proposal: Public realm improvements to the site surrounding the Gas Holder. The design proposals for the public realm element have been set out to create a multi-functional public space, which aims to respect and complement the existing Listed-B Gas Holder frame, whilst remaining flexible to future change and uses.**

**Item – Committee Decision  
Application Number – 22/05318/FUL  
Ward – B04 - Forth**

### **Reasons for Referral to Committee**

The application has been submitted by the Council and is for more than a routine minor development. It is also significant in terms of the wider public interest as it is associated with a significant listed structure in this part of the city.

### **Recommendation**

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

### **Summary**

The proposal is acceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed building.

The proposals will not have an impact on the setting of the A listed Caroline Park House. The proposals are well designed, and the public realm works will enhance the immediate setting of the listed structure.

The public realm works which open up this historical asset for public use is acceptable in principle and the design and layout is appropriate. The proposal is acceptable in relation to matters such as ecology, transport measures and flooding.

In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non-Statutory Guidance. There are no other material considerations which outweigh this conclusion.

## **SECTION A – Application Background**

### **Site Description**

The site relates to the category B listed gasholder (LB reference 45793, listed 10/11/1998) and the surrounding land.

The gasholder was designed by WR Herring and was built between 1898 and 1902. It was part of the Granton Gasworks which served the City of Edinburgh and the surrounding district throughout the 20th Century.

The steel frame consists of a series of double lattice columns positioned equidistantly around its perimeter, with curved lattice box girders spanning between the columns to complete the circular configurations at four levels. Lateral stability is provided by two planes of diagonal cross bracing between the lattice columns, over the full height of each bay. The entire holder frame is founded on the circular perimeter wall of the substantial brick and concrete tank recessed into the ground. It is approximately 76 metres wide and 46m tall above ground level. Much of the frame is now in poor condition.

The land around the gasholder that forms the application site is vacant scrubland. The northern edge is defined by an existing stone wall, which runs east/west and will be retained as part of the initial works to the gasholder and associated public realm. There is a significant level change from the gasholder 'plateau' down to the wall.

To the north are various industrial uses which sit at a much lower level to the site. To the northeast is the Social Bite village which supports people affected by homelessness. Vacant land is to the east, south and west of the site. Further to the southwest is the Forthquarter Park and to the southeast is the Scottish Gas office building. The wider area is one of ongoing development and regeneration.

Access to the site is currently from the junction of Waterfront Broadway and Caroline Park Avenue.

The site is located within the Urban Area as shown on the Local Development Plan proposals map. The land is identified as being within Edinburgh Waterfront. Proposal EW 2a (Forth Quarter) states that the area is for a housing-led mixed-use development. It sets out a number of Development Principles for the area.

### **Description of the Proposal**

The application is for public realm improvements to the land surrounding the gasholder. The purpose is to open up the area to create a multifunctional public space.

The proposals contain a large central area within the centre of the gasholder which is proposed to be kept free of physical features to allow it to be used as a flexible space for public events. The central space is ringed by a number of new trees and hedging. An inner ring walk is proposed to provide access around the internal gasholder space, and this is to be finished in resin bound aggregate. This inner ring area has been split into six mixed space areas including three areas identified for play. The play areas will be finished with a safety surface.



The areas external to the gasholder are to be grassed. The existing gasholder inlet and outlet valve surface structures, which are positioned near the southwestern and south-eastern edges of the guide frame, will be restored, and retained in the site.

The main access route links the central ring path area to the southeast of the site, where access is taken from the existing roundabout at the junction of Waterfront Broadway and Caroline Park Avenue. A palisade fence is to run around the perimeter of the site with future access opened up as the surrounding land becomes developed.

Lighting is proposed on the gasholder itself and also along the access path. The proposals also include details of street furniture such as benches and also 20 standard cycle parking spaces and three non-standard spaces. Electric power points are also proposed to help facilitate future events.

SUDs is incorporated into the scheme through open grade stone subbase attenuation and filter drains.

### **Previous Scheme**

The proposals were amended to provided additional cycle parking.

### **Supporting Information**

- Planning Statement.
- Design and Access Statement.
- Granton Gas Holder Heritage Assessment.
- City of Edinburgh Public Engagement Report.
- Granton Gasholder Arboricultural Report.
- Drainage Statement/Flood Risk Assessment
- Granton Gasholder Derivation of Infill Criteria Report
- Granton Gasholder Preliminary Dismantling Assessment (including Ground Investigation Report).
- Preliminary Ecological Appraisal; and
- Granton Gasholder Ecological Constraints Report (July 2022).

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

### **Relevant Site History**

00/01169/OUT

11 West Shore Road

Edinburgh

EH5 1RH

(4 Marine Drive/ 11 West Shore Rd) Outline planning permission for mixed use development (including retail, food and drink, public house, residential, education, business, leisure/assembly/hotel, open space, and assoc. landscaping) (as amended)

Granted

28 February 2001

00/01169/LBC  
11 West Shore Road  
Edinburgh  
EH5 1RH  
(4 Marine Drive/ 11 West Shore Road) Listed Building Consent for the demolition of Gas Holder Number 1, the fitting shop, the stores block, and the control house  
Granted  
13 March 2001

08/02357/LBC  
11 West Shore Road  
Edinburgh  
EH5 1RH  
Demolition of category B listed gasholder  
Refused  
25 November 2010

22/01327/LBC  
Gas Holder North Of  
Waterfront Broadway  
Edinburgh

To repair and refurbish the existing Granton Gas Holder Category B Listed Guide Frame.  
Granted  
26 August 2022

22/05147/LBC  
Gas Holder North Of  
Waterfront Broadway  
Edinburgh

Proposed external illumination of the existing Granton Gasholder guide frame.  
Granted  
11 January 2023

### **Other Relevant Site History**

Planning Committee approved the Granton Waterfront Development Framework as non-statutory planning guidance to guide development, service delivery and investment decisions for the regeneration of Granton Waterfront.  
29 February 2020

### **Pre-Application process**

There is no pre-application process history.

## Consultation Engagement

Historic Environment Scotland

Archaeology Officer

Environmental Protection

Flood Prevention

Edinburgh Airport

Refer to Appendix 1 for a summary of the consultation response.

## Publicity and Public Engagement

**Date of Neighbour Notification:** 1 November 2022

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** 4 November 2022

**Site Notices Date(s):** 1 November 2022

**Number of Contributors:** 1

## Section B - Assessment

### Determining Issues

Due to the proposals relating to a listed building(s), this report will first consider the proposals in terms of Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

- Is there a strong presumption against granting planning permission due to the development harming the listed building or its setting?
- If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then 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 material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations 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 consideration due to the development plan being over 5 years old.
- equalities and human rights.
- public representations; and
- any other identified material considerations.

## **Assessment**

To address these determining issues, it needs to be considered whether:

### **a) The proposals harm the listed building and its setting.**

The following HES guidance is relevant in the determination of this application:

- Managing Change: Engineering Structures; and
- Managing Change: Setting

The listed assets near or within the site are:

- A listed Caroline Park House to the east of the site; and
- B listed Gasholder

#### *Caroline Park House*

Caroline Park House (LB reference 28040, listed 14 July 1966) is located to the east of the site. It is separated by a band of trees. Given the nature of the proposed works and the improvements to the area around the gasholder the proposed development will not have an impact on the setting of this historic asset.

Historic Environment Scotland consider that the proposals will have no impacts on Caroline Park House.

#### *Gasholder*

The recently granted listed building consent application for the works to the gasholder concluded that the works to restore the listed structure and the associated alterations were relatively minor and proposed in a sympathetic manner to allow the long-term survival of the gas holder.

The gasholder provides a distinctive connection to the local history of the area. It was an essential piece of the gasworks and the most visible representation of it. Although previous demolitions and redevelopment of the wider site have weakened its setting, the gasholder survives largely in its original form and much as it was when added to the statutory list.

The proposed changes will alter the setting of the listed building; however, this is currently made up of scrub land of little value. The proposed public realm works will open up the immediate surrounding area and provide increased public value.

The local setting of the gasholder will be enhanced through the proposed works and lighting. The proposals will not impact on the silhouette of the gasholder on the skyline.

Historic Environment Scotland are supportive of the landscaping works as part of the wider project of refurbishment of the gasholder's guide frame.

### **Conclusion in relation to the listed building**

The proposals will not impact on the setting of the A listed Caroline Park House. The proposals are well designed, and the public realm works will enhance the immediate setting of the listed structure. The longer views of the gasholder will not be impacted upon by the proposal.

Historic Environment Scotland is supportive of the proposals. The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and relevant HES guidance.

#### **b) The proposals comply with the development plan.**

The development plan comprises the Strategic and Local Development Plans. The relevant Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Strategy Policy Del 3.
- LDP Design policies Des 1, Des 2, Des 3, Des 4, Des 7, Des 8.
- LDP Environment policies Env 3, Env 9, Env 12, Env 13, Env 16, Env 21, Env 22.
- LDP Shopping and Leisure Ret 7.
- LDP Transport Tra 2 and Tra 3.

The non-statutory Guidance 'Edinburgh Design Guidance', 'Listed Buildings and Conservation Area' guidance and the Granton Waterfront Development Framework are material considerations that are relevant when considering some of the above policies. Where relevant, it will be considered in the assessment below.

#### Impact on the setting of the listed buildings

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

As discussed in section (a), the proposal will have no detrimental effect on the setting of nearby and adjacent listed buildings. The development therefore complies with LDP policy Env 3.

#### Principle of Development

The site is located within the Edinburgh Waterfront: Forth Quarter (EW 2a) in the LDP. The gasholder is not designated for a specific use and is surrounded by land identified for housing-led development.

LDP Policy Del 3 (Edinburgh Waterfront) sets out that planning permission will be granted for development which will contribute towards the creation of new urban quarters at Granton Waterfront. This requires (amongst other matters) comprehensively designed proposals which maximise the development potential of the area, the provision of a series of mixed-use sustainable neighbourhoods, the provision of open space in order to meet the needs of the local community, create local identity and a sense of place and transport measures such as the provision of a network of paths for pedestrians and cyclists.

The Granton Waterfront Development Framework identifies the gasholder as an existing heritage asset, which should be conserved. It indicates a new use for the gasholder would be to act as a focus for arts, culture and community uses. The site is also within the Forthquarter Park character area. This is described as an active, green landscape for living, working, and learning.

LDP Policy Ret 7 (Entertainment and Leisure Developments - Preferred Locations) states that planning permission will be granted for high quality, well designed arts, leisure and entertainment facilities and visitor attractions Granton Waterfront (alongside other locations), provided that the proposal can be integrated satisfactorily into its surroundings with attractive frontages to a high quality of design that safeguards existing character, it is compatible with surrounding uses and not detrimental to amenity and easily accessible by public transport, foot and cycle.

The proposed restoration of the gasholder and introduction of public realm with potential for events fits in with the designations in the LDP and the aspirations within the GWDF. The potential use of the space for events in the future is acceptable when considered at this location against Policy Ret 7 and Del 3 as it is of a high-quality design, compatible with a housing-led mixed-use development and will be accessible by a range of transport measures. It will also form a central part of the wider redevelopment of Granton. The principle is acceptable.

### Layout and Design

LDP Des 1 (Design Quality and Context) states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place and design should be based on an overall design concept that draws upon positive characteristics of the surrounding area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) states that planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated, and enhanced through its design.

LDP Policy Des 4 (Development Design - Impact on Setting), notes that where surrounding development is fragmented or poor quality, development proposals should help repair urban fabric, establish model forms of development, and generate coherence and distinctiveness, i.e., a sense of place. These requirements are further reinforced through the Edinburgh Design Guidance.

LDP Policy Des 7 (Layout Design) supports development which takes a comprehensive and integrated approach to the layout of buildings streets open spaces, public paths, and SUDs features. Layouts should encourage cycling and walking, promote safe access throughout the site and have regard for the needs of people with limited mobility.

LDP Policy Des 8 (Public Realm and Landscape Design) states that planning permission will be granted for development where all external spaces, and features, including streets, footpaths, civic spaces, green spaces boundary treatments and public art have been designed as an integral part of the scheme as a whole.

The design of the public realm has been sensitively considered to take design cues and elements from the existing gasholder with circular/ringed public realm elements matching the shape of the listed structure. It creates a design approach centred on the hub of the gasholder with secondary spaces on the periphery and east of the site. The inclusion of a central grass area provides flexibility of the site and areas for play and relaxation around the site add interest and a multi-functional space.

The inclusion of planting and trees within the gasholder and wider public realm will bring a new lease of life to a structure and site that has been left vacant and neglected for a number of years. The proposed development meets the requirements of Policy Des 1 by having a concept driven by the gasholder itself. It incorporates existing features and also places part of the gasholder regulators within the public realm. As the public realm is linked to the restoration of the gasholder a strong sense of place is retained by the iconic heritage asset in this part of the city. The proposals comply with Policies Des 3 and Des 4.

The proposed lighting, as demonstrated within previous lighting schemes on the gasholder, will enhance the structure. The Edinburgh Airport Safeguarding Team do not object to the proposal.

A palisade fence runs around the perimeter of the application site. The Design and Access Statement shows how the site could potentially be opened up to the surrounding areas as development plots come forward alongside how a more focused main entrance to the public realm and gasholder can be created from the east when wider redevelopment comes forward. In this regard the proposals comply with Policy Des 2 (Co-ordinated Development) which sets out that development should not compromise the effective development of adjacent land, or the regeneration of a wider area as provided in a development brief.

Overall, the proposal to create a multi-functional space has the gasholder at the centre of the design both taking inspiration from it and allowing to have a renewed purpose. The design incorporates features including paving and planting that remains sensitive to the listed structure with focus on the central area and then more secondary spaces around the gasholder. The proposals comply with Design Policies Des 1, Des 3, Des 4, Des 7 and Des 8.

## Trees

LDP Policy Env 12 (Trees) states that development will not be permitted if it is likely to have a damaging impact on these trees, unless necessary for good aboricultural reasons. Where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

There are no Tree Preservation Orders affecting trees on or close to the site and it is not located within a conservation area.

An aboricultural survey has been provided in support of the application. This considered eight individual trees and 12 groups of trees. The individual trees, all either ash or sycamore, are all located out with the site to the north. The majority of the groups are located on the site and contain a variety of species dominated by silver birch and goat willow.

None of the trees are classed as category A (high quality value). One individual sycamore tree and two tree groupings (identified as G1 and G2) are category B (moderate quality and value). The remaining trees and groupings are either category C (low quality and value) or category U (unsuitable for retention).

It is proposed to fell all the trees within the site to allow for the construction of the new public realm area. This will involve the removal of 11 groups of trees. These include one group of semi-mature trees in the north-east identified as category B. The remaining trees to be removed are younger self-seeded trees and scrub which are classes as category C.

Given the proposals relate to the positive restoration and redevelopment of the gasholder and public realm the loss of the groupings of trees with a formal area for public use the loss of the trees within the site is acceptable. Furthermore, the trees are not protected by a TPO or within a conservation area.

It is also intended to remove six trees out with the site to help facilitate the proposals and allow the construction of a gabion retaining wall close to the boundary. These trees have identified as category U or C trees because they are in a poor condition and their loss is also acceptable.

Policy Env 12 (Trees) also requires replacement planting of appropriate species to offset the loss. The proposals also include 44 new trees consisting of sweetgum and greenspire species. Various shrubs and plants are also included within the layout.

In summary, the proposals remove a number of groupings of trees that have grown around the vacant site which are largely of a lower quality. The proposals will open up public access to the site and the gasholder and formalises the landscaping and planting providing an overall benefit.

## Protected Species

Policy Env 13 (Sites of International Importance) states that development likely to have a significant effect on a 'Natura 2000 site' will be permitted only, amongst other matters, if the development will not adversely affect the integrity of the area.



Policy Env 16 (Species Protection) ensures development will not have an adverse impact on species protected under European or UK law.

As part of the Granton Waterfront Development Framework (GWDF) a Habitat Regulations Assessment (HRA) which included appropriate assessment has been carried out. This concluded that with mitigation measures there will be no likely significant effects on the Firth of Forth Special Protection Area (SPA) (a Natura 2000 site located further north of the application site), with ecology effects considered as development phases come forward.

The submitted Preliminary Ecological Assessment and further Ecological Constraints Report have not identified any significant constraints to the development of the site. The constraints report recommends the use of a Construction Environmental Management Plan. It is recommended that this is secured through a condition.

The proposals will not have a damaging effect on the Firth of Forth SPA which is located further north of the site in accordance with Policy Env 13 (Sites of International Importance) and it will not have an adverse impact on the protected species in accordance with LDP Policy Env 16 (Species Protection).

### Transport

The transport objectives set out in the Local Development Plan state that development should:

- Minimise the distances people need to travel.
- Promote and prioritise travel by sustainable means, i.e., walking, cycling and by public transport; and
- Minimise the detrimental effects of traffic and parking on communities and the environment.
- To ensure that development does not prejudice the implementation of future road, public transport and cycle and footpath proposals.

### *Access and Co-ordinated Development*

General access to the site is from the southwest from Waterfront Broadway and the proposals will open up public access to the gasholder and associated public realm. The site is well located near to the existing park, local centre, and bus stops on Waterfront Avenue. The design of the proposal allows for additional access to the gasholder as the surrounding development plots are developed out.

The LDP development principles for EW 2a (Forthquarter) show a route of a new major street running along the eastern part of the site linking Waterfront Broadway to the partially built access point to the north that connects with West Shore Road.

Policy Des 2 (Co-ordinated Development) states planning permission will be granted for development which will not compromise: a) the effective development of adjacent land; or b) the comprehensive development and regeneration of a wider area as provided for in a master plan, strategy or development brief approved by the Council.

There is a large change in levels between the Gas Holder site and the land to the north making the implementation of such a street difficult.

The GWDF sets out a series of design principles for the Gas Holder and surrounding sites and now shows a pedestrian / cycle route linking the two areas together. The diagram illustrates that to deal with the change of levels there should be a ramped access with terraces.

The redline boundary of this application does not contain the land which would be needed to implement this route and indicatively shows a route and a link and would not hinder future proposals or options for such a link in the future.

Accordingly, the proposal complies with the GWDF and does not exclude the possibility of a link as shown in the LDP development principles diagram. The proposals complies with Policy Des 2 and the access arrangements are acceptable.

### *Parking*

LDP Policies Tra 2 (Private Car Parking) and Tra 3 (Private Cycle Parking) require car parking and cycle parking to meet the standards set out in the guidance. With regards to car parking, lower provision will be pursued subject to the consideration of a number of factors including, impact on amenity of neighbouring occupiers; accessibility of the site including public transport, walking, and cycling; availability of existing off-street parking spaces; and complementary measures such as access to car clubs.

There is no car parking proposed with the application and the proposal will form part of a wider regeneration development. There is a local centre focused on the supermarket to the south of the site and bus stops on Waterfront Avenue.

Cycle parking in the form of 20 Sheffield stands and three non-standard stands have been provided at various locations around the gas holder. The Council's parking standards in the EDG do not set out specific levels of cycle parking for this type of proposal. However, EDG Factsheet C7 Cycle Parking does contain a section on community destinations and indicates that for sites such as parks a minimum of 20 spaces for visitors should be provided.

The proposal is acceptable in relation to transport measures and parking.

### Contaminated Land

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) seeks to ensure that development will have no significant adverse effects for health, the environment and amenity and where relevant appropriate mitigation can be provided.

Due to the previously developed nature of the site, Environmental Protection has recommended a condition to ensure the appropriate investigation and mitigation is undertaken.

The site is within an area identified by the Coal Authority as a development low risk area. The Coal Authority standing advice has been added as an informative.

## Flooding and Drainage

Policy Env 21 (Flood Protection) seeks to ensure development does not result in increased flood risk or be at risk of flooding by demonstrating sustainable drainage measures.

The applicant has provided the relevant flood risk assessment and surface water management information. Flood Prevention has confirmed the acceptability of the details.

## Archaeology

LDP Policy Env 9 (Development of Sites of Archaeological Significance) is to protect and enhance archaeological remains where possible by preservation in situ in appropriate setting.

The Archaeology Officer notes that the gasholder is of historic and industrial archaeological significance and that the site also has the potential for earlier remains. Although there will be localised significant adverse impacts from the works, these are seen as necessary to restore and rejuvenate this nationally important industrial structure and wider area.

Accordingly, the Archaeology Officer supports the proposals and recommends a condition for a programme of archaeology work. A condition is recommended requesting that an archaeology survey is undertaken.

The proposals comply with LDP Policy Env 9.

## **Conclusion in relation to the Development Plan**

The proposals will not impact on the setting of the A listed Caroline Park House. The proposals are well designed, and the public realm works will enhance the immediate setting of the listed structure.

The public realm works which open up this historical asset for public use is acceptable in principle and the design and layout is appropriate. The proposal is acceptable in relation to matters such as ecology, transport measures and flooding. In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non-Statutory Guidance.

### **c) There are any other material considerations which must be addressed?**

The following material planning considerations have been identified:

#### SPP - Sustainable development

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

The proposal complies with Paragraph 29 of SPP, particularly in terms of promoting and preserving important listed structures and supporting sustainable development in a predominantly landscape setting.

### Emerging policy context

The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023 to proceed to adoption. On adoption the Revised Draft NPF 4 (2022) will form part of the Council's Development Plan, but at present it remains a material consideration. As adoption of the Revised Draft NPF 4 (2022) is understood to be imminent, and it is now the settled position of Scottish Ministers and the Scottish Parliament, it requires to be given significant weight. Revised Draft NPF 4 (2022) lists various policy provisions under the themes of Sustainable Places, Liveable Places and Productive Places.

Policy 1 of the Draft NPF 4 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The application addresses this through:

- The proposals are part of wider regeneration area and seek to de-contaminate the land and restore and repurpose a significant listed structure in this part of the city. The works will provide an area of public realm and landscaping that will support mixed-use activity and support local living.
- The submitted ecological assessments did not identify any significant constraints on the site and a Construction Environmental Management Plan has been recommended as a condition.
- SUDs measures are incorporated into the scheme through open grade stone subbase attenuation and filter drains.
- No car parking is proposed within the development with the site accessible by alternative transport modes and on-site cycle parking is to be provided.

The proposed development is considered to broadly comply with the provisions of NPF 4 and there is not considered to be any significant issues of conflict.

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

### Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

## Public representations

One representation has been received raising the following matters.

### *material considerations*

Objection:

- proposals should ensure safe cycle access to the site. Dropped bollards should be adequately spaced to allow for safe cycle access - distance between bollards approximately 1.2m.
- additional cycle parking should be provided and in additional locations within the site. This should include spaces for those who may staff events and for non-standard cycle types. - additional cycle spaces added to the scheme.

Support:

- general support for the proposals to regenerate the Granton Gas Holder as a key part of Edinburgh's waterfront regeneration - comment noted.
- support the provision of electrical hook up points to prevent the use of fossil fuel power generators at events - comment noted.

### **Conclusion in relation to identified material considerations**

None of the identified material considerations outweigh the proposals compliance with the Development Plan.

### **Overall conclusion**

The proposal is acceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed building.

The proposals will not have an impact on the setting of the A listed Caroline Park House. The proposals are well designed, and the public realm works will enhance the immediate setting of the listed structure.

The public realm works which open up this historical asset for public use is acceptable in principle and the design and layout is appropriate. The proposal is acceptable in relation to matters such as ecology, transport measures and flooding.

In all other aspects the proposal accords with the Development Plan and generally complies with the relevant Non-Statutory Guidance. There are no other material considerations which outweigh this conclusion.

## Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

### Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, excavation, analysis & reporting, conservation/preservation, interpretation, public engagement, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
3. Prior to the commencement of construction works on site:
  - (a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - (b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to, and approved in writing by the Head of Planning

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

4. No development shall take place until a construction environmental management plan, relating to biodiversity (CEMP: biodiversity), has been submitted to and approved in writing by the planning authority.

The CEMP (biodiversity) shall include recommendations in the Ecology Constraints Report dated July 2022 and the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologist needs to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of ecological clerk of works (ECoW) or similar competent person.

- h) The use of protective fences, exclusion barriers and warning signs.
5. Prior to the commencement of development, a Tree Protection Plan in accordance with BS5837:2012 "Trees in relation to design, demolition and construction" to demonstrate how trees to be retained on and adjacent to the site will be protected, including the location of tree protection fences, must be submitted to, and approved by the Planning Authority.
  6. Prior to the commencement of development, the tree protection measures as approved in condition 5 must be implemented in full.
  7. The development shall be carried out in accordance with the approved landscaping scheme. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.
    1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
    2. In order to safeguard the interests of archaeological heritage.
    3. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
    4. In order to safeguard the interests of nature conservation.
    5. In order to safeguard trees.
    6. In order to safeguard trees.
    7. In order to ensure that the approved landscaping works are properly established on site.

## **Informatives**

It should be noted that:

1. 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.
2. 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.
3. Coal Authority - Standing Advice - Development Low Risk Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website.

### **Background Reading/External References**

To view details of the application go to the [Planning Portal](#)

**Further Information - Local Development Plan**

**Date Registered: 31 October 2022**

### **Drawing Numbers/Scheme**

01-06, 07A, 08B -13B, 14-29, 30A

Scheme 1

**David Givan**  
**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

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



## Summary of Consultation Responses

NAME: Historic Environment Scotland

COMMENT: The proposals do not raise historic environment issues of national significance and therefore HES do not object. Satisfied the proposed public realm works will not have any adverse impacts on Caroline Park House.

DATE: 11 November 2022

NAME: Archaeology Officer

COMMENT: No objection, a condition is recommended.

DATE: 17 November 2022

NAME: Environmental Protection

COMMENT: No objection. Recommend a condition in relation to site investigation.

DATE: 2 November 2022

NAME: Flood Prevention

COMMENT: This application can proceed to determination, with no further comments from CEC Flood Prevention.

DATE: 30 November 2022

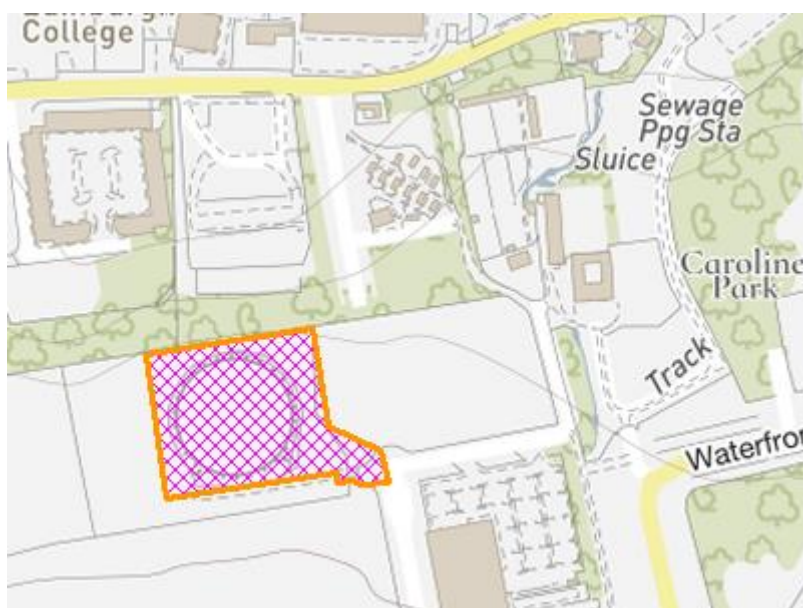
NAME: Edinburgh Airport

COMMENT: No objection. The proposed development does not conflict with safeguarding criteria.

DATE: 17 November 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

## Location Plan



This page is intentionally left blank

## Development Management Sub-Committee Report

**Wednesday 25 January 2023**

**Application for Planning Permission  
6 Braid Hills Approach, Edinburgh, EH10 6JY**

**Proposal: Demolish existing bungalow and erect new house, garage, hobby room and access road.**

**Item – Committee Decision  
Application Number – 22/00712/FUL  
Ward – B10 - Morningside**

### **Reasons for Referral to Committee**

The application has been referred to the Development Management Sub-Committee because 63 letters of objection have been received and it is recommended for approval. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

### **Recommendation**

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

### **Summary**

The proposal is in accordance with the development plan. Residential use is established on-site and is compatible with the character of the area. It will continue to help support local facilities and sustainable transport modes nearby. A satisfactory residential environment will be created and there will be no unreasonable impact on the amenity of neighbouring residents. Sustainable modes of transport are located nearby, and exceedance of the car parking standards is acceptable given the existing parking provision on-site. No specific road or pedestrian safety issues will occur as a result. There are no material considerations that outweigh this conclusion.

## **SECTION A – Application Background**

### **Site Description**

The application site consists of a single storey bungalow located at an elevated position on a hill overlooking the city from the Braid Hills area. There is currently no road access up to the house only steps winding up the front garden which end at the nearest vehicular access. The site slopes down at the back to the rear boundary of the houses which sit to the south. The current house footprint is 160 sqm.

There is a single garage at the foot of the hill, bin store area and a shared access road.

The surrounding area is residential in nature. There are a variety of styles and heights evidenced by the surrounding residential properties. A two-storey house (7 Braid Hills Approach) sits near the application site to the northeast. Further up Braid Hills Approach road to the east there is a three-storey house (4 Braid Hills Approach), although two storeys is the dominant building height within the immediate residential area.

The Braid Hills Golf Course lies to the east of the residential area and is designated Green Belt and a Special Landscape Area - Braids, Liberton and Mortonhall. This wraps round to the south. An area of open space lies on the other side of Braid Hills Approach.

### **Description of the Proposal**

The proposal includes the demolition of the existing residential bungalow and replacement with a three-storey dwelling and associated works including formation of a new site access and small-scale solar array.

The new dwelling is three storeys in height and utilises a contemporary design approach. A combined built footprint of 304 square metres (sqm) will be occupied by the proposed dwelling and ancillary hobby room. To support the sustainability of the proposed dwelling, an inclined plane supporting a 58 sqm section of solar array (formed by several PV Panels) is proposed, located directly next to the ancillary hobby room south of the proposed dwelling.

To facilitate development of the proposed dwelling, total demolition of the existing, single storey bungalow on site is proposed, as well as total demolition of the existing single storey garage located at the foot of the existing stepped access to the site.

Materials comprise zinc cladding and roofing, and panels of white brick framed in steel. Extensive glazing is proposed on the north, west and south elevations as evidenced by the extensive window openings shown on the submitted elevation drawings.

A high degree of private amenity space associated with the site will be retained as part of the proposal.

The site access is to be altered by way of creating a vehicular access from the Braid Hills Approach and a revised step access route leading from Braid Hills Approach to the proposed dwelling.

### **Revised Scheme-**

A revised scheme was submitted for consideration in October 2022 which reflected proposed amendments to address points raised by the case officer regarding visual impact of the initial proposal within the townscape, and impacts on neighbouring residential amenity. The amendments included a reduction in height of 1.5 metres, and the re-orientation of the proposed dwellinghouse within the site by a further 4 metres off the west boundary into the site, in order to provide further clearance from the neighbouring residential property at 7 Braid Hills Approach. A renotification of neighbours took place in light of the amended scheme details.

### **Relevant Site History**

No relevant site history.

### **Other Relevant Site History**

### **Pre-Application process**

Pre-application discussions took place on this application.

### **Consultation Engagement**

Natural Heritage

Transportation

Flood Planning

Refer to Appendix 1 for a summary of the consultation response.

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** 24 October 2022

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** Not Applicable

**Site Notices Date(s):** Not Applicable

**Number of Contributors:** 79

## **Section B - Assessment**

### **Determining Issues**

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 material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations 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 consideration due to the development plan being over 5 years old.
- equalities and human rights.
- public representations; and
- any other identified material considerations.

## Assessment

To address these determining issues, it needs to be considered whether:

### a) The proposals comply with the development plan.

The Development Plan comprises the Strategic and Local Development Plans. The relevant Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Design policy Des 1 - Design Quality and Context
- LDP Design policy Des 3 - Development Design - Incorporating and Enhancing Existing and Proposed Measures
- LDP Design policy Des 4 - Development Design - Impact on Setting
- LDP Design policy Des 5 - Development Design - Amenity
- LDP Design policy Des 6 - Sustainable Buildings
- LDP Design policy Des 11 - Tall Buildings
- LDP Environment policy Env 12 - Trees
- LDP Environment policy Env 16 - Species Protection
- LDP Environment policy Env 21 - Flood Prevention
- LDP Housing policy Hou 1 - Housing Development
- LDP Housing policy Hou 3 - Private Green Space in Housing Development
- LDP Housing policy Hou 4 - Housing Density
- LDP Transport policy Tra 2 - Private Car Parking
- LDP Transport policy Tra 3 - Private Cycle Parking
- LDP Transport policy Tra 4 - Design of Off-Streetcar and Cycle Parking

The Edinburgh Design Guidance is a material consideration that is relevant when considering policies of the Local Development Plan.

### Land Use

Policy Hou 1 (Housing Development) - criteria d) refers to delivery of the housing land supply and relevant infrastructure on suitable sites in the urban area provided proposals are compatible with other policies in the plan.

The site is located within the urban area where the continued residential use on-site is appropriate.

The proposal's compatibility with all other applicable policies are assessed throughout this report.

Policy Hou 3 (Private Green space in Housing Development) states planning permission will be granted for development which makes adequate provision for green space to meet needs of future residents.

The proposal includes provision of greenspace to the front and rear which will provide adequate external amenity space for future occupiers.

Policy Hou 4 (Housing Density), states an appropriate density of development on each site will be sought having regard to the following as summarised:

- a) its characteristics and those of the surrounding area.
- b) the need to create an attractive residential environment and safeguard living conditions within development,
- c) the site's accessibility including access to public transport
- d) encourage and support provision of local facilities

The footprint of the new dwelling will be larger than the existing. Its form will differ, and its overall height is larger, and the proposed dwelling will be reorientated in its positioning within the site. The resultant plot ratio will still be acceptable in light of the new dwelling.

The proposed ancillary hobby room will be appropriately modest in scale, as a single storey structure subservient to the proposed dwelling, finished in high quality materials in the form of white brick and white mortar to reflect the design approach for the main dwelling.

The dwelling will be an appropriate size when considered in the context of the plot, and is designed with large, glazed openings allowing natural light into the main habitable spaces. The size of garden spaces will allow good levels of sunlight to be received. Therefore, overall, an attractive residential environment will be achieved.

The established residential use on-site is compatible with the surrounding character of the area which will safeguard future living conditions.

In light of the above, the proposal complies with LDP policies Hou 1, Hou 3 and Hou 4.

### Design

LDP policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area.

LDP policy Des 3 (Existing and Potential Features) states permission will be granted for development where existing characteristics and features worthy of retention on the site and surrounding area have been identified, incorporated, and enhanced through design.

LDP policy Des 4 (Development Design - Impact on Setting) requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regard to its height and form, scale, and proportions, including the spaces between the buildings, position of the buildings and other features on the site, and the materials and detailing. Supporting paragraph 154 of the policy refers to where the built environment is of high quality and has a settled townscape character, new development will be expected to have similar characteristics to surrounding buildings and urban grain.

LDP policy Des 11 (Tall Buildings - Skyline and Key Views) requires development which is proposed to rise above the prevailing building height in the surrounding area to result in an enhancement of the skyline and surrounding townscape where a landmark is to be created, the scale of any proposed building is appropriate in its context, and that there would be no adverse impact on important views of landmark buildings, the historic skyline, landscape features in the urban area or landscape setting of the city, including the Firth of Forth.

In assessing the suitability of the proposal based on the requirements of the LDP design policies there are several key factors for consideration including the proposed design approach, the proposed massing, scale, form, and overall height of the proposed dwelling in the context of distant Protected Skyline Views of the site and views of the proposed dwelling within the context of the existing townscape. As part of the assessment the agent undertook a visual impact appraisal exercise, detailing prominent near and distant views (including those of the protected skyline) to the site to assess compliance with the applicable LDP design-based policies.

In relation to townscape, there are not any prevalent characteristics of the built environment present on Braid Hills Approach and the surrounding streets in close proximity such as Braid Mount and Bramdean Rise. This being in terms of general consistency of a standard design approach, material selection and the built form. Additionally, the site is not within or in close proximity to any Conservation Areas or Listed Buildings. Given that there is no defined townscape within the immediate vicinity of the site, any design approach for the site does not require adherence to a set design approach.

However, the topography of site is unique given the elevated position of the plot, both within the street and from more distant viewpoints. This carries with it the requirement to consider the prominence of any development visually on site in order to assess visual impact.

#### Visual Impact-

To assess the acceptability of the proposal regarding visual impact associated with the elevated and visible nature of the site, and the increase in size, scale, massing, and overall height of the proposed dwelling a visual impact assessment has been undertaken which included several Protected Skyline Views and also prominent views of the site in close proximity from surrounding streets.

The Protected Skyline Views covered included S8a Buckstone Snab - Castle, Firth of Forth and distant hills and S8d Buckstone Snab - Corstorphine Hill in the South of the City. Given their proximity to the site and scope for views looking north over the landscape setting, cityscape and Firth of Forth beyond both were viewpoints assessed. From the S8a viewpoint the proposal would be visible, however when viewed in the context of the existing townscape the built form, scale, massing, and height proposed would not have an overbearing impact visually, nor detract from views northwards over the site, cityscape and Firth of Forth beyond. From the S8d viewpoint the proposal would not be visible due to the existing topography of the natural landscape present. There would be no overbearing visual impact, nor would the proposal by way of built form, scale, massing, and height proposed detract from the view's northwards over the cityscape and Firth of Forth beyond. A review of the Protected Skyline Views C1d - Castle Ramparts - Pentland Hills, C2b - Camera Obscura & Castle Esplanade -



Pentland Hills and C8b - Calton Hill - Pentland Hills from in and around the City Centre were also undertaken, given the importance of views from these points southwards across the cityscape towards the site and Pentland Hills beyond. The results showed that the large distances from these viewpoints to the site resulted in no significant detrimental impact on the quality of views from each individual viewpoint assessed. There would be no overbearing visual impact, nor would the proposal by way of built form, scale, massing, and height have an overbearing impact visually, or detract from the view's southwards over the cityscape towards the Pentlands.

In addition to long range Protected Skyline Views, a review of views to the site from the immediate vicinity of Braid Hills Road, Braid Hills Approach, Braid Mount and Bramdean Rise was undertaken. These show that the proposal although visible at points from the surrounding streets, would not have an overbearing impact visually, given the presence of existing building lines, boundary treatments and built environment. The proposal by way of built form, scale, massing, and height would be appropriate the context of the immediate streetscapes assessed. An assessment of the visual appraisal provided by the agent shows that there would be no significant detrimental visual impact when assessing the proposal from a selection of 'Protected Skyline Views' each with a visual link to the site, and key views to the site from close proximity.

Given the findings of the Protected Skyline Views assessment, the proposal is compliant with LDP policy Des 11 as the proposed dwelling by way of built form, scale, massing, and height would not result in any adverse impact on important views of landmark buildings, the historic skyline, landscape features in the urban area or landscape setting of the city, including the Firth of Forth.

The proposal is compliant with LDP policy Des 4 as it would not have a detrimental impact on the character of the wider townscape, with regards to spaces between the buildings, position of the buildings and other features on the site and how the site is viewed in the immediate proximity.

#### Design Solution-

The new dwelling proposed would utilise high-quality materials including zinc cladding and roofing, and panels of white brick framed in steel for the external fabric. The modern, contemporary design approach would create a point of interest on the street scene. The proposed design solution in the context of the site and immediate townscape is considered acceptable and would not damage the character or appearance of the surrounding built environment or townscape.

#### Plot Ratio-

On review of the plot ratio, the increase in built footprint associated with the replacement dwelling would not constitute overdevelopment of the site. From the plot ratio analysis undertaken by the agent as part of the assessment, the proposed dwelling would by way of built footprint occupy 13% of the overall site area due to the large plot size. From a wider review of the plot ratios present along Braid Hills Approach, this figure is not considered high.

In regard to achieving an acceptable plot ratio, the proposal broadly complies with LDP policy Hou 4 as an acceptable density of development will be achieved.

## Proposed Demolition-

Due to the varied nature of design approaches which form the character of the street and wider townscape, a range of design approaches can be supported subject to other policy considerations. In this respect there is a variety of designs present within the surrounding residential streets, and the character of the area is mixed and not defined by a unified architectural style. In this context, the demolition of the bungalow is acceptable, subject to an appropriate high-quality replacement dwelling being progressed.

Removal of the existing bungalow and addition of this modern dwelling will read as a clear, visible change on the street. The new dwelling will not reflect the mixed townscape characteristics regarding its form and materials. However, as a distinguishable, modern design concept there is no requirement to replicate the appearance of the mixed design approaches present elsewhere on the street.

Overall, the introduction of a high-quality, innovatively designed modern house will add interest to the existing variation of architecture, which is currently evident along the street.

The proposal therefore complies with the overall objectives of relevant LDP design policies.

A condition has been added for full details of the external materials to be submitted prior to works starting on-site.

### Amenity

LDP Policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate that neighbouring amenity of a development will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy, or immediate outlook. It further requires new development to offer suitable level of amenity to future residents.

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

### Amenity of Future Occupiers-

Edinburgh Design Guidance (EDG) states it is important that buildings are spaced far enough apart that reasonable levels of privacy, outlook daylight and sunlight can be achieved. Further, that people value the ability to look outside, to gardens, streets, or more long-distance views.

Additionally, EDG requires provision of well defined, functional, good quality private gardens to all houses and ground floor flats. EDG refers to spaces having different sunlight requirements, however generally half the area of gardens should be capable of receiving sunlight for more than two hours during the spring equinox.

The EDG requires a minimum internal floor area of 91 sqm for three bedrooms or more with enhanced storage designed for growing families.

The dwelling will cater for a good quality residential environment, supported by the size of windows which will allow good levels of light and outlook internally, as well as ease of movement internally per the proposed layout. Internally, the 91 sqm requirement will be met.

The front and rear gardens are generously sized allowing good levels of sunlight to be received. The remaining extent of private amenity space to support the proposed dwelling is acceptable in relation to the provisions of LDP policy Hou 3.

The position of the dwelling will be compatible with the spatial pattern of the street. This will allow a level of privacy for future occupiers that is characteristic of the area.

In regard to future occupier's amenity, the proposal broadly complies with LDP policy Des 5 as an acceptable living environment will be achieved.

#### Neighbouring Occupiers-

The Edinburgh Design Guidance states buildings should be spaced out so that reasonable levels of daylight to existing buildings are maintained.

The layout of buildings in an area will be used to assess whether proposed spacing is reasonable.

Sunlight to neighbouring gardens can be tested by checking whether new development rises above a 45-degree line drawn in section from the site boundary. Daylight to gables and side windows are generally not protected.

Furthermore, the pattern of development in an area will help define appropriate distances between buildings and privacy distances.

As part of the assessment the scheme was revised and the proposed dwelling position within the site was amended with the dwelling position moved by 4 metres west within the site, and the overall height reduced by 1.5 metres to address concerns raised over potential detrimental impact on residential amenity on the closest neighbouring residential property at 7 Braid Hills Approach.

#### Sunlight Provision-

A review of the levels of sunlight which would reach the private garden ground of the nearest neighbouring residential property at 7 Braid Hills Approach as a result of development has been undertaken. Due to the extent of useable garden ground associated with 7 Braid Hills Approach, the extensive tree coverage present along the shared eastern boundary, and the separation distance of 9.7 metres from the proposed dwellings northeastern elevation to the main rear elevation number 7, there would be no significant loss of sunlight to the rear useable garden ground of 7 Braid Hills Approach.

## Daylight-

An assessment of daylight provision to the nearest neighbouring residential property at 7 Braid Hills Approach was undertaken. The daylighting analysis covered several months and seasons and included timings throughout the day to provide a full overview of daylight levels. In reviewing the daylight assessment findings, the proposed dwelling would not result in a detrimental loss of daylight to the nearest neighbouring residential property at 7 Braid Hills Approach. When assessed in the context of levels of daylight currently experienced by the occupants of 7 Braid Hills Approach given the existing bungalow on site, the orientation of the proposed dwelling within the site and separation distance to the closest neighbouring property, analysis ensures that there would be no significant detrimental impact on daylight provision to 7 Braid Hills Approach.

## Overlooking-

In considering any potential overlooking associated with the new dwellinghouse an assessment of the relationship between the proposed and nearby existing residential properties has been undertaken, specifically the presence of the proposed terrace sections and outlooks, levels of fenestration, orientation of the proposed dwelling within the site and the presence of boundary treatments and level of screening present.

Outlooks west from the site cover the existing garden ground associated with 4 Braid Hills Approach. A separation distance of 17.1 metres lies between the closest point of the proposed western elevation and shared boundary with 4 Braid Hills Approach. When combined with the separation distance between the eastern elevation of 4 Braid Hills Approach and the shared site boundary there exists a total separation distance of 30.88 metres. The change in levels between the site and neighbouring property at 4 Braid Hills Approach, combined with the level of screening afforded by the natural boundary along the shared western elevation are considered sufficient mitigation against any unacceptable level of overlooking. The factors outlined above would mitigate any potentially unacceptable level of overlooking, when considering the level of fenestration proposed associated with the living room at second floor and bedrooms at third floor level, and terrace section proposed on the west elevation. There would not be an unacceptable level of overlooking into the habitable rooms or private rear amenity space associated with 4 Braid Hills Approach.

Outlooks northeast from the site cover the existing and nearest neighbouring residential property at 7 Braid Hills Approach. A separation distances of 9.7 metres lies between the closest point of the proposed north-eastern elevation and the shared boundary with 7 Braid Hills Approach. Taking into account the revised proposal which included the re-orientation of the building footprint a further 4 metres off the shared boundary with 7 Braid Hills Approach, and the setback distance of just under 3 metres from the front facing building line of the proposed dwelling from the principle rear elevation of 7 Braid Hills Approach, these elements would mitigate any potentially unacceptable level of overlooking, when considering the level of fenestration proposed associated with the living room at second floor and bedroom at third floor level (window openings are limited along the eastern elevation), and terrace section proposed on the north-eastern elevation. There would not be an unacceptable level of overlooking into the habitable rooms or private rear amenity space associated with 7 Braid Hills Approach.

Outlooks south from the site cover several of the existing neighbouring residential properties located along Bramdean Rise. Separation distances, 18 to 23 metres lie between the closest point of the proposed southern elevation and shared rear boundaries of the properties located along Bramdean Rise. There would also be a separation distance of between 9.7 to 13.9 metres from the edge of the proposed terrace section above the hobby room proposed on the southern elevation and shared rear boundaries of the properties located along Bramdean Rise. The change in levels between the site and neighbouring properties at Bramdean Rise, combined with the level of screening afforded by the natural site boundary along the shared southern boundary are considered mitigation against any unacceptable level of overlooking. The factors outlined above would mitigate any potentially unacceptable level of overlooking, when considering the level of fenestration proposed associated with the play and family rooms at second floor and bedroom at third floor level, and terrace section proposed on the south elevation. There would not be an unacceptable level of overlooking into the habitable rooms or private rear amenity space associated with the properties located along Bramdean Rise.

The orientation of the replacement dwelling within the site coupled with the separation distances to neighbouring residential properties (4 Braid Hills Approach to the west, 7 Braid Hills Approach to the east and the Bramdean Rise properties directly south), level of natural screening in place on existing shared boundaries, ensure that no primary rooms in neighbouring residential properties, or private amenity space would be overlooked to an extent deemed to be detrimental.

In regard to neighbours' amenity, the proposal complies with LDP policy Des 5.

### Sustainability

Policy Des 6 (Sustainable Buildings) states permission will be granted for new development where it is demonstrated that:

- a) current carbon dioxide emissions targets have been met
- b) features are incorporated to reduce or minimise environmental resource use.

Supporting paragraph 156 states this policy applies to all development involving one or more new buildings.

Paragraph 158 states that to meet criteria a) proposals for new development must accord with current carbon dioxide emissions reduction target (as set out by Scottish Building Standards).

In regard to the new dwelling and criteria a), there are minimum standards in relation to energy and sustainability that have to be met and assessed through submission of any subsequent Building Warrant.

In regard to b), the design of the new dwelling has a focus on sustainability. The supporting statement references the new dwelling's exclusion of gas as a power source or any other carbon releasing fuels, and inclusion of an integrated solar array (with an annual generation of 10,277 kwh) to generate renewable energy. The main energy source for the dwelling will be from boreholes linked to ground source heating via a heat exchanger. In addition, large, glazed openings are included throughout to increase the levels of natural light available internally.

In this regard, the design of the building aims to produce a highly sustainable, modern building which complies with objectives of policy Des 6 of the LDP.

### Transport

#### Car Parking-

LDP policy Tra 2 (Private Car Parking) set out the requirements for private car parking. The Council's Parking Standards are set out in the Edinburgh Design Guidance.

LDP policy Tra 4 (Design of Off-Streetcar and Cycle Parking) gives design considerations for car parking. These include a preference for basement level parking, and not at street level where at the expense of an active frontage onto private open space. In addition, that the design should not compromise pedestrian safety.

The site is identified within the Edinburgh Design Guidance Parking Standards as being in Zone 3 where there should be a maximum car parking provision of 1 space per dwelling. A new vehicular access to the site is proposed. The proposed paved area to the rear of the property at the end of the access road has one car parking space detailed. The size of this area has potential to accommodate an additional car. The proposed car parking provision slightly exceeds that currently in place on site, and there is no net impact from the scheme in terms of encouraging private car use.

The accessibility to public transport is commensurate with existing levels in this residential area.

Lothian Bus service 15 is an approximate eight-minute walk away onto Pentland Terrace which provides access into the city centre. The local centre on Comiston Road is accessible in a 16-minute walk or 13-minute bus journey via Lothian Service no.11.

The continued residential use on-site will help support these local facilities.

The Council's Transport team has been consulted on the revised proposals and have raised no objection. The level of parking proposed on site is acceptable in order to serve a private domestic dwelling in this case, taking account of the existing provision of car parking on site.

No specific road or pedestrian safety issues are raised.

#### Cycle Parking Provision-

LDP policy Tra 3 states permission will be granted where proposed cycle parking and storage complies with standards in Council Guidance.

Edinburgh Design Guidance states for houses with four or more habitable rooms 3 cycle spaces should be provided.

LDP policy Tra 4 refers to design considerations for cycle parking including its location nearer to building entrances than car parking and considerations of council guidance.

EDG states long-stay provision will be required in residential development where focus should be on location, security, and weather protection. Short stay should be convenient and accessible - near entrances with preferably step free access.

No designated cycle parking has been included as part of the proposal however there is adequate space to accommodate parking for three cycles on-site within the proposed ancillary hobby room. A condition has been included for full details of cycle parking to be submitted, approved, and installed prior to first use of the new dwelling.

### Ecology

Policy Env 16 (Species Protection) refers to development not being to the detriment of protected species.

An Ecological Survey was submitted in support of the proposals. The survey findings advised that the existing building was assessed as having moderate suitability for roosting bats. Based on these findings, further survey work to assess bat presence was recommended. Subsequently, a Stage 2 Bat Activity Survey covering June to July 2022 followed. The Stage 2 Survey consisted of two sunset surveys based on results of a preliminary roost assessment. The surveys noted one species of bat being recorded in flight, and that no bat roosts were identified during the survey, meaning no further survey work was recommended.

Updated surveys would be required should work not commence within 18 months of this survey and the applicant should be mindful of this.

Should roosting bats be discovered at any time during demolition, work must stop, and Nature Scot be contacted for advice. A bat licence may be required in line with the proposed works on site.

In light of the above, the proposal complies with LDP policy Env 16.

### Protected Trees

LDP policy Env 12 (Trees) states development will not be permitted likely to have a damaging impact on protected trees, or trees worthy of retention unless necessary for good arboricultural reasons.

Edinburgh Design Guidance (EDG) states that design considerations for new development should include consideration of factors including impact of trees on daylight, shading of buildings and open spaces.

The submitted Arboricultural Report states that five Category C trees (Nos 0352, 0353, 0346, 0347 and 0357) are proposed for removal in order to facilitate the development of the site. The trees on site are not protected by a Tree Preservation Order, nor does the site lie within a Conservation Area.

On review of the proposed mitigation measures outlined, a tree protection zone is proposed on site comprising tree protective fencing encapsulating remaining tree clusters in the northwest, southwest and southeast corners of the site. A planning condition has been attached to this permission to ensure full details of the tree protective zone are submitted for review prior to any works commencing on site.

The proposal will result in the loss of several Category C trees deemed as being of low to moderate quality, and in this instance their removal is deemed acceptable in order to facilitate the proposed development.

In light of the above, the proposal is acceptable per the provisions of LDP policy Env 12.

### Flooding and Drainage

Policy Env 21 (Flood Protection) states permission will not be granted for development that would increase flood risk.

As evidenced by the SEPA online flood maps, the site is not located within an area of flood risk from river or surface water-based sources.

A Drainage Strategy Report has been submitted as part of the planning application.

This information has been reviewed by the Council's Flood Planning Team and no objections have been raised subject to inclusion of a planning condition. The proposed condition attached requires confirmation from Scottish Water showing acceptance of the proposed surface water discharge rate to the combined network.

The proposal has been designed to mitigate against the risk of future flood risk and complies with policy Env 21.

### **Conclusion in relation to the Development Plan**

The proposal is in accordance with the development plan. Residential use is established on-site and is compatible with the character of the area. It will continue to help support local facilities and sustainable transport modes nearby. A satisfactory residential environment will be created and there will be no unreasonable impact on the amenity of neighbouring residents. Sustainable modes of transport are located nearby, and exceedance of the car parking standards is acceptable given the existing parking provision on-site. No specific road or pedestrian safety issues will occur as a result.

#### **b) There are any other material considerations which must be addressed?**

The following material planning considerations have been identified:



## SPP - Sustainable development

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

The proposal complies with Paragraph 29 of SPP.

## Emerging policy context

The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023 to proceed to adoption. On adoption the Revised Draft NPF 4 (2022) will form part of the Council's Development Plan, but at present it remains a material consideration. As adoption of the Revised Draft NPF 4 (2022) is understood to be imminent, and it is now the settled position of Scottish Ministers and the Scottish Parliament, it requires to be given significant weight. Revised Draft NPF 4 (2022) lists various policy provisions under the themes of Sustainable Places, Liveable Places and Productive Places.

Policy 1 of the Draft NPF 4 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The application addresses this through:

- Exclusion of gas and fossil fuel heating, solar array, ground source heat pump and natural light and ventilation.

The proposed development is considered to broadly comply with the provisions of NPF 4 and there is not considered to be any significant issues of conflict.

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

## Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

## Public representations

Seventy-nine representations have been received.

Sixteen representations have been received in support and Sixty-three representations have been received in objection to the proposal.

A summary of these representations is provided below:

representations in support-

- High quality design
- Sustainable design and building technologies
- Enhance streetscape
- Increased level of accessibility
- Increase availability of housing

material objections-

- Adverse impact on streetscape by way of proposed design: Addressed in section a) Design
- Adverse impact on the existing skyline of the city and key views: Addressed in section a) Design
- Adverse impact on the character and appearance of area: Addressed in section a) Design
- Adverse visual impact: Addressed in section a) Design
- Adverse impact on privacy: Addressed in section a) Amenity
- Adverse impact on daylight and sunlight: Addressed in section a) Amenity
- Road and pedestrian safety issues: Address in section a) Transport
- Environmental impact of demolition: Addressed in section a) Sustainability
- Impact on wildlife: Addressed in section a) Ecology
- Overdevelopment of the site: Addressed in section a) Design

non-material considerations-

- Structural safety associated with high winds given elevated site position
- Structural integrity of the surrounding area resultant from land disturbance associated with development
- Adverse impact from construction activities
- Radio coverage blockage
- Impact on house prices
- Loss of views
- Inclusion of reflective materials in design

### **Conclusion in relation to identified material considerations**

The material considerations support the presumption to grant planning permission.

## Overall conclusion

The proposal is in accordance with the development plan. Residential use is established on-site and is compatible with the character of the area. It will continue to help support local facilities and sustainable transport modes nearby. A satisfactory residential environment will be created and there will be no unreasonable impact on the amenity of neighbouring residents. Sustainable modes of transport are located nearby, and exceedance of the car parking standards is acceptable given the existing parking provision on-site. No specific road or pedestrian safety issues will occur as a result. There are no material considerations that outweigh this conclusion.

## Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

### Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. Prior to the commencement of the development a detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority; Note: samples of the materials may be required.
3. Prior to the commencement of the development a detailed specification, including a manufacture details for the solar array shall be submitted to and approved in writing by the Planning Authority; Note: samples of the materials may be required.
4. Prior to the commencement of development, full details of all hard and soft Surface, Boundary and Landscaping treatments, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. All hard and soft landscaping to be completed within six months of the occupation of the development hereby approved.
5. Prior to the commencement of the development details of the fully enclosed secure cycle stores shall be submitted to and approved in writing by the Planning Authority. The cycle stores shall thereafter be implemented prior to the first use of the approved dwelling.
6. Prior to the commencement of the development confirmation that Scottish Water have accepted the proposed surface water discharge rate to the combined network shall be submitted to and approved in writing by the Planning Authority.
7. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 " Trees in relation to design, demolition and construction".

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. For the planning authority to consider this matter in detail.
5. In order to provide appropriately designed cycle storage for future residents.
6. In order to provide appropriately designed drainage infrastructure for the development and site.
7. In order to safeguard protected trees.

### **Informatives**

It should be noted that:

1. 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.
2. 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.

### **Background Reading/External References**

To view details of the application go to the [Planning Portal](#)

**Further Information - [Local Development Plan](#)**

**Date Registered: 24 February 2022**

### **Drawing Numbers/Scheme**

01A - 14A, 15

Scheme 2

**David Givan**  
**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

Contact: Jay Skinner, Planning Officer  
E-mail: jay.skinner@edinburgh.gov.uk

Appendix 1

## Summary of Consultation Responses

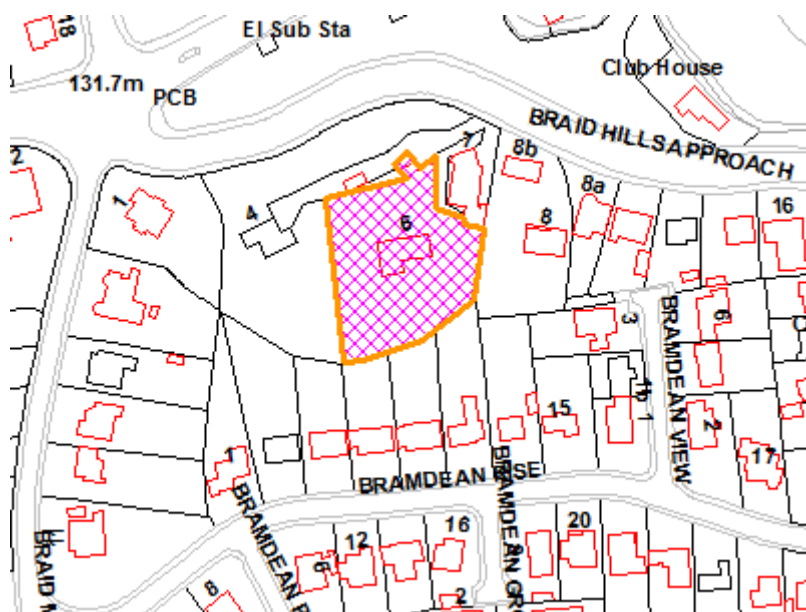
NAME: Natural Heritage  
COMMENT: No objection to the proposal.  
DATE: 9 January 2023

NAME: Transportation  
COMMENT: No objection to the proposal.  
DATE: 16 January 2023

NAME: Flood Planning  
COMMENT: No objection to the proposal subject to inclusion of a condition.  
DATE: 9 January 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

## Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420

This page is intentionally left blank

## Development Management Sub-Committee Report

**Wednesday 25 January 2023**

**Application for Planning Permission  
Lock Up, East Brighton Crescent, Edinburgh**

**Proposal: Demolition of lock-up garages, repositioning of existing rear garden wall and proposal of two new dwelling houses on the Land South of 1 East Brighton Crescent.**

**Item – Committee Decision  
Application Number – 22/01472/FUL  
Ward – B17 - Portobello/Craigmillar**

### **Reasons for Referral to Committee**

This application has been referred to the Development Management Sub-Committee because it has received 40 objections. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

### **Recommendation**

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

### **Summary**

The proposals comply with the Edinburgh Local Development Plan and is acceptable with regards to Section 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The proposal is acceptable in principle and will not have a detrimental impact on the quality and character of the local environment or the spatial character of the surrounding area. The proposal will result in the creation of a satisfactory residential environment and will not have a detrimental impact on the amenity of neighbouring residents and setting of the listed building. It is recommended that the application be granted.

## **SECTION A – Application Background**

### **Site Description**

The application site is to the rear of 1 East Brighton Crescent (B listed, LB reference LB27200, listed 14 December 1970) and comprises of four small lock up garages lying at right angles to the garden with a separating wall. There are two other lock up garages immediately to the south east of the site, beyond the red line boundary. The garages date from around the 1960s but are not considered curtilage listed buildings due to their separation from the B listed 1 East Brighton Crescent.

The site is accessed from Lee Crescent to the north east of the site. To the south of the site runs Christian Path, a public walkway which leads to Brighton Place (West) and Windsor Place (East).

The site area is 374sqm.

The surrounding area is largely residential, but Portobello Town Centre is within walking distance, where there is a mix of retail, commercial and leisure uses and good public transport services.

The site lies within the Portobello Conservation Area.

### **Description Of The Proposal**

It is proposed to demolish the lock-up garages and erect two three bedroom dwelling houses. This involves the repositioning and rebuilding of the existing rear listed garden wall to 1 East Brighton Crescent. The two new houses will be one and a half storeys in height and of a contemporary design. They both include rear private garden spaces with bin and cycle stores to the rear. The proposed roof material is zinc standing seam. The proposed façade materials include timber and natural stone to match the existing villa.

### **Supporting Information**

- Tree Survey
- Planning Design Statement
- Drainage Strategy and Surface Management Plan

These documents are available to view on the Planning Portal.

### **Relevant Site History**

No relevant site history.

### **Other Relevant Site History**

Pending Listed Building Consent for `Demolition of lock-up garages, repositioning of existing rear garden wall and proposal of two new dwelling houses on the Land South of 1 East Brighton Crescent. ref number 22/01474/LBC.



Pending Conservation Area Consent for `Demolition of lock-up garages, repositioning of existing rear garden wall and proposal of two new dwelling houses on the Land South of 1 East Brighton Crescent. ref. number 22/01473/CON.

### **Pre-Application process**

Pre-application discussions took place on this application.

### **Consultation Engagement**

Historic Environment Scotland

Waste Service

Archaeology

Transport Planning

Refer to Appendix 1 for a summary of the consultation response.

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** 25 March 2022

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** 1 April 2022

**Site Notices Date(s):** 29 March 2022

**Number of Contributors:** 40

## **Section B - Assessment**

### **Determining Issues**

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

a) Is there a strong presumption against granting planning permission due to the proposals:

(i) harming the listed building or its setting? or

(ii) conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?

b) If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

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

If the proposal is in accordance with the development plan the determination should be to grant planning permission unless material considerations indicate otherwise?

If the proposal is not in accordance with the development plan the determination should be refuse planning permission unless material considerations indicate otherwise?

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 consideration due to the development plan being over 5 years old;
- equalities and human rights;
- public representations; and
- any other identified material considerations.

## **Assessment**

To address these determining issues, it needs to be considered whether:

### **a) The proposals harm the listed building and its setting?**

The following HES guidance is relevant in the determination of this application:

- Managing Change - settings
- Managing Change - boundaries

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

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

Historic Environment Scotland's guidance note Managing Change in the Historic Environment: Setting sets out the principles that apply to developments affecting the setting of historic assets or places including listed buildings and conservation areas. It states that factors to be considered in assessing the impact of a change on the setting of a historic asset or place include the presence, extent, character and scale of the existing built environment within the surroundings of the historic asset or place and how the proposed development compares to this and the ability of the setting to absorb new development without eroding its key characteristics and the effect of the proposed change on qualities of the existing setting.

The site lies next to 1 East Brighton Crescent, which contains a row of Category B listed buildings and the associated boundary wall to the rear. The proposed new dwelling houses to the south of 1 East Brighton Crescent would be built close to the western boundary wall of 1 and 2 East Brighton Crescent. Although the repositioning of the boundary wall to the rear does reduce the size of the existing garden grounds of 1 East Brighton Crescent, there is still ample garden area left to maintain the setting of the listed building. As the proposed development is located to the rear of the B listed villa,

the frontage of the listed buildings would not be impacted. The proposed dwelling houses will appear as a separate structure behind the rear boundary wall.

The views towards the listed building from the Christian Path is already reduced due to a high stone wall which would remain in place. Therefore, the setting of the listed building is not negatively impacted.

### **Conclusion in relation to the listed building**

The proposal will not detract from the special architectural and historic interest of the adjacent listed building nor harm its setting and is acceptable with regards to section 59 of the Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997.

#### **b) The proposals harm the character or appearance of the conservation area?**

*The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high quality architecture, and the predominant use of traditional building materials...*

*What is important is not that new buildings should directly imitate earlier styles, rather that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own. Therefore, while development of a gap site in a traditional terrace may require a very sensitive design approach to maintain the overall integrity of the area; in other cases, modern designs sympathetic and complimentary to the existing character of the area may be acceptable'*

The main buildings fronting East and West Brighton Crescent are Georgian in style. Although Portobello does not have the same spatial pattern of mews buildings as the New Town, there are existing one and a half storey cottages along Lee Crescent Lane. The proposed development reflects a similar scale, massing and form as the existing cottages, contributing positively to the character and appearance of the conservation area.

Overall, the proposed development represents a sensitive and modern interpretation of the existing nearby cottages using high quality materials and design that reflects the character of the area. The works will also preserve the use of the back lane in this part of the conservation area.

The works will preserve and enhance the character and appearance of the conservation area

### **Conclusion in relation to the conservation area**

The proposal is acceptable with regards to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

#### **c) The proposals comply with the development plan?**

The development plan comprises the Strategic and Local Development Plans. The relevant Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Environment policies Env 3, Env 4, Env 6, Env 9, Env 12;
- LDP Design policies Des 1, Des 3, Des 4, Des 5;
- LDP Housing policies Hou 1, Hou 3, Hou 4;
- LDP Transport policies Tra 2, Tra 3.

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering policies Env 4 and Env 6.

#### Listed building

This has been assessed in section a). Overall, it has been concluded that the proposal does not conflict with LDP policies Env 3 and Env 4.

#### Conservation Area

This has been assessed in section b). Overall, it has been concluded that the proposal does not conflict with LDP policy Env 6.

#### Principle of the use

The application site is located in the urban area as designated in the Edinburgh Local Development Plan (LDP). Proposals in the urban area must accord with relevant policies in the LDP.

LDP Policy Hou 1 (Housing Development) prioritises the delivery of housing land supply and the relevant infrastructure and identifies four criteria (a-d) on where this can be achieved.

Criteria d) prioritises the delivery of housing on other suitable sites in the urban area in recognition that windfall sites can contribute to land supply. To comply with Hou 1 d), proposals must be compatible with other policies in the plan.

The site is located at the back of 1 East Brighton Crescent and is currently occupied by four small lock ups that have been proposed for demolition. The site is connected to existing public transport links and is within walking distance of Brighton Park. The site is an appropriate and sustainable location for infill housing.

LDP policy Hou 4 (Housing Density) seeks an appropriate density of development having regard to its characteristics and those of the surrounding area, the need to create an attractive residential environment, accessibility and its impact upon local facilities.

The surrounding area is generally low density with Georgian style properties and traditional tenements along Portobello High Street. There is also a range of properties in Windsor Place and small infill cottage style properties just behind the tenement buildings. The proposal is a low-density form of development that is in keeping with the scale and layout of the existing residential area. An appropriate level of greenspace is achieved, by virtue of the rear garden that will help create an attractive environment for future residents. An infill residential development in this location will utilise an unused site and help to support local facilities in Portobello Town Centre.

As such, introducing infill development of this density is considered compatible with the density of residential development evident in the area, complying with LDP policy Hou 4.

LDP Policy Hou 3 (Private Green Space in Housing Development) seeks to ensure adequate provision of green space will be provided to meet the needs of future residents.

Edinburgh Design Guidance (EDG) states that private gardens of over 9m in length are encouraged. Furthermore, gardens of a similar size to neighbouring gardens are likely to be required in order to preserve the character of the area.

Although, the recommended depth of garden space is 9 metres, there is no actual standard figure for new houses. This is not achieved by the proposal as the length of the garden is 5.7 metres. However, there is sufficient width, and the proportions of garden ground are over 40 square metres. In this regard, the provision of private green space is deemed acceptable. The proposal complies with LDP policy Hou 3.

The proposal is an acceptable location for new housing as the site is connected to nearby public transport links. The density of development is compatible with the surrounding residential development and an appropriate level of private greenspace is achieved. The development will support the vitality and viability of local services through increased footfall. The proposals comply with LDP policies Hou 1, Hou 3 and Hou 4.

#### Scale, form, design and neighbourhood character

The height and scale of the proposed dwelling houses reflects the one and a half storey cottages located on Lee Crescent Lane, whilst also being compatible with the larger Georgian villas and Victorian terraces.

The material palette includes timber, natural stone and zinc roofing. These provide a more contemporary finish appropriate to the context and complementary the predominantly stone and slate roof buildings.

The proposal also includes a new boundary wall repositioned from the existing position and moved further up into the existing garden of 1 East Brighton Crescent, using a stone to match the existing property. The moving of this boundary wall does reduce the size of the original garden of 1 East Brighton Crescent, however, there is still an ample garden left to maintain a decent setting.

As outlined in section a) and b) of the report, the proposed design will have a positive impact on the immediate surroundings through its height and form, scale and proportions, positioning, materials and detailing. This is in accordance with LDP Policies Des 1, Des 3, Des 4 and the Edinburgh Design Guidance which support new development where the design reflects the positive characteristics of the area.

## Creation of a Satisfactory Living Environment

Policy Des 5 supports development where future occupiers have acceptable levels of amenity in regard to noise, daylight, sunlight, privacy or immediate outlook.

The Edinburgh Design Guidance states that residential dwellings of three bedrooms or more shall have a minimum floor area of 91 square metres. The proposed dwellings contain three bedrooms and have floor areas of 96 sqm (plot one), and 91 sqm (plot two) respectively. In this regard, they both meet the internal space standards as set out in the Edinburgh Design Guidance.

In terms of daylight, the dwellings will achieve a satisfactory level of daylight by virtue of larger window on the principal elevation and roof windows on both sites.

In terms of sunlight, both properties contain south-west facing gardens. The size of these areas in tandem with the retained separation distances to the neighbouring properties is sufficient in order to achieve appropriate levels of sunlight.

With regards to private greenspace, the garden provides a good quality living environment for future residents.

Overall, the proposal will result in the creation of a high quality residential environment, thus complying with LDP Policy Des 5. Likewise, the proposal will provide quality amenity space for residents, in compliance with LDP Policy Hou 3 and the Edinburgh Design Guidance

## Impact on Neighbouring Amenity

LDP Policy Des 5 supports proposals that have no adverse impact on neighbouring developments in regard to noise, daylight, sunlight, privacy or immediate outlook.

With regards to privacy and outlook, the Edinburgh Design Guidance states that the pattern of development in an area will help to define appropriate distances between buildings and consequential privacy distances. The rear side of development often offers better opportunity for privacy than the street side; which can be compromised by existing proximity of neighbours' windows. The guidance does not seek to protect the privacy of gables of existing housing.

All proposed windows on the principal elevation would face the small lane and look across to the existing cottages. Although, the recommended distance to the boundary has not been met, the position of the proposed dormer windows to the front façade has been designed to minimise any impact.

In regard to the ground floor windows to the rear, the formation of a 1.8 metre boundary wall protects the overlooking into the neighbour's property. First floor bedroom windows to the rear and front are situated on the pitched roof to deter direct overlooking to neighbouring properties.

The spatial pattern of the area consists of larger garden plots with undisturbed views. Although the proposed infill development would disturb the immediate outlook of 1 East Brighton Crescent, the distance between the existing property and the proposed dwellings is approximately 14 metres of unobstructive view, which is more than the

recommended 9 metre distance. For this reason, the scale and positioning of the proposed development will not block the immediate outlook of neighbouring dwellings, in accordance with the Edinburgh Design Guidance.

Furthermore, the proposed use of the site for two residential dwellings is compatible with the predominantly residential character of the local area. It is, therefore, not anticipated that the development would give rise to an unreasonable level of noise.

In terms of overshadowing, the part that would be impacted is the back of the rear garden of the original property at 1 East Brighton Crescent. The submitted Sun Path Analysis shows that the impacted area would be in the morning at around 9am and this would be gradually reduced by 11am and 2pm. Given the positioning of the proposal in relation to the existing house and the scale of the garden, the overshadowing in this instance is acceptable.

Overall, the proposal will not result in an unreasonable impact on neighbour's amenity. It is therefore broadly compliant with LDP Policy Des 5.

### Transport

The provision of zero car parking provision in this location is acceptable as the site is well served by public transport. The proposal complies with LDP policy Tra 2 (Private Car Parking).

The proposal includes three cycle spaces per dwelling in the integral storage space at the rear. This complies with LDP Policy Tra 3 and the Edinburgh Design Guidance.

The proposal complies with LDP Policies Tra 2 and Tra 3.

### Trees

LDP policy Env 12 states that development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on other tree or woodland worthy of retention unless necessary for good arboricultural reasons.

After consultation with the Council's Tree Officer following the submission of a Tree Survey, it is concluded that the proposed development will not result in the loss of or damage to any trees, with the exception of a short cypress hedge within the application site. This will have no impact on the attractiveness and character of the locality.

The proposal complies with LDP Policy Env 12.

### Waste

The applicant has submitted details regarding the location of refuse facilities. Final agreement of the Waste Strategy is to be agreed with the Waste Planning Team therefore an informative has been included in regard to this.

### Archaeology

No archaeological features will be affected by the proposed development. The proposals comply with LDP policy Env 9.

## Flooding

Policy Env 21 (Flood Protection) states permission will not be granted for development that would increase flood risk.

A flood risk assessment and surface water management plan have been submitted.

This information has been reviewed by Flood Planning and no objections have been received subject to a condition confirming that Scottish Water accept the proposed surface water discharge rate to the combined network.

The application complies with policy Env 21.

## **Conclusion in relation to the Development Plan**

The proposals comply with the Development Plan. The proposal is acceptable in principle and will not have a detrimental impact on the quality and character of the local environment or the spatial character of the surrounding area. The proposal will result in the creation of a satisfactory residential environment and will not have a detrimental impact on the amenity of neighbouring residents and settings of a listed building.

### **d) There are any other material considerations which must be addressed?**

The following material planning considerations have been identified:

#### SPP - Sustainable development

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

The proposal complies with Paragraph 29 of SPP.

#### Emerging policy context

The Revised Draft National Planning Framework 4 was approved by the Scottish Parliament on 11 January 2023 to proceed to adoption. On adoption the Revised Draft NPF 4 (2022) will form part of the Council's Development Plan, but at present it remains a material consideration. As adoption of the Revised Draft NPF 4 (2022) is understood to be imminent, and it is now the settled position of Scottish Ministers and the Scottish Parliament, it requires to be given significant weight. Revised Draft NPF 4 (2022) lists various policy provisions under the themes of Sustainable Places, Liveable Places and Productive Places.

Policy 1 of the Draft NPF 4 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The application addresses this through:

- Proposal involves development of a brownfield site with sustainable urban drainage (SUDs).



The proposed development is considered to broadly comply with the provisions of NPF 4 and there is not considered to be any significant issues of conflict.

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed Cityplan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

### Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

### Public representations

A summary of the representations is provided below:

#### *material considerations*

- neither enhance nor preserves conservation area - assessed in the report section (b);
- proposed materials are inappropriate - assessed in section (c);
- visually obtrusive/overdevelopment - assessed in section (c);
- overlooking/privacy and overshadowing issue - assessed in section (c);
- no parking spaces - assessed in section (c);
- provided gardens are too small - assessed in section (c);
- both site boundary and ownership boundary are incorrect - The submitted plans provided sufficient information for the determination of this application; any dispute about ownership would be a civil matter;
- loss of sunlight - assessed in section (c);
- sun path analysis is only until 4pm - design statement has provided appropriate details to assess any potential impact;
- impact on trees - assessed in section (c);
- scale and form are inappropriate - assessed in section (c);
- flooding issue - assessed in section (c);
- not in keeping with the area - assessed in section (b);
- negative impact on listed building - assessed in section (a);
- site notice was not up until 13th/14th - the correct procedure has been undertaken;
- Impact on traffic - transport planning has been consulted and raise no objection.

### *non-material considerations*

- additional land has been taken on the drawings - this is not a planning material consideration but a civil matter;
- access dispute - this is not a planning material consideration but a civil matter;
- construction of higher wall was not discussed - the application has been assessed based on the information submitted and consulted upon;
- not wide enough to accommodate large trucks - planning has no control over this and as such it cannot be considered as part of this application;
- public water and sewer connection - this is not a planning matter, and it should be assessed by the building standards, any garden work it would be civil matter issue which cannot be materially assessed as part of the planning application;
- title deed prohibits development - - this is not a planning material consideration but a civil matter;
- impact on the value of the properties - this is not a planning material consideration.

### **Conclusion in relation to identified material considerations**

There are no material planning considerations which outweigh the conclusion set out above.

### **Overall conclusion**

The proposals comply with the Edinburgh Local Development Plan and is acceptable with regards to Section 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The proposal is acceptable in principle and will not have a detrimental impact on the quality and character of the local environment or the spatial character of the surrounding area. The proposal will result in the creation of a satisfactory residential environment and will not have a detrimental impact on the amenity of neighbouring residents and setting of the listed building.

There are no material considerations that outweigh this conclusion.

## **Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following;

### **Conditions**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. Prior to construction, the applicant should confirm that Scottish Water accept the proposed surface water discharge rate to the combined network.

## Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure surface water on-site is adequately managed and discharged.

## Informatives

It should be noted that:

1. 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.
2. A source control surface water attenuation and treatment measures should be considered in order to manage runoff from the two proposed buildings and to provide additional attenuation prior to discharge to the culvert.
3. A waste strategy shall be agreed with the Council's Waste Planning team in line with current instruction for architects and developers guidance, available at [www.edinburgh.gov.uk/wasteplanning](http://www.edinburgh.gov.uk/wasteplanning).
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.

## Background Reading/External References

To view details of the application go to the [Planning Portal](#)

**Further Information - [Local Development Plan](#)**

**Date Registered: 25 March 2022**

## Drawing Numbers/Scheme

01-04,05A,06-13

Scheme 2

**David Givan**  
**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

Contact: Weronika Myslowiecka, Planning Officer  
E-mail: [veronika.myslowiecka@edinburgh.gov.uk](mailto:veronika.myslowiecka@edinburgh.gov.uk)

## Appendix 1

### Summary of Consultation Responses

NAME: Historic Environment Scotland

COMMENT: Historic Environment Scotland do not have any comments to make on the proposals.

DATE: 8 April 2022

NAME: Waste Service

COMMENT: We would have no objection to this proposal.

DATE: 19 May 2022

NAME: Archaeology

COMMENT: No objections.

DATE: 29 March 2022

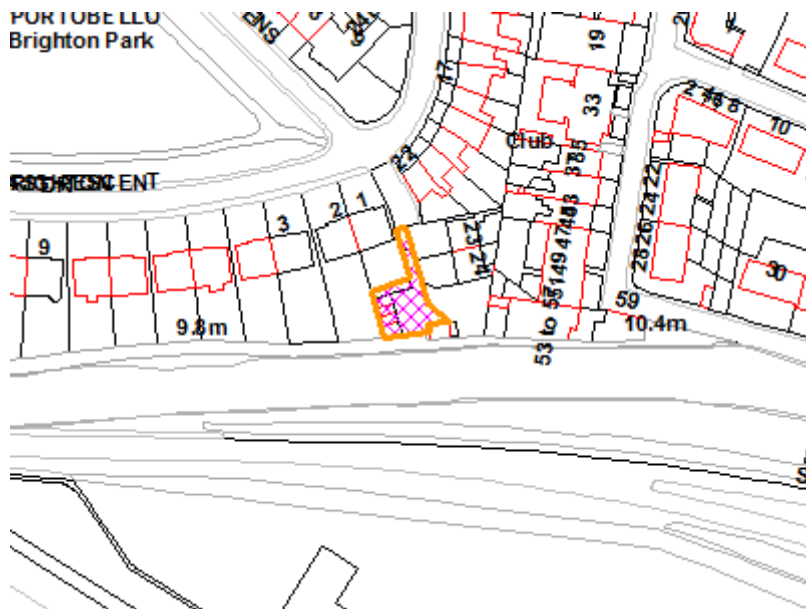
NAME: Transport Planning

COMMENT: No objections to the proposed application.

DATE: 17 May 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

### Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420

## Development Management Sub-Committee Report

**Wednesday 25 January 2023**

**Application for Conservation Area Consent  
Lock Up, East Brighton Crescent, Edinburgh**

**Proposal: Substantial demolition in a conservation area.**

**Item – Committee Decision  
Application Number – 22/01473/CON  
Ward – B17 - Portobello/Craigmillar**

### **Reasons for Referral to Committee**

The proposed demolition is within the setting of a category B listed building and there is an associated application for planning permission that has received more than six objections. Therefore, the application must be determined by the Development Management Sub Committee due to being of significant public interest.

### **Recommendation**

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

### **Summary**

The demolition of the existing building is acceptable in terms of Section 66 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the interim HES guidance.

## **SECTION A – Application Background**

### **Site Description**

The application site is to the rear of 1 East Brighton Crescent where there are four small lock up garages lying at right angles to the garden with a separating wall. The garages probably date from around the 1960s but are not considered curtilage listed buildings due to the separation from the B listed building at 1 East Brighton Crescent (reference LB27200, listed 14 December 1970).

The site is accessed from Lee Crescent. There are two other lock ups accessed from here but are not included in the red line boundary. To the south of the site runs Christian Path a public walkway which leads to Brighton Place (West) and Windsor Place (East).

## **Description of the Proposal**

It is proposed to demolish the lock-up garages and erect two dwelling houses. This involves the repositioning of the existing rear garden wall to 1 East Brighton Crescent which will be rebuilt using natural stone.

## **Supporting Information**

Design statement

This document is available to view on the Planning Portal.

## **Relevant Site History**

No relevant site history.

## **Other Relevant Site History**

Pending planning application for `Demolition of lock-up garages, repositioning of existing rear garden wall and proposal of two new dwelling houses on the Land South of 1 East Brighton Crescent. ref number 22/01472/FUL

Pending Listed Building Consent for `Demolition of lock-up garages, repositioning of existing rear garden wall and proposal of two new dwelling houses on the Land South of 1 East Brighton Crescent. ref. number 22/01474/LBC

## **Pre-Application process**

Pre-application discussions took place on this application.

## **Consultation Engagement**

Historic Environmental Scotland

Refer to Appendix 1 for a summary of the consultation response.

## **Publicity and Public Engagement**

**Date of Neighbour Notification:** Not Applicable

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** 1 April 2022

**Site Notices Date(s):** 29 March 2022

**Number of Contributors:** 22

## Section B - Assessment

### Determining Issues

Consent is required because section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act") states that in making a decision on the demolition of a building in a conservation area section 6 to 25 of the same Act shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings. The proposals therefore require to be assessed in terms of Section 64 of the 1997 Heritage Act:

- Having due regard to HES Policy and guidance, does the proposed demolition conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the proposals do comply with HES Policy and guidance on demolition in a conservation area, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?
- If the proposals do not comply with HES Policy and guidance on demolition in a conservation area, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

### Assessment

To address these determining issues, it needs to be considered whether:

#### a) Demolition of buildings and replacement

Section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in making a decision on the demolition of a building in a conservation area, certain provisions of the same Act shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings.

Historic Environment Scotland's Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (April 2019) outlines criteria to assess the acceptability of the demolition of unlisted buildings within conservation area, including:

- *the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site.*
- *if the building is considered to be of any value, either in itself or as part of a group, a positive attempt should always be made by the planning authority to achieve its retention, restoration, and sympathetic conversion to some other compatible use before proposals to demolish are seriously investigated.*
- *where demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult, consent to demolish should be given only where there are acceptable proposals for the new building.*

Proposals for all demolitions within a conservation area, will not normally be permitted unless a detailed planning application is approved for a replacement building which preserves or enhances its character.

It is proposed to demolish four lock-up garages to the rear of a B listed property. The garages are modern, flat-roofed buildings, covered with a grey render. The garages have no features of special architectural interest or historical interest and make a neutral contribution to the character of the conservation area. Their removal is acceptable in principle to form two new properties with private gardens to the rear. In this regard, their removal is, therefore, acceptable under this section of the Act.

A condition is recommended to ensure that the buildings are not demolished before a detailed scheme has been granted and the Notification of Initiation of Development has been received with a start date for the detailed development.

### **Conclusion in relation to the demolition and replacement**

The demolition of the existing building is therefore acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the interim HES guidance.

#### **b) The proposals harm the character or appearance of the conservation area.**

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high-quality architecture, and the predominant use of traditional building materials.

The buildings to be demolished are located at the end of Lee Crescent Lane and the garages are visible to the public realm.

As detailed in the assessment for the parallel planning application (ref. 22/01472/FUL), the demolition of these four garages would enable the development of the site in a coherent and positive way. The replacement of hard and soft landscaping is appropriately designed and specified in terms of the overall characteristics of the site.

### **Conclusion in relation to the conservation area**

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

#### **c) there are any other matters to consider.**

The following matters have been identified for consideration:

#### Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. The demolition of the buildings will enable the formation of improved access routes into the site and its facilities for people with mobility issues.



Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

### Public representations

#### **Material Comments- Objections**

- Adverse impact on Character and Appearance of Conservation Area - Addressed in section b) and the main planning application, reference number: 22/01472/FUL

#### **Non-material consideration - Objections**

- Amenity issues - is not relevant for this application and it has been assessed under the main planning application.
- Lack of parking space - is not relevant for this application and it has been assessed under the main planning application.
- Does not comply with Edinburgh Design Guidance - is not relevant for this application and it has been assessed under the main planning application.
- Boundary line is inaccurate - is not relevant for this application and it has been assessed under the main planning application.
- Access point is a shared ownership - is not relevant for this application and it has been assessed under the main planning application.
- Loss of the view - is not relevant for this application and it has been assessed under the main planning application.
- Neighbour notification - is not relevant for this application and it has been assessed under the main planning application.

#### **Conclusion in relation to other matters considered**

The proposals do not raise any concerns in relation to other material considerations identified.

#### **Overall conclusion**

The demolition of the existing building is acceptable in terms of Section 66 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the interim HES guidance.

### **Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following.

#### **Conditions**

1. No demolition shall start until the applicant has confirmed in writing the start date for the new development by the submission of a Notice of Initiation of Development for planning permission application reference 22/01472/FUL.

## **Reasons**

1. In order to safeguard the character of the conservation area.

## **Informatives**

It should be noted that:

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

## **Background Reading/External References**

To view details of the application go to the [Planning Portal](#)

**Further Information - Local Development Plan**

**Date Registered: 24 March 2022**

## **Drawing Numbers/Scheme**

01-07

Scheme 1

**David Givan**  
**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

Contact: Weronika Myslowiecka, Planning Officer  
E-mail: [veronika.myslowiecka@edinburgh.gov.uk](mailto:veronika.myslowiecka@edinburgh.gov.uk)

## Appendix 1

### Summary of Consultation Responses

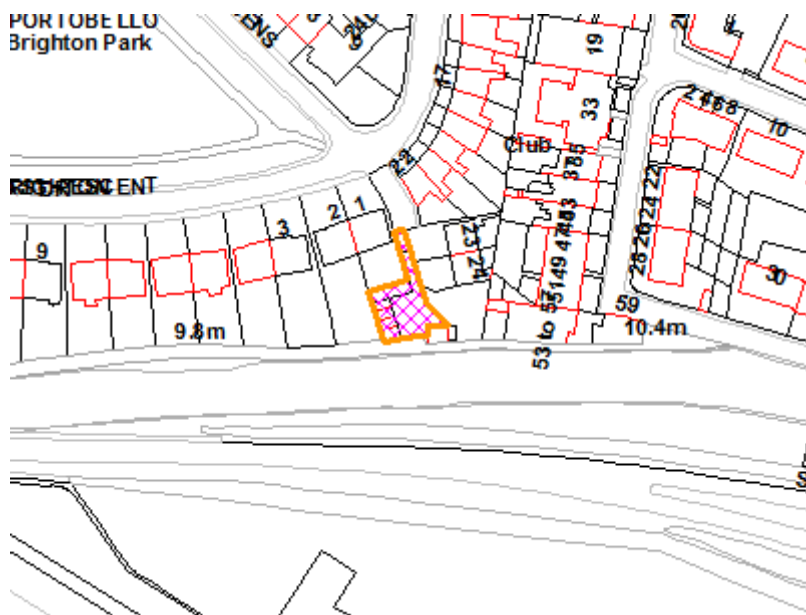
NAME: Historic Environmental Scotland

COMMENT: Historic Environment Scotland do not have any comments to make on the proposals.

DATE: 28 June 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

### Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420

This page is intentionally left blank

## Development Management Sub-Committee Report

**Wednesday 25 January 2023**

**Application for Listed Building Consent  
Lock Up, East Brighton Crescent, Edinburgh**

**Proposal: Demolition of lock-up garages, repositioning of existing rear garden wall and proposal of two new dwelling houses on the Land South of 1 East Brighton Crescent.**

**Item – Committee Decision  
Application Number – 22/01474/LBC  
Ward – B17 - Portobello/Craigmillar**

### **Reasons for Referral to Committee**

The application has been referred to the Development Management Sub-Committee because 29 letters of representation raising objections to the proposals have been received. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

### **Recommendation**

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

### **Summary**

The application for development is acceptable with regard to Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the relevant non-statutory Guidance. It is compatible with and has special regard to the desirability of preserving the building and its setting, preserves the special character and appearance of the conservation area. There are no material considerations which outweigh this conclusion.

## **SECTION A – Application Background**

### **Site Description**

The application site is to the rear of 1 East Brighton Crescent where there are four small lock up garages lying at right angles to the garden with a separating wall. The garages probably date from around the 1960s but are not considered curtilage listed buildings due to the separation from the B listed building at 1 East Brighton Crescent (reference LB27200, listed 14 December 1970).

The site is accessed from Lee Crescent. There are two other lock ups accessed from here but are not included in the red line boundary. To the south of the site runs Christian Path, a public walkway which leads to Brighton Place (West) and Windsor Place (East).

### **Description of the Proposal**

It is proposed to demolish the lock-up garages and erect two new dwelling houses. This involves the repositioning and rebuilding of the existing rear garden wall to 1 East Brighton Crescent. The two new dwelling houses will be one and a half storeys in height and of a contemporary design. The proposed roof material is zinc standing seam. The proposed façade materials include timber and natural stone to match the existing villa.

### **Supporting Information**

Design statement

This document is available to view on the Planning Portal.

### **Relevant Site History**

No relevant site history.

### **Other Relevant Site History**

Pending planning application for `Demolition of lock-up garages, repositioning of existing rear garden wall and proposal of two new dwelling houses on the Land South of 1 East Brighton Crescent. ref number 22/01472/FUL

Pending Conservation Area application for `Demolition of lock-up garages, repositioning of existing rear garden wall and proposal of two new dwelling houses on the Land South of 1 East Brighton Crescent. ref. number 22/01473/CON

### **Pre-Application process**

Pre-application discussions took place on this application.

### **Consultation Engagement**

Historic Environment Scotland

Refer to Appendix 1 for a summary of the consultation response.

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** Not Applicable

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** 1 April 2022

**Site Notices Date(s):** 29 March 2022

**Number of Contributors:** 29

## Section B - Assessment

### Determining Issues

Due to the proposals relating to a listed building(s) within a conservation area, this application for listed building consent requires to be assessed against Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- Having due regard to HES Policy and guidance, do the proposals:
  - a. harm a listed building or its setting? or
  - b. conflict with the objective of preserving or enhancing the character or - appearance of the conservation area?
- If the proposals do comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?
- If the proposals do not comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

### Assessment

To address these determining issues, it needs to be considered whether:

#### **a) The proposals harm the listed building or its setting.**

The following HES guidance is relevant in the determination of this application:

- Managing Change - settings
- Managing Change - boundaries

Section 14 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states:

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

Historic Environment Scotland's guidance note Managing Change in the Historic Environment: Setting sets out the principles that apply to developments affecting the setting of historic assets or places including listed buildings and conservation areas. It states that factors to be considered in assessing the impact of a change on the setting of a historic asset or place include the presence, extent, character and scale of the existing built environment within the surroundings of the historic asset or place and how the proposed development compares to this and the ability of the setting to absorb new development without eroding its key characteristics and the effect of the proposed change on qualities of the existing setting.

The site lies next to 1 East Brighton Crescent, which contains a row of Category B listed buildings and the associated boundary wall to the rear. The proposed new dwelling houses to the south of 1 East Brighton Crescent would be built close to the western boundary wall of 1 and 2 East Brighton Crescent. Although the repositioning of the boundary wall to the rear does reduce the size of the existing garden grounds of 1 East Brighton Crescent, there is still ample garden area left to maintain a decent setting. As the proposed development is located to the rear of the B listed villa, the frontage of the listed buildings would not be impacted. The proposed dwelling houses will appear as a separate structure behind the rear boundary wall.

As for the repositioning of the existing boundary wall; in this context this would be an improvement to the external appearance of the building. The current wall is obscured with the render and the new proposed boundary would be in stone to match the original part of the wall.

Historic Environment Scotland has raised no objection.

### **Conclusion in relation to the listed building**

The proposal will not detract from the special architectural and historic interest of the adjacent listed building nor harm its setting and is acceptable with regards to section 14 of the Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997.

### **b) The proposals harm the character or appearance of the conservation area.**

The site lies within the Portobello Conservation Area and the character appraisal states the following:

*The Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high-quality architecture, and the predominant use of traditional building materials.*

The main buildings fronting East and West Brighton Crescent are Georgian in style. Although Portobello does not have the same spatial pattern of mews buildings as the New Town, there are existing one and a half storey cottages along Lee Crescent Lane. The proposed development reflects a similar scale, massing and form as the existing cottages, contributing positively to the character and appearance of the conservation area.

Overall, the proposed development represents a sensitive and modern interpretation of the existing nearby cottages using high quality materials and a design that reflects the character of the area. The works will also preserve the use of the back lane in this part of the conservation area.

The works will preserve and enhance the character and appearance of the conservation area.

### **Conclusion in relation to the conservation area**

The proposal is acceptable with regards to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.



**c) there are any other matters to consider.**

The following matters have been identified for consideration:

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below:

*material considerations*

- neither enhance nor preserves conservation area - assessed in section (b).
- proposed materials are inappropriate - assessed in section (b).
- visually obtrusive/overdevelopment - assessed in section (b).
- scale and form are inappropriate - assessed in section (b).
- not in keeping with the area - assessed in section (b).
- negative impact on listed building - assessed in section (a)
- site notice was not up until 13th/14th - the application process has been carried out correctly.

*non-material considerations*

- overlooking/privacy and overshadowing issue - is not relevant for this application and it has been assessed under the main planning application.
- no parking spaces - is not relevant for this application and it has been assessed under the main planning application.
- provided gardens are too small - is not relevant for this application and it has been assessed under the main planning application.
- loss of sunlight -is not relevant for this application and it has been assessed under the main planning application.
- sun path analysis is only until 4pm - is not relevant for this application and it has been assessed under the main planning application.
- trees - is not relevant for this application and it has been assessed under the main planning application.
- flooding issue - is not relevant for this application and it has been assessed under the main planning application.
- additional land has been taken on the drawings - this is not a planning material consideration but a civil matter.
- access dispute - this is not a planning material consideration but a civil matter.
- construction of higher wall was not discussed - this is not a planning material consideration but a civil matter.
- impact on traffic - transport planning has been consulted and raise no objection.

- not enough to accommodate large trucks - this is not a planning material consideration but a civil matter.
- public water and sewer connection - this is not a planning matter, and it should be assessed by the building standards, any garden work it would be civil matter issue which cannot be materially assessed as part of the planning application.
- title deed prohibits development - this is not a planning material consideration but a civil matter.
- impact on the value of the properties - this is not a planning material consideration but a civil matter.
- both site boundary and ownership boundary are incorrect - the site boundary is correct whilst the ownership boundary is a civil matter.

### **Conclusion in relation to other matters considered**

The proposals do not raise any issues in relation to other material considerations identified.

### **Overall conclusion**

The application for development is acceptable with regard to Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the relevant non-statutory Guidance. It is compatible with and has special regard to the desirability of preserving the building and its setting, preserves the special character and appearance of the conservation area. There are no material considerations which outweigh this conclusion.

## **Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following.

### **Conditions**

### **Reasons**

### **Informatives**

It should be noted that:

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

### **Background Reading/External References**

To view details of the application go to the [Planning Portal](#)

### **Further Information - Local Development Plan**

**Date Registered: 24 March 2022**

**Drawing Numbers/Scheme**

01-07

Scheme 1

**David Givan**  
**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

Contact: Weronika Myslowiecka, Planning Officer  
E-mail: [weronika.myslowiecka@edinburgh.gov.uk](mailto:weronika.myslowiecka@edinburgh.gov.uk)

## Appendix 1

### Summary of Consultation Responses

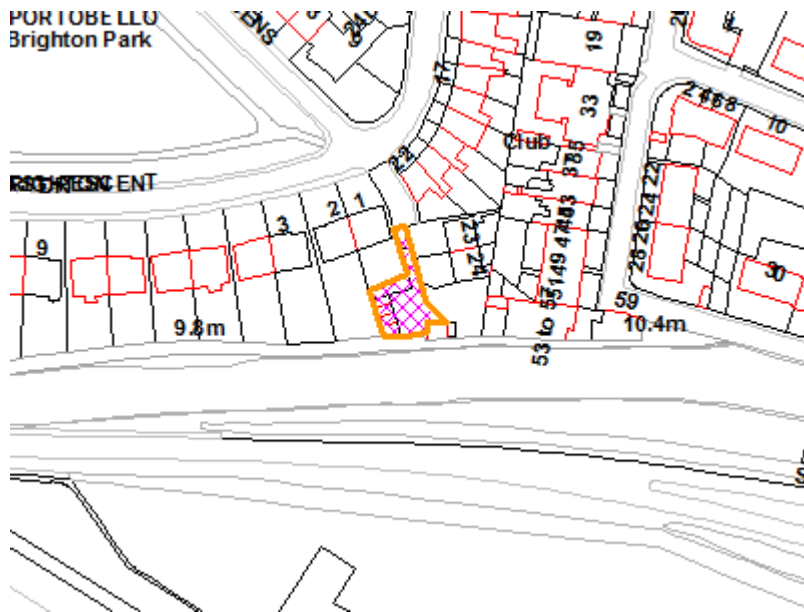
NAME: Historic Environment Scotland

COMMENT: Historic Environment Scotland do not have any comments to make on the proposals.

DATE: 8 April 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

### Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420