

Notice of meeting and agenda

Planning Local Review Body (Panel 1)

10.00 am Wednesday, 16th November, 2022

Microsoft Teams

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

Contacts

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1. Appointment of Convener

- 1.1 The Local Review Body is invited to appoint a Convener from its membership.

2. Order of Business

- 2.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

3. Declaration of Interests

- 3.1 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.

4. Minutes

- 4.1 Minute of the Local Review Body (Panel 1) of 12 October 2022 – submitted for approval as a correct record. 9 - 20

5. Local Review Body - Procedure

- 5.1 Note of the outline procedure for consideration of all Requests for Review 21 - 24

6. Requests for Review

- 6.1** 14 Elliot Place, Edinburgh – Proposed two-storey extension – application no 22/01971/FUL 25 - 74
- (a) Decision Notice and Report of Handling
 - (b) Notice of Review and Supporting Documents
- Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents only.
- 6.2** 77A George Street, Edinburgh – Part change of use from Class 1 (shop) to Class 1 (shop /deli) and Class 3 (restaurant) – application no. 22/02158/FUL. 75 - 138
- (a) Notice of Review and Supporting Documents
 - (b) Letters of Representation
- Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and site inspection.
- 6.3** 10 Glenlockhart Bank, Edinburgh – Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house. (As amended) – application no. 21/06240/FUL. 139 - 252
- (a) Notice of Review and Supporting Documents
 - (b) Letters of Representation
 - (c) Further Letters of Representation.
- Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and site inspection.
- 6.4** 42 Macdowall Road, Edinburgh – Two storey extension to replace existing porch of upper villa plus new driveway – application no. 22/00461/FUL. 253 - 296
- (a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and site inspection.

6.5 227 & 229 Portobello High Street, Edinburgh – Proposed alterations extension and use of a hot food takeaway and an office to form a restaurant – application no. 21/04749/FUL. 297 - 398

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and site inspection.

6.6 39 Ravelston Dykes Road, Edinburgh – Form new opening with glazed door and screens, plus new external timber frame and glass canopy – application no. 22/01619/FUL. 399 - 748

(a) Notice of Review and Supporting Documents

(b) Letters of Representation

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents only.

7. Extracts of Relevant Policies from the Edinburgh Local Development Plan

7.1 Extracts of Relevant Policies from the Edinburgh Local Development Plan for the above review cases 749 - 766

[Local Development Plan Online](#)

Edinburgh Local Development Plan Policy Des 1 (Design Quality and Context)

Edinburgh Local Development Plan Policy Des 4 (Development Design - Impact on Setting)

Edinburgh Local Development Plan Policy Des 5 (Development Design - Amenity)

Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)

Edinburgh Local Development Plan Policy Env 3 (Listed Buildings - Setting)

Edinburgh Local Development Plan Policy Env 4 (Listed Buildings - Alterations and Extensions)

Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)

Edinburgh Local Development Plan Policy Policy Env 21 (Flood Protection)

Edinburgh Local Development Plan Policy Hou 1 (Housing Development)

Edinburgh Local Development Plan Policy Hou 4 (Housing Density)

Edinburgh Local Development Plan Policy Hou 5 (Conversion to Housing)

Edinburgh Local Development Plan Policy Hou 7 (Inappropriate Uses in Residential Areas)

Edinburgh Local Development Plan Policy Ret 3 (Town Centres)

Edinburgh Local Development Plan Policy Ret 7

Edinburgh Local Development Plan Policy Ret 9 (Alternative Use of Shop Units)

Edinburgh Local Development Plan Policy Ret 11 (Food and Drink Establishments)

Edinburgh Local Development Plan Policy Tra 2 (Private Car Parking)

Edinburgh Local Development Plan Policy Tra 3 (Private Cycle

Parking)

8. Non-Statutory Guidance

8.1 [Guidance for Householders](#)

767 - 904

[Listed Buildings and Conservation Areas](#)

[Edinburgh Design Guidance](#)

[The Relevant Scottish Planning Policy – Sustainable Development Principles](#)

[City Centre Shopping and Leisure Supplementary Guidance](#)

Managing Change In the Historic Environment - Conservation Areas.

Managing Change In the Historic Environment - External Fixtures.

Managing Change In the Historic Environment – Windows

Note: The above policy background papers are available to view on the Council's website www.edinburgh.gov.uk under Planning and Building Standards/local and strategic development plans/planning guidelines/conservation areas, or follow the links as above.

Nick Smith

Service Director, Legal and Assurance

Membership Panel

Councillor Lezley Marion Cameron, Councillor Neil Gardiner, Councillor Tim Jones, Councillor Hal Osler and Councillor Kayleigh O'Neill.

Information about the Planning Local Review Body (Panel 1)

The City of Edinburgh Planning Local Review Body (LRB) has been established by the Council in terms of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008. The LRB's remit is to determine any request for a review of a decision on a planning application submitted in terms of the Regulations.

The LRB comprises a panel of five Councillors drawn from the eleven members of the Planning Committee. The LRB usually meets every two weeks, with the members rotating in two panels of five Councillors.

This meeting of the LRB is being held virtually by Microsoft Teams.

Further information

Members of the LRB may appoint a substitute from the pool of trained members of the Planning Committee. No other member of the Council may substitute for a substantive member. Members appointing a substitute are asked to notify Committee Services (as detailed below) as soon as possible

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

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to the Council's online [Committee Library](#).

Live and archived webcasts for this meeting and all main Council committees can be viewed online by going to the Council's [Webcast Portal](#).

Unless otherwise indicated on the agenda, no elected members of the Council, applicant, agent or other member of the public may address the meeting.

Webcasting of Council Meetings

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Minutes

The City of Edinburgh Planning Local Review Body (Panel 1)

10.00 am, Wednesday 12 October 2022

Present: Councillors Cameron, Gardiner, Jones, O'Neil (items 5-9) and Osler.

1. Appointment of Convener

Councillor Osler was appointed as Convener.

2. Minutes

- 2.1 To approve the minute of the Local Review Body (LRB Panel 1) of 14 September 2022 as a correct record.

3. Planning Local Review Body Procedure

Decision

To note the outline procedure for consideration of reviews.

(Reference – Local Review Body Procedure, submitted)

4. Request for Review – 69 (2F) Madeira Street, Edinburgh

Details were submitted of a request for a review for alterations to existing flatted property. Installation of new stair within common stairwell. Creation of new studio flat within existing attic space C.W new dormer, external terrace and solar PV /hot water panels at 69 (2F) Madeira Street, Edinburgh. Application No. 22/02716/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 12 October 2022.

Assessment

At the meeting on 12 October 2022, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents, holding one or more hearing sessions on specific matters and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application were 01-02, Scheme 1 being the drawings shown under the application reference number 22/02716/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it to determine the review.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan, principally:
Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)
Local Development Plan Policy Env 4 (Listed Buildings - Alterations and Extensions)
Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)
- 2) Relevant Non-Statutory Guidelines.
Guidance for Householders
Listed Buildings and Conservation Areas
Leith Conservation Area Character Appraisal
Managing Change in the Historic Environment – Roofs
Managing Change in the Historic Environment – Interiors
The Relevant Scottish Planning Policy – Sustainable Development Principles
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- There were no issues with the report of handling and the Panel should uphold the officer's recommendations. There was some sympathy for the applicant wishing to extend, but there were clear guidelines about roof extensions. If the applicant wanted to do make alterations, they should consider these.
- There was agreement with the above comments as the proposed design compromised the special architectural and historic interest of the listed building.
- There was scope for adaptation in historic buildings, but there were questions about this design. The proposed use of cedar looked quite dominant and did not blend with the roofscape, therefore the Panel should support the recommendations in the officer's report.

Having taken all the above matters into consideration and although there was some sympathy for the proposals, the LRB was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Chief Planning Officer.

Decision

To uphold the decision by the Chief Planning Officer to refuse planning permission.

Reasons for Refusal:

1. The proposal was contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposal would not preserve nor enhance the conservation area.
2. The proposal was contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as the materials proposed were inappropriate for the building.
3. The proposal was contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the proposal was inappropriate and out of keeping with the original building.

(References – Decision Notice, Notice of Review, Report of Handling and supporting documents, submitted)

5. Request for Review – 1 Brand Place, Edinburgh

Details were submitted of a request for a review for change of use from residential to short-term let use at 1 Brand Place, Edinburgh. Application No. 22/02680/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 12 October 2022.

Assessment

At the meeting on 12 October 2022, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents only. The LRB had also been provided with copies of the letters of representation.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application being drawing 01, as shown under the application reference number 22/02680/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it to determine the review.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan, principally:
 - Local Development Plan Policy Hou 2 (Housing Mix)
 - Local Development Plan Policy Hou 7 (Inappropriate Uses in Residential Areas)

Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)

Edinburgh Local Development Plan Policy Tra 2 (Private Car Parking)

Edinburgh Local Development Plan Policy Tra 3 (Private Cycle Parking)

2) Relevant Non-Statutory Guidelines.

Guidance for Businesses

Listed Buildings and Conservation Areas

The Relevant Scottish Planning Policy – Sustainable Development Principles

3) The procedure used to determine the application.

4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- There were no material detrimental effects on neighbours and no complaints regarding noise since it had been running as an air bnb. There was no reason not to grant this request.
- Regarding the need for accessible housing, this looked like a property that could help give up to four people an accessible abode. Clarification was sought as to whether LDP Policy Hou 2 be applicable, as well as LDP Policy Hou 7.
- LDP Policy Hou 2 would be a relevant policy as the proposal was for a change of use, therefore, a loss to housing. There was currently no LDP policy for retention of housing so LDP Policy Hou 2 should be considered. However, this policy was perhaps for larger developments, where it would be stipulated that there should be a mix of house types.
- Clarification was sought as to whether LDP Policy Hou 7 was relevant. It was confirmed that LDP Policy Hou 7 was the principal policy in this case, as the proposals were concerned with change of use and whether this would be detrimental to existing residential amenity.
- The difficulty of these types of development was that many main doors and accessible homes were being lost to short term lets. However, when permission for short term lets had been refused, the authority had not been very successful in upholding the refusals, where there were no shared facilities.
- The Panel should grant this based on their previous experience, the proposals being presented, and the fact that anything with its own access without shared facilities was generally considered to be acceptable. It was not felt that LDP Policy Hou 2 was a sufficient ground for refusal in this instance because this was a single dwelling and there had been no complaints. The applicant was trying to take the correct action, so the application should be granted.

- This application should be refused as it was contrary to LDP Policies Hou 7 and Hou 2. The primary reasons for refusal were the impact on the area and that there should be enhancement of residential quality in area. There were surrounding residential properties and this could have a detrimental impact on residential amenity. Additionally, the owner might sell the property and this would also have a potential negative impact on residential amenity.
- Consideration should also be given to external activity as tourist activity tended to be different from residential activity.

Having taken all the above matters into consideration and although two of the members had sympathy for the proposals, the LRB was of the opinion that the proposals were contrary to policy and the application should be refused.

Decision:

To refuse planning permission.

Reasons for Refusal:

The proposals were contrary to Edinburgh Local Development Plan Policy Hou 2 (Housing Mix) and Policy Hou 7 (Inappropriate Uses in Residential Areas) as the proposal could impact on residential amenity.

(References – Notice of Review and supporting documents, submitted).

6. Request for Review – 21 (2F1) Maryfield, Edinburgh

Details were submitted of a request for a review for change of use from residential to short-term lets at 21 (2F1) Maryfield, Edinburgh. Application No. 22/02651/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 12 October 2022.

Assessment

At the meeting on 12 October 2022, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents only. The LRB had also been provided with copies of the letters of representation.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application being drawing 01, as shown under the application reference number 22/02651/FUL on the Council’s Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it to determine the review.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan, principally:

Local Development Plan Policy Hou 7 (Inappropriate Uses in Residential Areas)

Edinburgh Local Development Plan Policy Tra 2 (Private Car Parking)

Edinburgh Local Development Plan Policy Tra 3 (Private Cycle Parking)

2) Relevant Non-Statutory Guidelines.

Guidance for Businesses

The Relevant Scottish Planning Policy – Sustainable Development Principles

3) The procedure used to determine the application.

4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- There was a shared stairwell and the proposals would have impact on residential amenity.
- As there was common access to the stairwell, there would be access to the rear garden.
- It was clear that this would have big impact on residential amenity and this application should be refused under LDP Policy Hou 7.

Having taken all the above matters into consideration, the LRB was of the opinion that the proposals were contrary to policy and the application should be refused.

Decision:

To refuse planning permission.

Reasons for Refusal:

The proposals were contrary to Local Development Plan Policy Hou 7 (inappropriate uses in residential areas) and also the Non-Statutory Guidance for Businesses as the use of the property as a short stay let would have a materially detrimental effect on the living conditions and amenity of nearby residents.

(References – Notice of Review and supporting documents, submitted).

7. Request for Review – 131 (1F1) Montgomery Street, Edinburgh

Details were submitted of a request for a review for change of use from residential to short-term lets at 131 (1F1) Montgomery Street, Edinburgh. Application No. 22/02681/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 12 October 2022.

Assessment

At the meeting on 12 October 2022, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of an

assessment of the review documents only. The LRB had also been provided with copies of the letters of representation.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application being drawings 01, as shown under the application reference number 22/02681/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it to determine the review.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan, principally:
 - Local Development Plan Policy Hou 7 (Inappropriate Uses in Residential Areas)
 - Edinburgh Local Development Plan Policy Tra 2 (Private Car Parking)
 - Edinburgh Local Development Plan Policy Tra 3 (Private Cycle Parking)
- 2) Relevant Non-Statutory Guidelines.
 - Guidance for Businesses
 - The Relevant Scottish Planning Policy – Sustainable Development Principles
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- It was confirmed the proposal would be accessed off a common stairwell, and this would have a negative impact on neighbours. The panel should refuse the application under LDP Hou 7 and Non- Statutory Guidance for Businesses.
- The Panel seemed to be rejecting these applications out of hand. This proposal would not be detrimental to residents and the property was above an office. It could also be argued that taking tourists out of the city centre would be beneficial to businesses outwith the city centre.
- There was strong disagreement with the previous statement. The Panel were not just rubber stamping these applications, but were considering them each on their own merits. LDP Policy Hou 7 should apply in this case.
- The proposals should be refused under LDP Policy Hou 7. This proposal would create movement of traffic in the common areas, would be detrimental to the area and would put residents at risk. Generally, applications were not granted for short-term lets in shared stairwells with access to gardens.

- The Panel should grant this application on the grounds that it would not have a detrimental effect on the area, the property was above an office and there were no complaints from neighbours about how with this would be managed.

Having taken all the above matters into consideration and although one of the members was sympathetic to the proposals, the LRB was of the opinion that the proposals were contrary to policy and the application should be refused.

Decision

To refuse planning permission.

Reasons for Refusal:

The proposals were contrary to Local Development Plan Policy Hou 7 (inappropriate uses in residential areas) and also the Non-Statutory Guidance for Businesses as the use of the property as a short stay let would have a materially detrimental effect on the living conditions and amenity of nearby residents.

(References – Notice of Review and supporting documents, submitted).

8. Request for Review – 2 (Flat 6) Saunders Street, Edinburgh

Details were submitted of a request for a review for change of use from residential to short-term lets at 2 (Flat 6) Saunders Street, Edinburgh. Application No. 22/02682/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 12 October 2022.

Assessment

At the meeting on 12 October 2022, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents only. The LRB had also been provided with copies of the letters of representation.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application being drawing 01, as shown under the application reference number 22/02682/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it to determine the review.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan, principally:
 - Local Development Plan Policy Hou 7 (Inappropriate Uses in Residential Areas)
 - Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)
 - Edinburgh Local Development Plan Policy Tra 2 (Private Car Parking)

Edinburgh Local Development Plan Policy Tra 3 (Private Cycle Parking)

2) Relevant Non-Statutory Guidelines.

Guidance for Businesses

Listed Buildings and Conservation Areas

The Relevant Scottish Planning Policy – Sustainable Development Principles

3) The procedure used to determine the application.

4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- It was clarified that the applicant had confirmed that there was a common hallway stairwell and a communal corridor that accessed all the properties on that level.
- There was an unusual aspect to this property, in that there was a code for access for the communal doors, rather than keys, which could give access to 44 properties. Considering the shared amenity, this was not appropriate in this area.
- LDP Policy Env 6 was not applicable in this case as there were no proposed alterations, only LDP Policy Hou 7 and the Guidance for Businesses were relevant.

Having taken all the above matters into consideration, the LRB was of the opinion that the proposals were contrary to policy and the application should be refused.

Decision:

To refuse planning permission.

Reasons for Refusal:

The proposals were contrary to Local Development Plan Policy Hou 7 (inappropriate uses in residential areas) and also the Non-Statutory Guidance for Businesses as the use of the property as a short stay let would have a materially detrimental effect on the living conditions and amenity of nearby residents.

(References – Notice of Review and supporting documents, submitted).

9. Request for Review – 2 (2F1) West Norton Place, Edinburgh

Details were submitted of a request for a review for change of use from residential to short-term lets at 2 (2F1) West Norton Place, Edinburgh. Application No. 22/02643/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 12 October 2022.

Assessment

At the meeting on 12 October 2022, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents only. The LRB had also been provided with copies of the letters of representation.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application being drawing 01, as shown under the application reference number 22/02643/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it to determine the review.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan, principally:
 - Local Development Plan Policy Hou 7 (Inappropriate Uses in Residential Areas)
 - Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)
 - Edinburgh Local Development Plan Policy Tra 2 (Private Car Parking)
 - Edinburgh Local Development Plan Policy Tra 3 (Private Cycle Parking)
- 2) Relevant Non-Statutory Guidelines.
 - Guidance for Businesses
 - Listed Buildings and Conservation Areas
 - The Relevant Scottish Planning Policy – Sustainable Development Principles
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- It was not the case that this property was not suitable for long term residential accommodation, considering that it consisted of a block of flats that seemed to be occupied by residents' content with their housing.
- There was an issue with shared accommodation and the impact on amenity. It should be refused under LDP Hou 7 the non-statutory guidance on business only, as LDP Policies Env 6, Tra 2 and Tra 3 did not apply.

Having taken all the above matters into consideration, the LRB was of the opinion that the proposals were contrary to policy and the application should be refused.

Decision:

To refuse planning permission.

Reasons for Refusal:

The proposals were contrary to Local Development Plan Policy Hou 7 (inappropriate uses in residential areas) and also the Non-Statutory Guidance for Businesses as the use of the property as a short stay let would have a materially detrimental effect on the living conditions and amenity of nearby residents.

(References – Notice of Review and supporting documents, submitted).

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City of Edinburgh Planning Local Review Body (the LRB)

General

1. Each meeting of the LRB shall appoint a Convener. A quorum of a meeting of the LRB will be three members.
2. The Clerk will introduce and deal with statutory items (Order of Business and Declarations of Interest) and will introduce each request for review.
3. The LRB will normally invite the planning adviser to highlight the issues raised in the review.
4. The LRB will only accept new information where there are exceptional circumstances as to why it was not available at the time of the planning application. The LRB will formally decide whether this new information should be taken into account in the review.

The LRB may at any time ask questions of the planning adviser, the Clerk, or the legal adviser, if present.

5. Having considered the applicant's preference for the procedure to be used, and other information before it, the LRB shall decide how to proceed with the review.
6. If the LRB decides that it has sufficient information before it, it may proceed to consider the review using only the information circulated to it. The LRB may decide it has insufficient information at any stage prior to the formal decision being taken.
7. If the LRB decides that it does not have sufficient information before it, it will decide which one of, or combination of, the following procedures will be used:
 - further written submissions;
 - the holding of one or more hearing sessions; and/or
 - an accompanied or unaccompanied inspection of the land to which the review relates.
8. Whichever option the LRB selects, it shall comply with legislation set out in the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (the Regulations).

The LRB may hold a pre-examination meeting to decide upon the manner in which the review, or any part of it, is to be conducted.

If the LRB decides to seek further information, it will specify what further information is required in a written notice to be issued to the applicant, Chief Planning Officer and any interested parties. The content of any further submissions must be restricted to the matters specified in the written notice.

In determining the outcome of the review, the LRB will have regard to the requirements of paragraphs 11 and 12 below.

9. The LRB may adjourn any meeting to such time and date as it may then or later decide.

Considering the Request for Review

10. Unless material considerations indicate otherwise, the LRB's determination must be made in accordance with the development plan that is legally in force. Any un-adopted development plan does not have the same weight but will be a material consideration. The LRB is making a new decision on the application and must take the 'de novo' approach.
11. The LRB will:
 - Identify the relevant policies of the Development Plan and interpret any provisions relating to the proposal, for and against, and decide whether the proposal accords with the Development Plan;
 - identify all other material planning considerations relevant to the proposal and assess the weight to be given to these, for and against, and whether there are considerations of such weight as to indicate that the Development Plan should not be given priority;
 - take into account only those issues which are relevant planning considerations;
 - ensure that the relevant provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 are assessed when the review relates to a listed building and/or conservation area; and
 - in coming to a determination, only review the information presented in the Notice of Review or that from further procedure.
12. The LRB will then determine the review. It may:
 - uphold the officer's determination;
 - uphold the officer's determination subject to amendments or additions to the reasons for refusal;
 - grant planning permission, in full or in part;
 - impose conditions, or vary conditions imposed in the original determination;
 - determine the review in cases of non-determination.

Procedure after determination

13. The Clerk will record the LRB's decision.
14. In every case, the LRB must give notice of the decision ("a decision notice") to the applicant. Every person who has made, and has not withdrawn, representations in respect of the review, will be notified of the location where a copy of the decision notice is available for inspection. Depending on the decision, the planning adviser may provide assistance with the framing of conditions of consent or with amended reasons for refusal.
15. The Decision Notice will comply with the requirements of regulation 22.
16. The decision of the LRB is final, subject to the right of the applicant to question the validity of the decision by making an application to the Court of Session. Such application must be made within 6 weeks of the date of the decision. The applicant will be advised of these and other rights by means of a Notice as specified in Schedule 2 to the regulations.

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M A Design.
FAO: Mark Mclelland
3 Haig Place
Windygates
KY8 5EE

Mr & Mrs V Carmichael.
14 Elliot Place
Edinburgh
EH14 1DR

Decision date: 27 July 2022

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Proposed two-storey extension.
At 14 Elliot Place Edinburgh EH14 1DR

Application No: 22/01971/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 22 April 2022, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not of an acceptable scale, form or design and is detrimental to the character of the neighbourhood.
2. The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-05, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Weronika Myslowiecka directly at weronika.myslowiecka@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

**Application for Planning Permission 22/01971/FUL
At 14 Elliot Place, Edinburgh, EH14 1DR
Proposed two-storey extension.**

Item	Local Delegated Decision
Application number	22/01971/FUL
Wards	B09 - Fountainbridge/Craiglockhart

Summary

Links

[Policies and guidance for this application](#) ,

Report of handling

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

2.2 Site History

Main report

3.1 Description Of The Proposal

Site Description

The application site is a two-storey detached property, located on the corner plot of Elliot Place and Craiglockhart.

Description Of The Proposal

The application proposes to construct a two-storey extension.

3.2 Determining Issues

3.3 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 12.

The non-statutory Householder Guidance is a material consideration that is relevant when considering policy Des 12.

Scale, form, design and neighbourhood character

The proposed two-storey extension comes forward of the property towards Craiglockhart Road and as a result would impact the existing building line.

It should be noted that many of these buildings are predominantly bungalow style properties, on a smaller scale. In comparison, the applicant's building is a two-storey corner plot property with a generous space between the development and the street due to their larger plot. The proposal would bring the property closer to the street and would interrupt the set-back character of the properties, and would introduce a visually incongruous and obtrusive addition to the immediate streetscape.

Whilst it is acknowledged that one property on Craiglockhart Road has a small garage fronting the property, it is considered that the existing garage is of a significantly smaller scale and mass than the proposed two-storey extension.

A revision was discussed with the architect to amend the design however this was not progressed by the applicant.

In conclusion, the proposed two storey side extension would result in an overly prominent incursion into and loss of part of this corner plot, with the resultant adverse impact upon the appearance and spatial character of this part of Craiglockhart Road streetscape.

Neighbouring Amenity

With respect to privacy, overshadowing and loss of daylight or sunlight, the proposals have been assessed against requirements set out in the non-statutory 'Guidance for Householders'. The proposals would not result in any unreasonable loss to neighbouring amenity.

Conclusion in relation to the Development Plan

The proposals are not compatible with both the existing building and neighbourhood character. Therefore, the proposals does not comply LDP policy Des 12 and the overall objectives of 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.

Emerging policy context

The Draft National Planning Framework 4 has been consulted on but has not yet been adopted. As such, little weight can be attached to it as a material consideration in the determination of this application.

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

No comments have been received.

Conclusion in relation to identified material considerations

The proposals do not raise any issues in relation to other material considerations identified.

Overall conclusion

The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not of an acceptable scale, form or design and is detrimental to the character of the neighbourhood.
2. The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

Consultation and engagement

6.1 Pre-Application Process

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

Background reading / external references

- To view details of the application go to
- [Planning and Building Standards online services](#)

**Statutory Development
Plan Provision**

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.

Date registered

22 April 2022

**Drawing
numbers/Scheme**

01-05,

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

Links - Policies

Appendix 1

Consultations

END

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Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100554363-004

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	M A Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Mark	Building Name:	
Last Name: *	Mclelland	Building Number:	3
Telephone Number: *		Address 1 (Street): *	Haig Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Windygates
Fax Number:		Country: *	United Kingdom
		Postcode: *	KY8 5EE
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr and Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="V"/>	Building Number:	<input type="text" value="14"/>
Last Name: *	<input type="text" value="Carmichael"/>	Address 1 (Street): *	<input type="text" value="Elliot Plae"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH14 1DR"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="mclelland1@hotmail.co.uk"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="14 ELLIOT PLACE"/>
Address 2:	<input type="text" value="WESTER CRAIGLOCKHART"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH14 1DR"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="669868"/>	Easting	<input type="text" value="322444"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Proposed two-storey extension

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Appeal form has been submitted in the additional documents section.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Photos - Documents with more photographs of the surrounding area. 1 - Proposed Ground Floor 20.03974.FUL 2 - Proposed First Floor 20.03974.FUL 3 - Proposed Elevations 20.03974.FUL 4 - Proposed Elevations 20.03974.FUL 22_01971_FUL--5507800 - Report of Handling 22_01971_FUL--5507796 - Decision Notice 000_Location & Block Plans. 001_Existing Floor Plans. 002_Existing Elevations. 003_Proposed Floor Plans. 004_Proposed Elevations. 22_01971_FUL-APPLICATION_PDF-5375991 - Application Form

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/01971/FUL

What date was the application submitted to the planning authority? *

22/04/2022

What date was the decision issued by the planning authority? *

27/07/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Mark Mclelland

Declaration Date: 01/09/2022

M A Design.
FAO: Mark Mclelland
3 Haig Place
Windygates
KY8 5EE

Mr & Mrs V Carmichael.
14 Elliot Place
Edinburgh
EH14 1DR

Decision date: 27 July 2022

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013

Proposed two-storey extension.
At 14 Elliot Place Edinburgh EH14 1DR

Application No: 22/01971/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 22 April 2022, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not of an acceptable scale, form or design and is detrimental to the character of the neighbourhood.
2. The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-05, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Weronika Myslowiecka directly at weronika.myslowiecka@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

**Application for Planning Permission 22/01971/FUL
At 14 Elliot Place, Edinburgh, EH14 1DR
Proposed two-storey extension.**

Item	Local Delegated Decision
Application number	22/01971/FUL
Wards	B09 - Fountainbridge/Craiglockhart

Summary

Links

[Policies and guidance for this application](#) ,

Report of handling

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

2.2 Site History

Main report

3.1 Description Of The Proposal

Site Description

The application site is a two-storey detached property, located on the corner plot of Elliot Place and Craiglockhart.

Description Of The Proposal

The application proposes to construct a two-storey extension.

3.2 Determining Issues

3.3 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 12.

The non-statutory Householder Guidance is a material consideration that is relevant when considering policy Des 12.

Scale, form, design and neighbourhood character

The proposed two-storey extension comes forward of the property towards Craiglockhart Road and as a result would impact the existing building line.

It should be noted that many of these buildings are predominantly bungalow style properties, on a smaller scale. In comparison, the applicant's building is a two-storey corner plot property with a generous space between the development and the street due to their larger plot. The proposal would bring the property closer to the street and would interrupt the set-back character of the properties, and would introduce a visually incongruous and obtrusive addition to the immediate streetscape.

Whilst it is acknowledged that one property on Craiglockhart Road has a small garage fronting the property, it is considered that the existing garage is of a significantly smaller scale and mass than the proposed two-storey extension.

A revision was discussed with the architect to amend the design however this was not progressed by the applicant.

In conclusion, the proposed two storey side extension would result in an overly prominent incursion into and loss of part of this corner plot, with the resultant adverse impact upon the appearance and spatial character of this part of Craiglockhart Road streetscape.

Neighbouring Amenity

With respect to privacy, overshadowing and loss of daylight or sunlight, the proposals have been assessed against requirements set out in the non-statutory 'Guidance for Householders'. The proposals would not result in any unreasonable loss to neighbouring amenity.

Conclusion in relation to the Development Plan

The proposals are not compatible with both the existing building and neighbourhood character. Therefore, the proposals does not comply LDP policy Des 12 and the overall objectives of 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.

Emerging policy context

The Draft National Planning Framework 4 has been consulted on but has not yet been adopted. As such, little weight can be attached to it as a material consideration in the determination of this application.

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

No comments have been received.

Conclusion in relation to identified material considerations

The proposals do not raise any issues in relation to other material considerations identified.

Overall conclusion

The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not of an acceptable scale, form or design and is detrimental to the character of the neighbourhood.
2. The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

Consultation and engagement

6.1 Pre-Application Process

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

Background reading / external references

- To view details of the application go to
- [Planning and Building Standards online services](#)

Statutory Development

Plan Provision

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.

Date registered

22 April 2022

Drawing numbers/Scheme

01-05,

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

Links - Policies

Appendix 1

Consultations

END



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100554363-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Proposed two-storey extension

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	M A Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Mark	Building Name:	
Last Name: *	McLelland	Building Number:	3
Telephone Number: *	07920770177	Address 1 (Street): *	Haig Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Windygates
Fax Number:		Country: *	United Kingdom
		Postcode: *	KY8 5EE
Email Address: *	mcllland1@hotmail.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	
First Name: *	V	Building Number:	14
Last Name: *	Carmichael	Address 1 (Street): *	Elliot Place
Company/Organisation:		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	EH14 1DR
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

14 ELLIOT PLACE

Address 2:

WESTER CRAIGLOCKHART

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH14 1DR

Please identify/describe the location of the site or sites

Northing

669868

Easting

322444

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Mark Mclelland

On behalf of: Mr & Mrs V Carmichael

Date: 12/04/2022

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

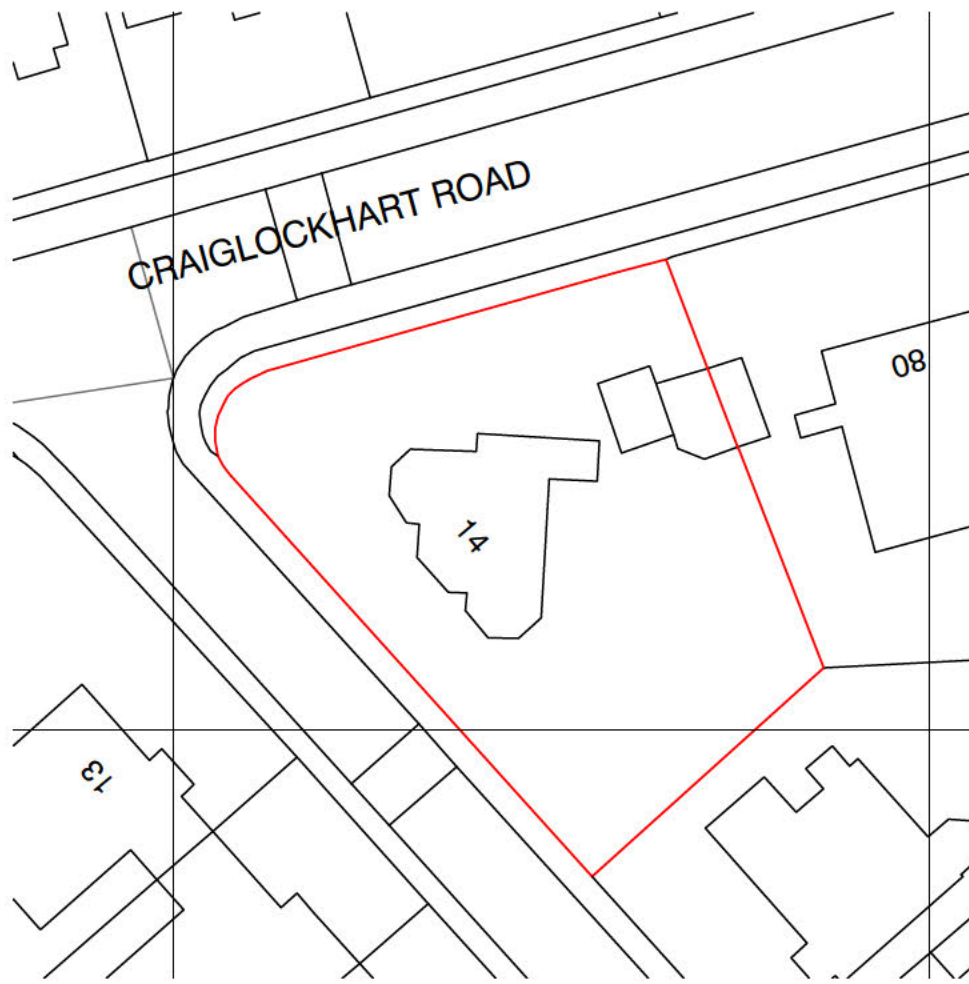
You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

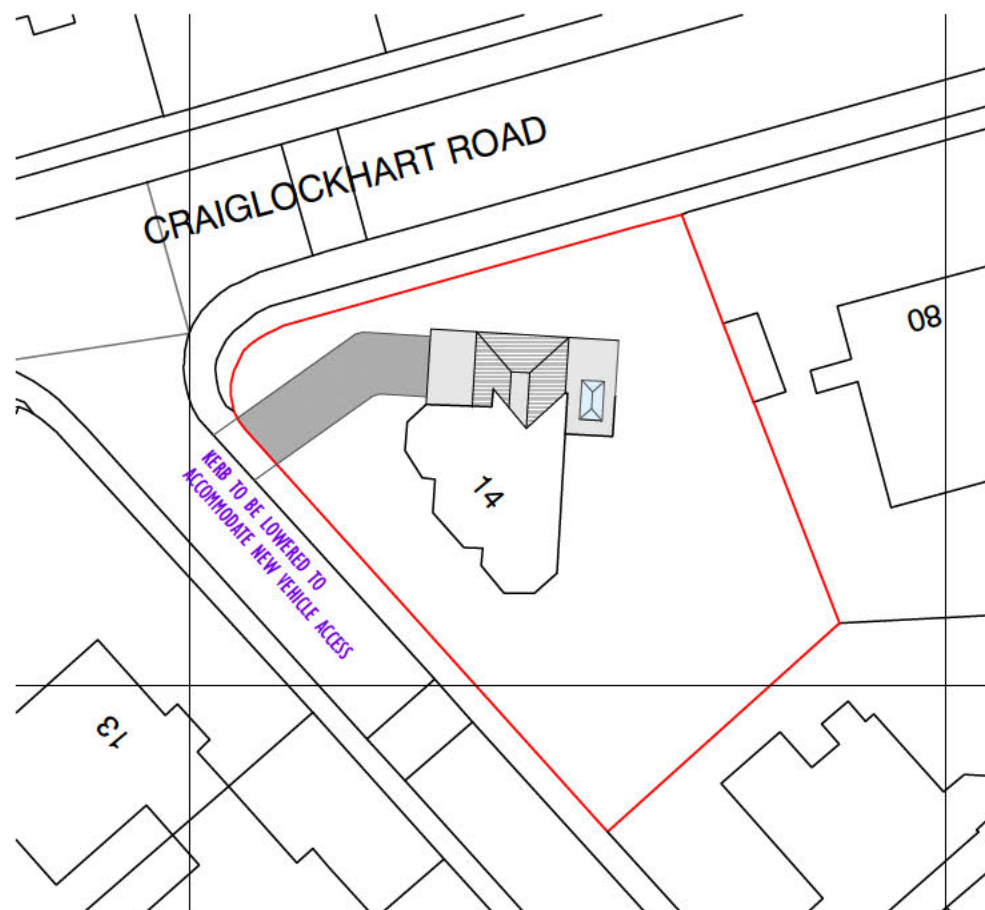
I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Mark McClelland

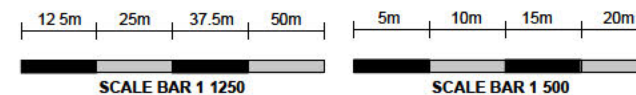
Declaration Date: 12/04/2022



Existing Block Plan
(Scale 1:500)



Proposed Block Plan
(Scale 1:500)



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PROJECT / CLIENT:
 Mr & Mrs Carmichael
 14 Elliot Place
 Edinburgh
 EH14 1DR

DRAWING:
 Location & Block Plans

Drawn by: JG	Checked by: MM	Date: 11/04/2022	Scales: 1:100
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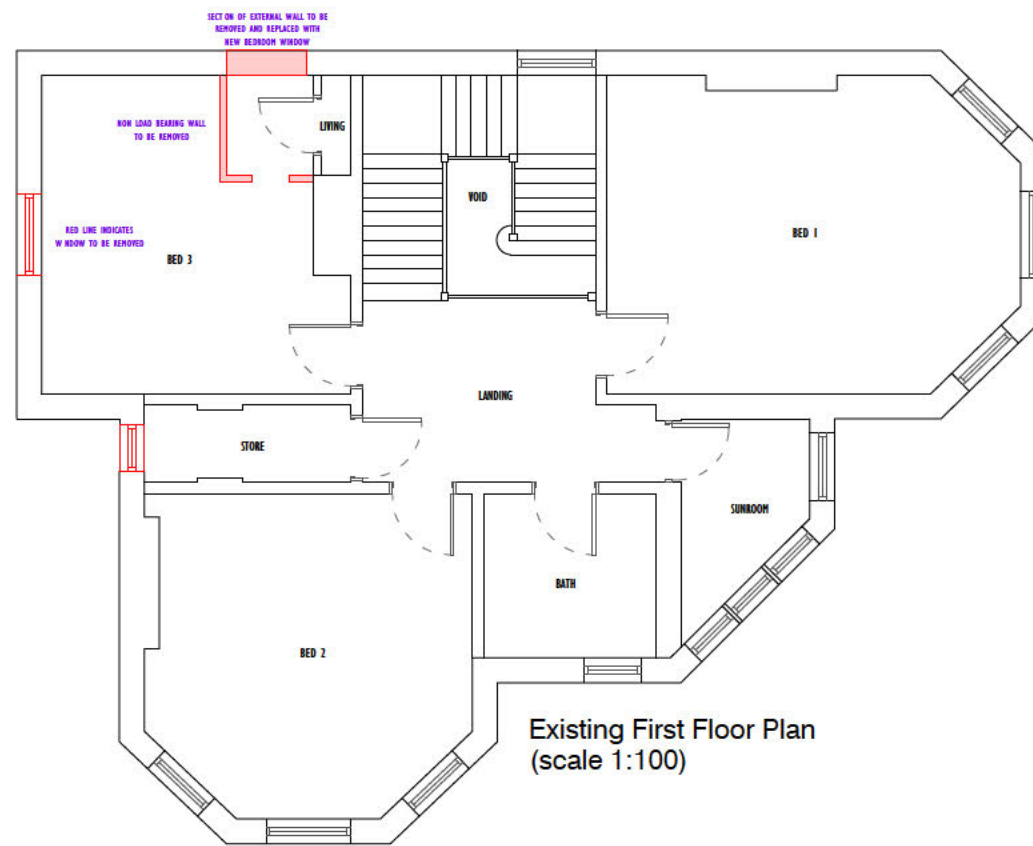
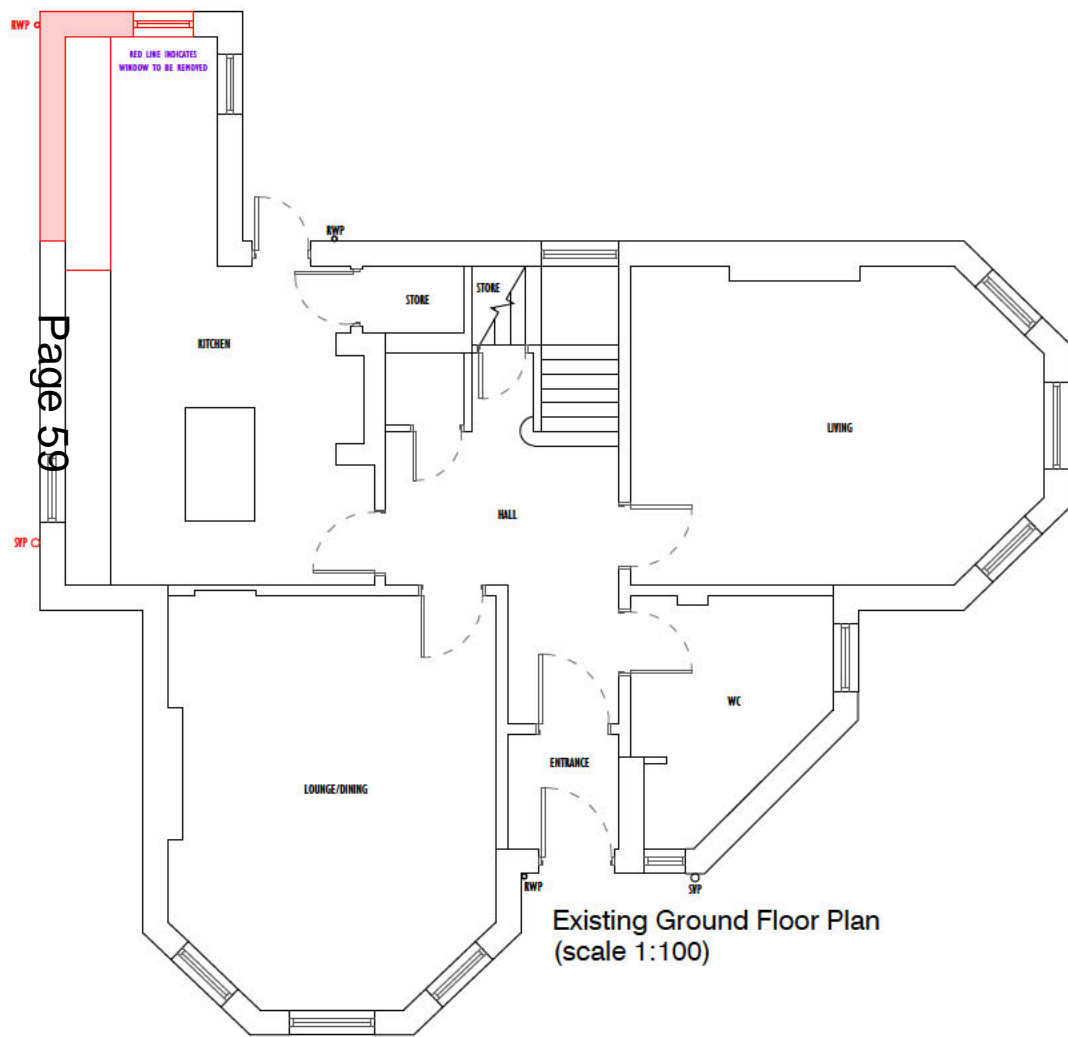
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3 Haig Place
 Windygates
 KY8 5EE

OFFICE: 01333 302585
 MOB: 07920 770177

Produced on 11 April 2022 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.
 This map shows the area bounded by 322372 669803,322514 669803,322514 669945,322372 669945,322372 669803
 Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey.
 Crown copyright 2022. Supplied by copla ltd trading as UKPlanningMaps.com a licensed Ordnance Survey partner (100054135).
 Data licence expires 11 April 2023. Unique plan reference: v2a/781854/1057515



Page 59

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PROJECT / CLIENT:
Mr & Mrs Carmichael
14 Elliot Place
Edinburgh
EH14 1DR

DRAWING:
Existing Floor Plans

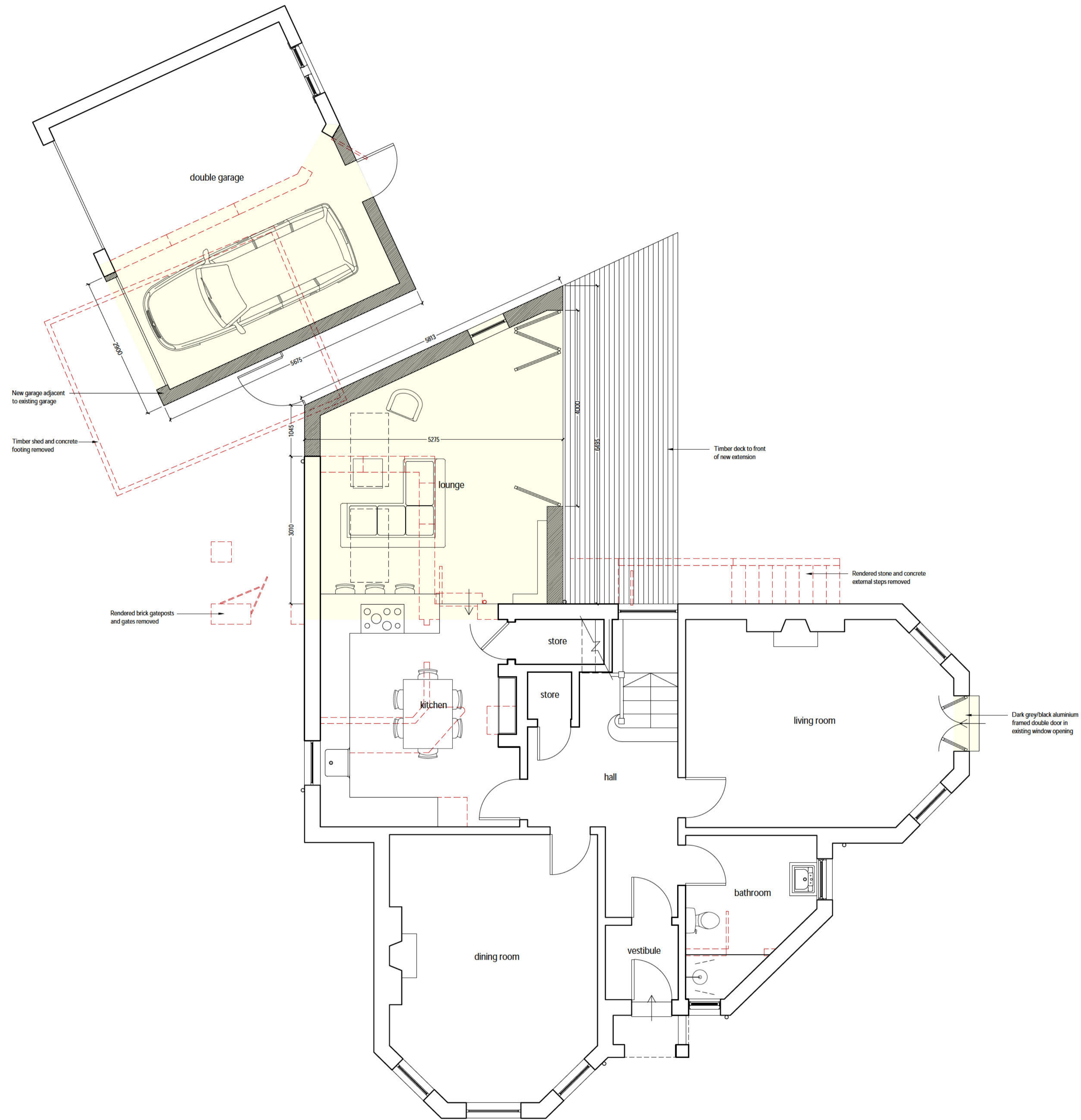
Drawn by: JG	Checked by: MM	Date: 24/03/2022	Scales: 1:100
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Site Code: -	Job Code: -	Drawing No.: 001	Revision: -
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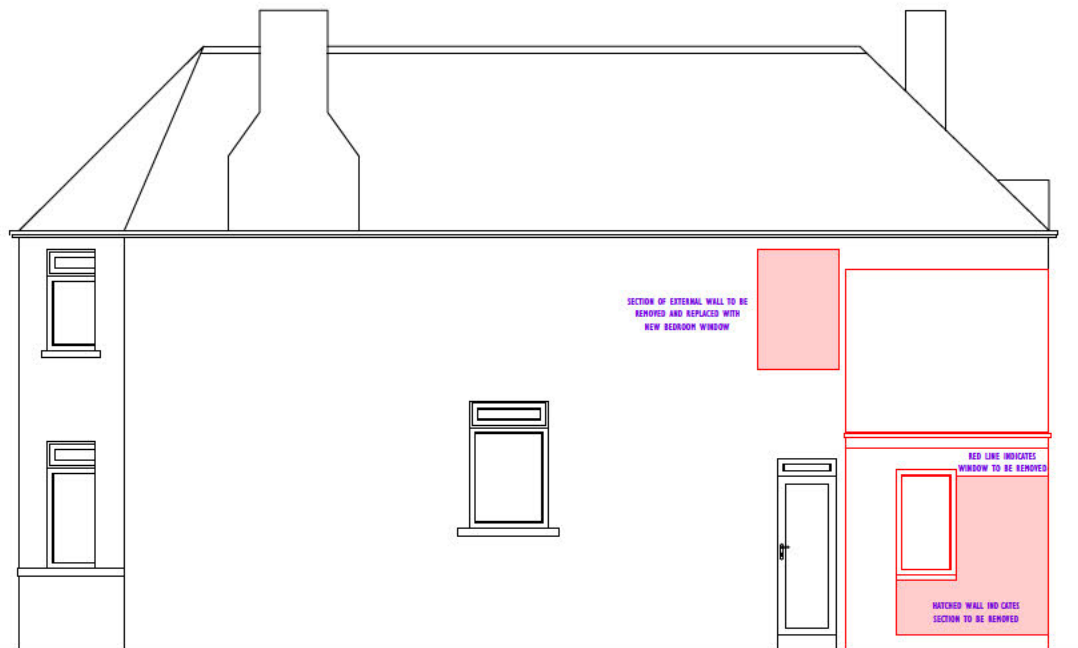
3 Haig Place
Windygates
KY8 5EE

OFFICE: 01333 302585
MOB: 07920 770177

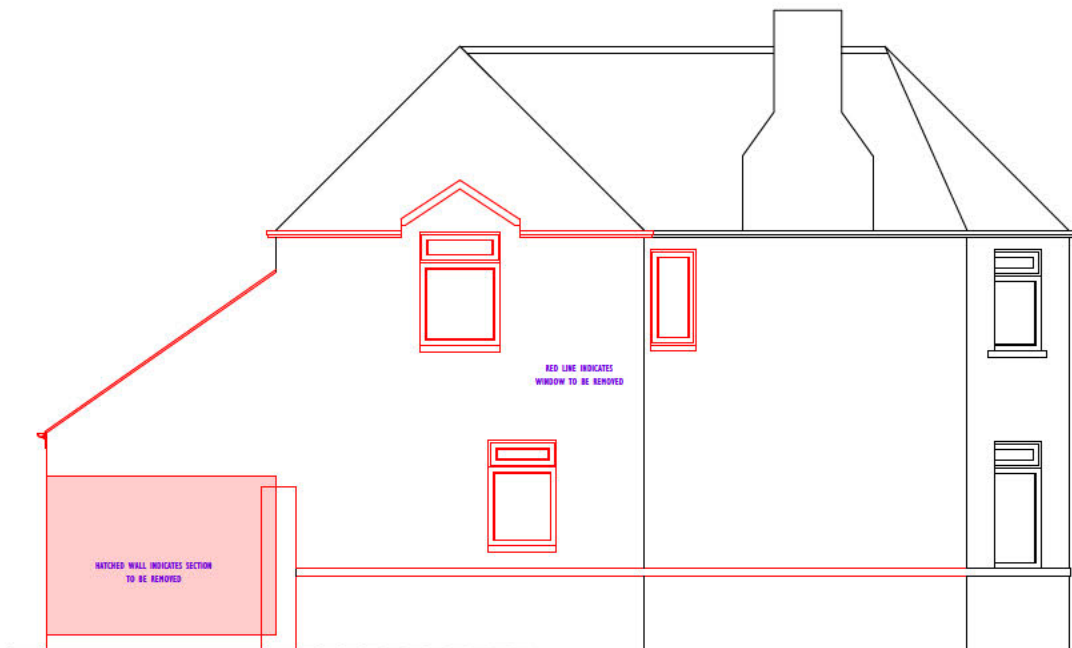




Existing Front Elevation
(scale 1:100)



Existing Rear Elevation
(scale 1:100)



Existing Side Elevation
(scale 1:100)

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PROJECT / CLIENT:
Mr & Mrs Carmichael
14 Elliot Place
Edinburgh
EH14 1DR

DRAWING:
Existing Elevations

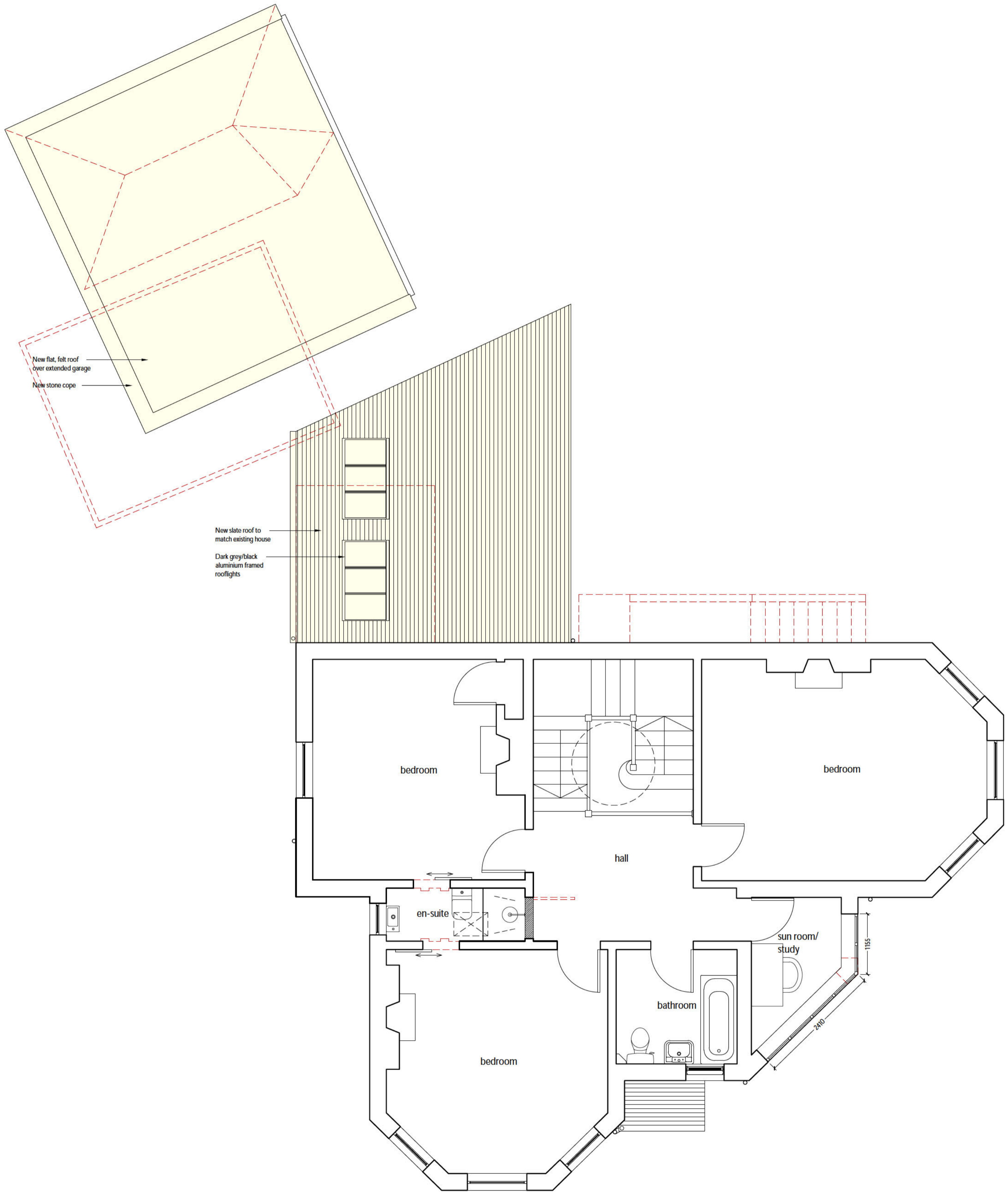
Drawn by: JG	Checked by: MM	Date: 24/03/2022	Scales: 1:100
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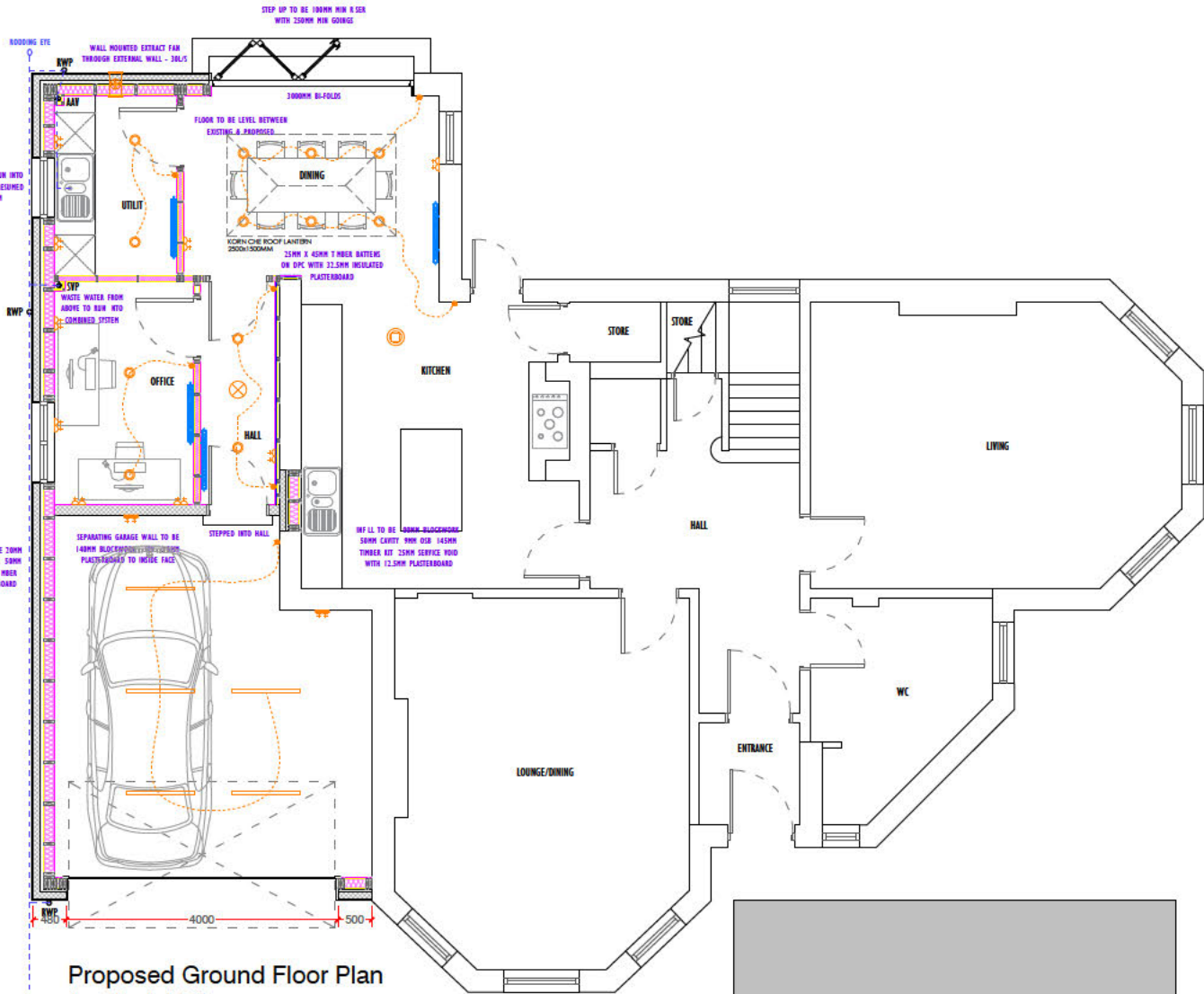
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3 Haig Place
Windygates
KY8 5EE

OFFICE: 01333 302585
MOB: 07920 770177





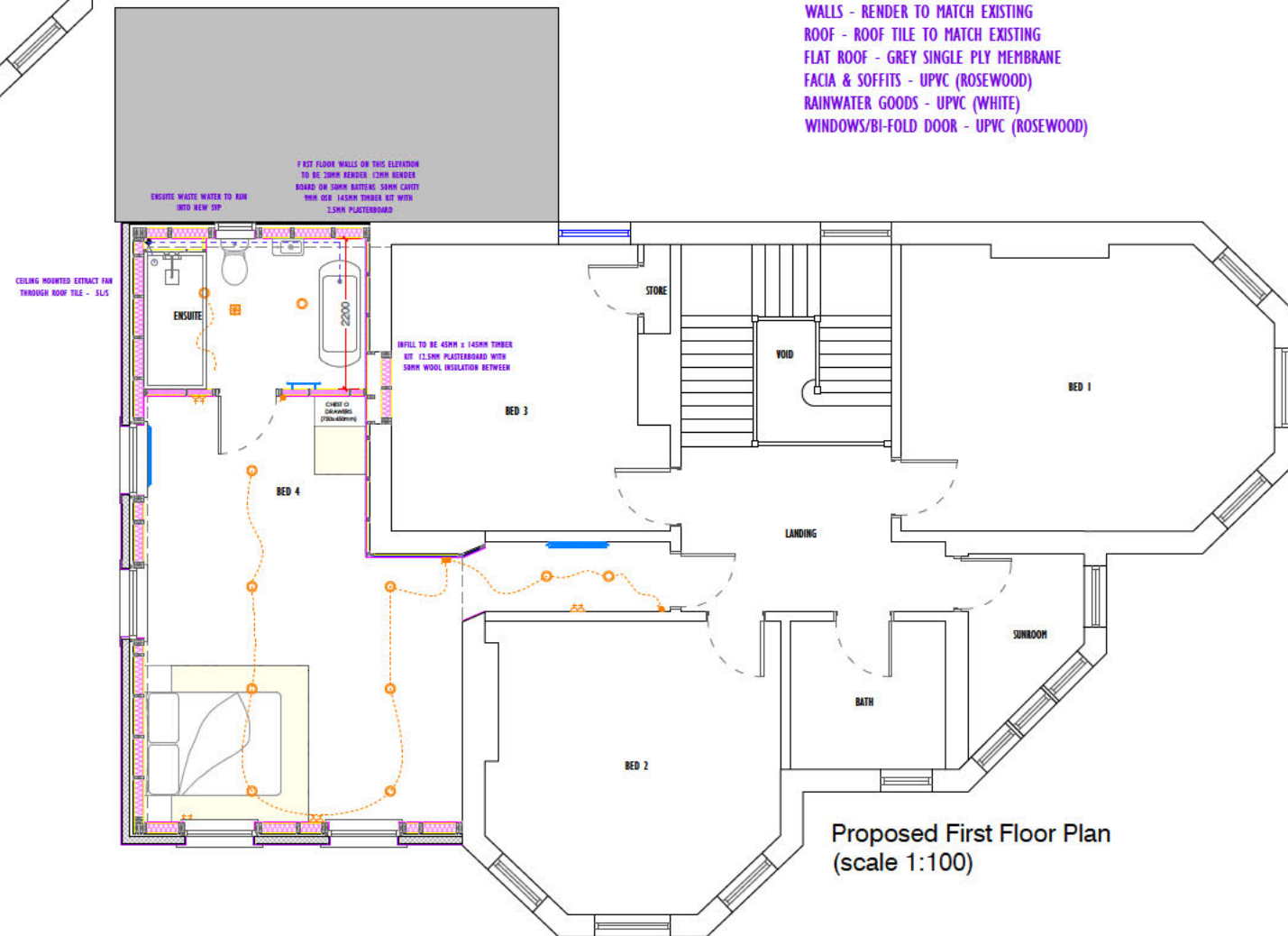
Proposed Ground Floor Plan (scale 1:100)

Electrical Legend

Refer to separate specification for fixing heights

- ceiling-mounted heat detector
- ceiling-mounted smoke detector/alarm
- ceiling-mounted CO detector/alarm
- ceiling-mounted light fitting
- recessed ceiling downlight
- wall-mounted light fitting
- ceiling-mounted extract fan
- through-wall extract fan
- board for consumer unit & electric meter
- appliance control unit
- bell push
- door chime
- low-level double socket
- high-level double socket
- low-level single socket
- high-level single socket
- low-level telecom socket
- high-level telecom socket
- low-level flex outlet
- high-level flex outlet
- low-level TV aerial socket
- high-level TV aerial socket
- single-gang switch
- double-gang switch
- three-gang switch
- wall-mounted thermostat
- wall-mounted alarm control unit

WALLS - RENDER TO MATCH EXISTING
 ROOF - ROOF TILE TO MATCH EXISTING
 FLAT ROOF - GREY SINGLE PLY MEMBRANE
 FACIA & SOFFITS - UPVC (ROSEWOOD)
 RAINWATER GOODS - UPVC (WHITE)
 WINDOWS/BI-FOLD DOOR - UPVC (ROSEWOOD)



Proposed First Floor Plan (scale 1:100)

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PROJECT / CLIENT:
 Mr & Mrs Carmichael
 14 Elliot Place
 Edinburgh
 EH14 1DR

DRAWING:
 Proposed Floor Plans

Drawn by: JG	Checked by: MM	Date: 24/03/2022	Scales: 1:100
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Site Code: -	Job Code: -	Drawing No.: 003	Revision: -
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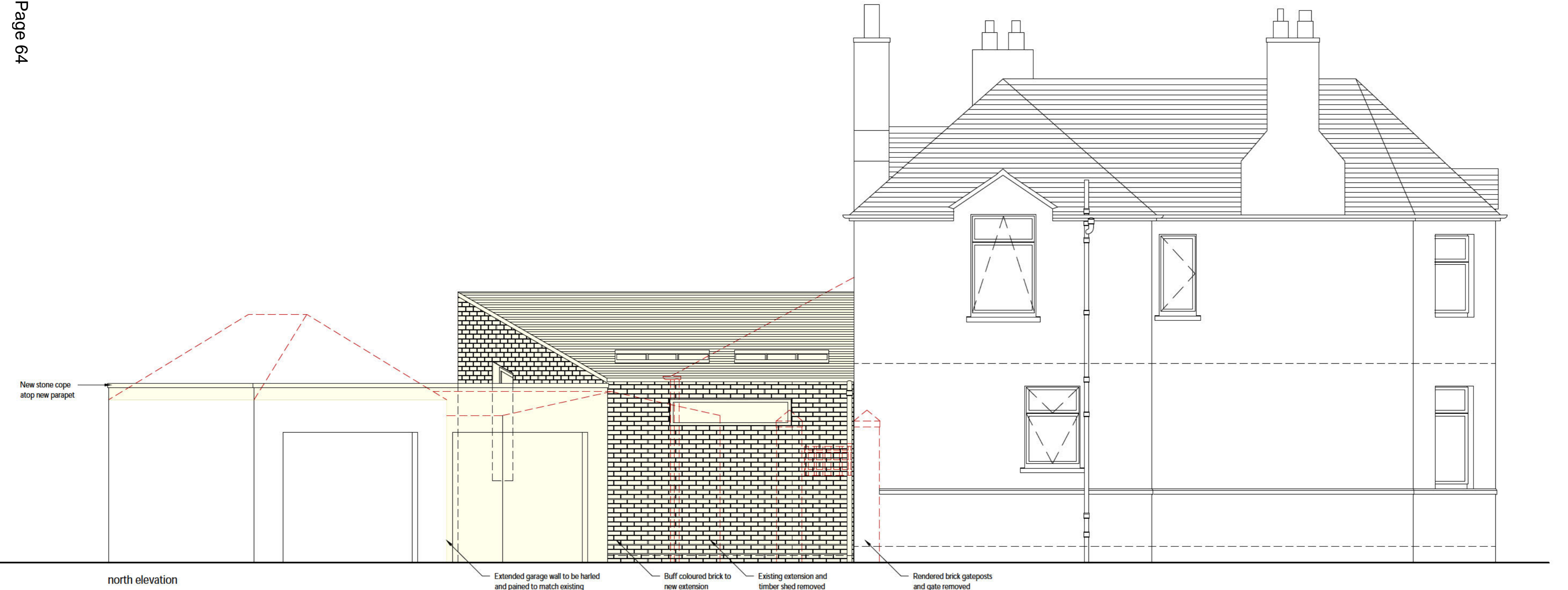
3 Haig Place
 Windygates
 KY8 5EE

OFFICE: 01333 302585
 MOB: 07920 770177



south elevation

Page 64



north elevation



affect studio

affectstudio.co.uk

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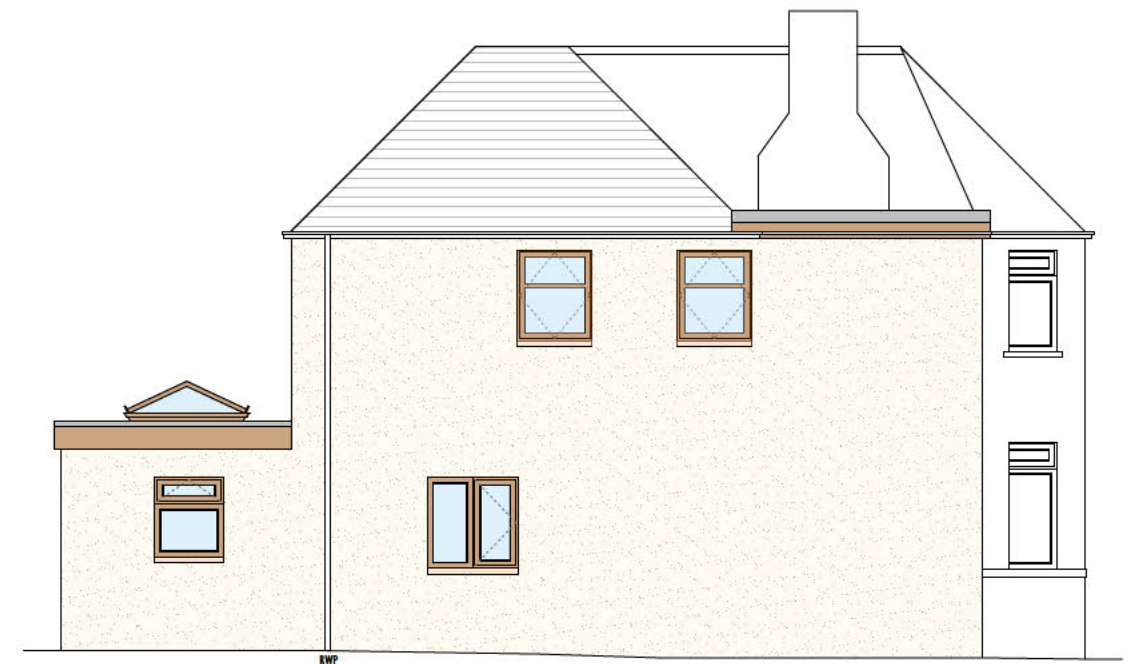
Project Title
14 Elliot Place
Edinburgh
EH14 1DR
Client
Vicky and Rob Carmichael
Status
Planning
Drawing Title
Elevations as proposed

Date
Aug 2020
Size
A2
Project No.
2004
Drawn By
MM

Revision
-
Scale
1:50
Drawing No.
P_301
Checked By



Proposed Front Elevation
(scale 1:100)



Proposed Side Elevation
(scale 1:100)



Proposed Rear Elevation
(scale 1:100)

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PROJECT / CLIENT:
 Mr & Mrs Carmichael
 14 Elliot Place
 Edinburgh
 EH14 1DR

DRAWING:
 Proposed Elevations

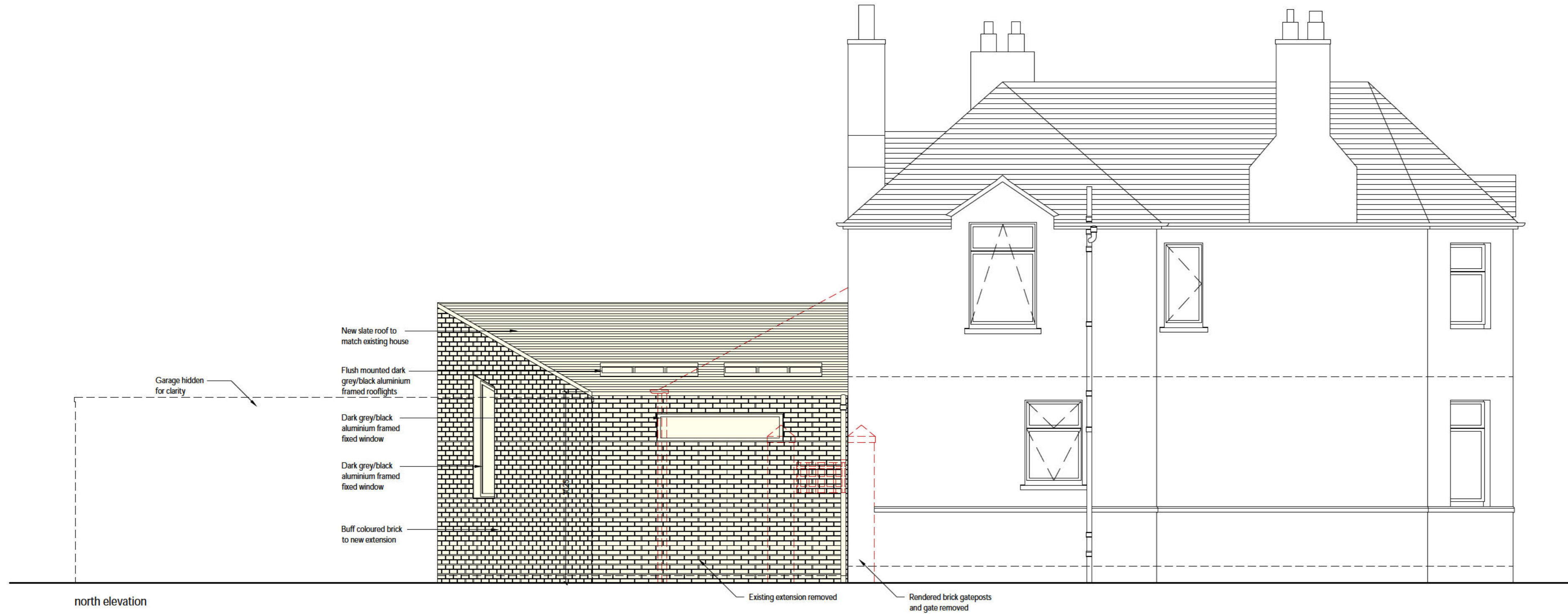
Drawn by: JG	Checked by: MM	Date: 24/03/2022	Scales: 1:100
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Site Code: -	Job Code: -	Drawing No.: 004	Revision: -
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3 Haig Place
 Windygates
 KY8 5EE

OFFICE: 01333 302585
 MOB: 07920 770177



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Do not scale for construction purposes. Contractors shall work to figured dimensions only, verify all dimensions on site, and clarify all discrepancies with the architect prior to construction. Drawings to be read in conjunction with all relevant specifications and schedules. Copyright reserved.

Project Title
14 Elliot Place
Edinburgh
EH14 1DR

Client
Vicky and Rob Carmichael

Status
Planning

Drawing Title
Elevations as proposed
Garage hidden for clarity

Date
Aug 2020

Size
A2

Project No.
2004

Drawn By
MM

Revision

-

Scale

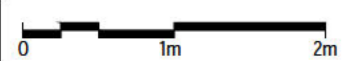
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Drawing No.

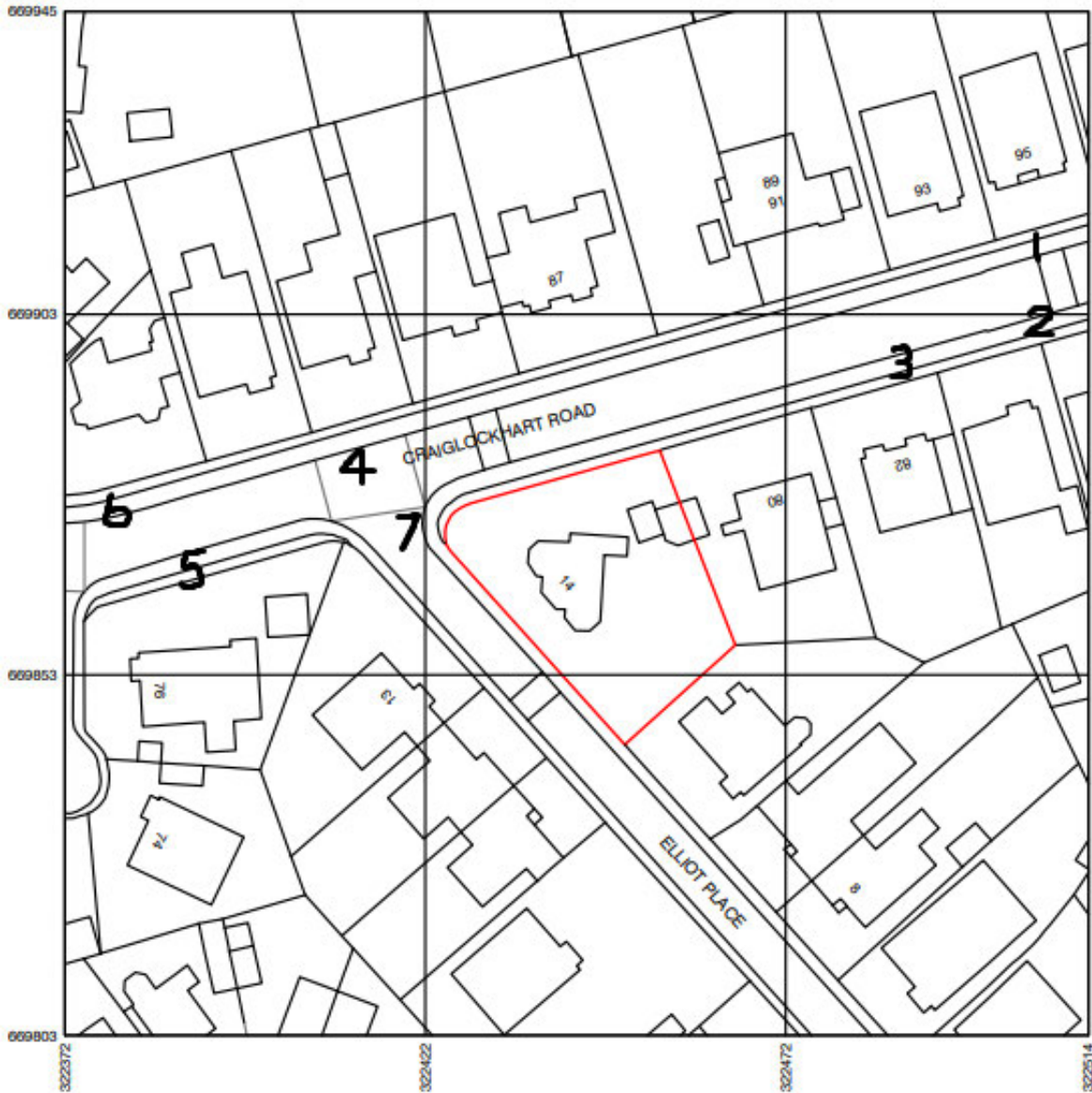
P_302

Checked By

1:50



Location Plan showing position's of photos



1.



2.



3.



4.



5.



6.



7.



Format Building Design.
FAO: Shona MacKay
Holyrood Business Park
146 Duddingston Road West
Edinburgh
EH16 4AP

Windows Catering Company
(West End Ltd).
77A George Street
Edinburgh
EH2 3ES

Decision date: 2 August 2022

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Part change of use from Class 1 (shop) to Class 1 (shop /deli) and Class 3
(restaurant).
At 77A George Street Edinburgh EH2 3ES

Application No: 22/02158/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 22 April 2022, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Ret 9 in respect of, Alternative Use of Shop Units - Elsewhere in defined centres, as it would contribute to over 1/3 of non-shop uses within the block.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-04, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposal is contrary to LDP Retail Policy Ret 9 and the associated City Centre Shopping and Leisure Supplementary Guidance in that it would contribute to over one third of non-shop uses within the block (50%+ currently). There are no material considerations that would outweigh this decision.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Conor MacGreevy directly at conor.macgreevy@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

Application for Planning Permission
77A George Street, Edinburgh, EH2 3ES

Proposal: Part change of use from Class 1 (shop) to Class 1 (shop /deli) and Class 3 (restaurant).

Item – Local Delegated Decision
Application Number – 22/02158/FUL
Ward – B11 - City Centre

Recommendation

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

Summary

The proposal is contrary to LDP Retail Policy Ret 9 and the associated City Centre Shopping and Leisure Supplementary Guidance in that it would contribute to over one third of non-shop uses within the block (50%+ currently). There are no material considerations that would outweigh this decision.

SECTION A – Application Background

Site Description

The application site is a mid-terrace ground floor commercial unit with a basement level.

The property is a Statutory B Listed Building (1966).

Description Of The Proposal

The proposal is for a change of use from class 1 (retail) to a class 3 (restaurant), a small ancillary area for retail and an extract fan to the rear elevation.

Relevant Site History

21/02873/LBC
77A George Street
Edinburgh
EH2 3ES

Minor internal and external alterations to allow installation of extract duct.
Granted
12 July 2021

21/02872/FUL
77A George Street
Edinburgh
EH2 3ES

Change of use from class 1 retail to class 3 restaurant, installation of extract duct (as amended).
Refused
23 September 2021

Other Relevant Site History

Consultation Engagement

Environmental Protection

Roads Authority

Publicity and Public Engagement

Date of Neighbour Notification: 3 May 2022

Date of Advertisement: 13 May 2022

Date of Site Notice: 13 May 2022

Number of Contributors: 1

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 - Conservation Areas.
- Managing Change - External Fixtures.

The proposed works will not have a detrimental impact on the historical architectural features and will therefore not adversely impact on the special architectural or historic interest of the listed buildings. When looking specifically at the proposed flue and canopies, these would be concealed to the enclosed rear of the building which does not play host to any significant features of architectural merit. By virtue of this, the alterations would represent sympathetic additions that would not detrimentally impact on the historic features of the host property or the adjacent listed buildings.

Conclusion in relation to the listed building

The proposed changes are acceptable with regards to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) The proposals harm the character or appearance of the conservation area?

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

The proposed works are of a modest size and scale that would have a subordinate and subservient relation with the host property and in turn the surrounding Conservation Area. The proposals would fit harmoniously within the roof plan of the application site and would be almost entirely obscured from the public realm. The proposed materials

would represent suitable additions and are acceptable in this location. The proposal would have a neutral impact on the Conservation Area.

Conclusion in relation to the conservation area

The proposals are 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.

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 and Env 6
- LDP Retail policies Ret 9 and Ret 11.
- LDP Design policies Des 1 and Des 12.

The non-statutory 'Listed Buildings and Conservation Area guidance' and the City Centre Shopping and Leisure Supplementary Guidance are a material considerations that are relevant when considering the aforementioned.

Principle

There are approximately 14 businesses within the block including the application site. Within this stretch of George Street, significantly only 7 of the 14 units are in retail use. The proposed change of use from a class 1 (retail) to a class 3 (restaurant), with a small ancillary area for retail would be unacceptable in that not only would it result in the further loss of retail in the defined area, but it would also not comply with policy CC 3 in the City Centre Shopping and Leisure Supplementary Guidance as over one third of the businesses would be in non-shop use. Taking into consideration that 50% of the units within this block are currently in non-shop use, the further erosion of the retail character and excessive non-shop use of this section of George Street would have a further detrimental impact upon the vitality of the surrounding area.

This is contrary to LDP Policies Ret 9, Ret 11 and the relevant supplementary guidance.

Scale, Form and Design

The proposed works would represent suitable additions that would be acceptable in this location. The proposed design and materials are also acceptable in that they would be congruous to the application site and the surrounding conservation area. The proposal would not represent over development.

The application complies with LDP Policy Des 1, Des 12, Env 3, Env 4 and Env 6.

Amenity

The proposal was assessed against the amenity criterion in the non-statutory Guidance for Householders. No impacts were identified.

In addition, Environmental Protection was consulted as part of the application and the proposal would be acceptable subject to Environmental Planning criterion being appeased. Further detail regarding Environmental Planning's consultation can be found in the consultation and conditions sections.

This complies with ELDP Policies Des 12, Ret 7 and part of Ret 11.

Transport

Transport Planning were consulted in relation to the application. Please see the consultations section for further detail.

Conclusion in relation to the Development Plan

The proposal is contrary to the Edinburgh Local Development Plan and the relevant guidance with respect to the principle of the change of use.

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

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

One comment was received (Objection)

material considerations

Flue; this is addressed in sections a), b) and c).
Canopy; this is addressed in sections a), b) and c).

Conclusion in relation to identified material considerations

These have been addressed.

Overall conclusion

The proposal is contrary to LDP Retail Policy Ret 9 and the associated City Centre Shopping and Leisure Supplementary Guidance in that it would contribute to over one third of non-shop uses within the block (50%+ currently). There are no material considerations that would outweigh this decision.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposal is contrary to the Local Development Plan Policy Ret 9 in respect of, Alternative Use of Shop Units - Elsewhere in defined centres, as it would contribute to over 1/3 of non-shop uses within the block.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 22 April 2022

Drawing Numbers/Scheme

01-04

Scheme 1

David Givan

Chief Planning Officer
PLACE
The City of Edinburgh Council

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

Consultations

NAME: Environmental Protection

COMMENT: A noise impact assessment (NIA) has been provided in support of the application which confirms that noise from normal internal operations will be inaudible within surrounding residential properties. The ventilation system requires to be fitted with attenuators/silencers within the ducting. The mitigation details contained within the NIA should be installed prior to operation and a condition is included below to that effect.

The applicant has confirmed that the ventilation system proposed will meet the requirements of this team in that it will attain a minimum of 30 air changes per hour and is ducted to an appropriate level. The ventilation has been designed to ensure that all odours will be vented to atmosphere and will not impact upon nearby residential properties.

Recommended conditions:

1 - The ventilation details as specified within report 3996-SAV-GST-ZZ-SPEC-M-001 and dated 4/8/21 should be installed and operational prior to start of operations on site.

2 -The ventilation extraction system noise mitigation measures specified within noise impact assessment 14898399/rmg/R1 and dated 7th June 2022 should be installed and operational prior to start of operations on site.

3 - Plant noise (as measured 1m from source) should comply with the highlighted noise specification when installed and operational on site - see Council Portal and consultation for exact specification.

DATE: 14 July 2022

NAME: Roads Authority

COMMENT: Response -

Contribute the sum of £15,756 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment.

DATE: 15 July 2022

The full consultation response can be viewed on the Planning & Building Standards Portal.

Comments for Planning Application 22/02158/FUL

Application Summary

Application Number: 22/02158/FUL

Address: 77A George Street Edinburgh EH2 3ES

Proposal: Part change of use from Class 1 (shop) to Class 1 (shop /deli) and Class 3 (restaurant).

Case Officer: Local1 Team

Customer Details

Name: Dr The Architectural Heritage Society of Scotland

Address: 15 Rutland Square, Edinburgh EH1 2BE

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The AHSS Forth and Borders Cases Panel has examined the proposal for the change of use to a B-listed building within the New Town Conservation Area and World Heritage Site, and we object.

The application states that the large flue to the rear façade has been previously assessed under application 21/02872/FUL. This application was refused, so the flue shown on the proposed elevations does not have permission. Previous applications have shown a smaller flue in a different location.

Detailed drawings of any proposed flue, whether venting through the roof or rear wall, should be provided to ensure the impact on the listed building is kept to a minimum. The interior of the rear saloon contains historic wall painted decoration, and the ceiling has highly decorative plasterwork.

Similarly, we object to the installation of the new kitchen canopy and extract ducts due to the impact on the historic painted interior and plasterwork. Further details should be provided on the interior positioning and fixings so the impact on the listed building can be adequately assessed.

These elements of the proposal fail to preserve or enhance the special architectural character of the listed building and conservation area, contradict Edinburgh Council guidance and conflicts with the Local Development Plan policy ENV 4 & ENV 6. We therefore object to these proposals.

To: Conor MacGreevy
From: Colin Brown, Environmental Protection, Place

Date: 07/07/22

**TOWN AND COUNTRY PLANNING SCOTLAND ACT 1997
CHANGE OF USE FROM CLASS 1 RETAIL TO CLASS 3 RESTAURANT, INSTALLATION OF
EXTRACT DUCT AT 77A GEORGE STREET, EDINBURGH EH2 3ES
REFERENCE NUMBER: 21/02872/FUL**

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

The application proposes the change of use of a Class 1 retail premises to a Class 3 restaurant. The application includes the erection of a new ventilation duct and extraction system. A restaurant is situated above with residential flats further above on the upper floors. A bank is situated to the east with a restaurant to the west.

The application includes additional supporting information relating to noise and ventilation.

A noise impact assessment (NIA) has been provided in support of the application which confirms that noise from normal internal operations will be inaudible within surrounding residential properties. The ventilation system requires to be fitted with attenuators/silencers within the ducting. The mitigation details contained within the NIA should be installed prior to operation and a condition is included below to that effect.

The applicant has confirmed that the ventilation system proposed will meet the requirements of this team in that it will attain a minimum of 30 air changes per hour and is ducted to an appropriate level. The ventilation has been designed to ensure that all odours will be vented to atmosphere and will not impact upon nearby residential properties.

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

Conditions

1. The ventilation details as specified within report 3996-SAV-GST-ZZ-SPEC-M-001 and dated 4/8/21 should be installed and operational prior to start of operations on site.
2. The ventilation extraction system noise mitigation measures specified within noise impact assessment 14898399/rmg/R1 and dated 7th June 2022 should be installed and operational prior to start of operations on site.
3. Plant noise (as measured 1m from source) should comply with the following noise specification when installed and operational on site:

	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
SPL @ 1m (dB)	81.5	71.7	65.6	61.6	58.7	57.3	57.1

Should you wish to discuss the above please contact me on 0131 469 5802.

MEMORANDUM

To: Planning Officer
Conor MacGreevy

From: Transport
Steven Saunders

Our Ref: 22/02158/FUL

**22/02158/FUL
77A GEORGE STREET
EDINBURGH
EH2 3ES**

TRANSPORT CONSULTATION RESPONSE

Summary Response

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

1. Contribute the sum of £15,756 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;

Full Response

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

1. Contribute the sum of £15,756 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;

Note on tram contribution;

The tram contribution amount has been calculated as follows;

Distance to tram line 230m approx. (zone 1).

As the application is for a change of use, the contribution is the net of the proposed minus the existing use contribution.

In this case, the existing (class 1) retail has a trading floor area of 296 sq.m (contribution £22,173).

The proposed use is class 1 area 54 sq.m (contribution zero) and class 3 restaurant with a area of 174 sq.m (contribution £37,929).

Therefore the net contribution due will be **£15,756** (£37,929 - £22,173).

Steven Saunders

TRANSPORT
Steven Saunders
Transport Officer 15.07.2022



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100596460-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Format Design"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Shona"/>	Building Name:	<input type="text" value="Holyrood Business Park"/>
Last Name: *	<input type="text" value="Mackay"/>	Building Number:	<input type="text" value="146"/>
Telephone Number: *	<input type="text" value="01316617666"/>	Address 1 (Street): *	<input type="text" value="Duddingston Road West"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="EH16 4AP"/>
Email Address: *	<input type="text" value="formatdesign@aol.com"/>		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="77A"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="George Street"/>
Company/Organisation	<input type="text" value="Window Catering Company (West End)"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH2 3ES"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="formatdesign@aol.com"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="77A GEORGE STREET"/>
Address 2:	<input type="text" value="NEW TOWN"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH2 3ES"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="673987"/>	Easting	<input type="text" value="325090"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Part change of use from Class 1 (shop) to Class 1 (shop /deli) and Class 3 (restaurant).

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see attached appeal statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Appeal statement

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/02158/FUL

What date was the application submitted to the planning authority? *

22/04/2022

What date was the decision issued by the planning authority? *

02/08/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

To allow the members of the Local Review Body to visit the application site and its environs

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Shona Mackay

Declaration Date: 26/08/2022

Planning Appeal Statement – 77A George Street, Edinburgh

**Part Change of Use from Class1 (shop)to Class1 (shop/Deli) and Class3 (restaurant)
Planning Reference: 22/02158/FUL**



**Format Design
26 September 2022**

Introduction

This application was refused on 2 August 2022.

There was a single reason provided for the refusal decision.

“The proposal is contrary to the Local Development Plan Policy Ret 9 in respect of, Alternative Use of Shop Units - Elsewhere in defined centres, as it would contribute to over 1/3 of non-shop uses within the block.”

The response for review:

A. The applicant wishes to appeal this decision, as they consider that this reason for the refusal is deeply flawed as George Street is specifically excluded from ‘City Centre Primary Frontages’ (see pages 4 and 5 of the Supplementary Guidance City Centre Shopping and Leisure), that in any event the front part of the unit will be retained in retail use (Class 1 shop/deli) and the decision fails to recognise that there is insufficient retail to fill vacant premises in George Street.

The current Local Development Plan and Supplementary Guidance was drafted and adopted prior to the pandemic and the major restructuring of the retail sector due to the massive shift in online sales and the opening of the St James Quarter. This has dramatically changed shopping patterns in Edinburgh and across the country. This has been recognised in the review of policy on Princes Street, but so far, the council’s policies have not been reviewed in a way that will help regenerate and return the vibrancy to this important thoroughfare and destination.

The refusal is very likely to create another vacant unit or lead to a dramatically lower quality of shopping brand, which is surely not in the best interest of the future of George Street, or the vitality and viability of the City Centre. It will certainly not tackle the very serious vacancy rates being experienced in George Street.

B. There are also numerous positive reasons (listed below) why the applicant feels the application should be supported. The applicant is an experienced operator running significant businesses of scale in George Street. The applicant supports the views expressed by Essential Edinburgh that a more flexible approach is required to tackle the challenges faced by George Street, especially as George Street is about to undergo very significant and disruptive works to implement the council’s planned changes. The applicant supports the changes being promoted by the council, but they are aware that such major works will cause many years of disruption, adding to the pressures already faced on George Street. Also, in this proposal the retail frontage will be retained as a delicatessen (Class 1), complimenting the remainder of the unit as a restaurant use and therefore complies with the policy on retention of a Class1 use.

Reasons why the applicant feels this appeal should be upheld:

1. A mixed use of Shop (Class1 deli) and Class 3 uses are a viable and attractive alternative. Large Class 1 shop uses are under extreme pressure from online retailing and out of town shopping. A more sophisticated and flexible approach to alternative uses within the traditional centres should be adopted. This approach is supported in Scottish Planning Policy Document dated 18 December 2020 paragraphs 60 and 70 quoted below:

Para 60. Planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into town centres. The planning system should:

- ***apply a town centre first policy^[33] when planning for uses which attract significant numbers of people, including retail and commercial leisure, offices, community and cultural facilities;***
- ***encourage a mix of uses in town centres to support their vibrancy, vitality, and viability throughout the day and into the evening.***

- *ensure development plans, decision-making and monitoring support successful town centres; and*
- *consider opportunities for promoting residential use within town centres where this fits with local need and demand.*

Para 70 - Decisions on development proposals should have regard to the context provided by the network of centres identified in the development plan and the sequential approach outlined above. New development in a town centre should contribute to providing a range of uses and should be of a scale which is appropriate to that centre. The impact of new development on the character and amenity of town centres, local centres and high streets will be a material consideration in decision-making. The aim is to recognise and prioritise the importance of town centres and encourage a mix of developments which support their vibrancy, vitality and viability. This aim should also be taken into account in decisions concerning proposals to expand or change the use of existing development

2. Paperchase (the current occupants) are about to vacate this unit, and we understand they are considering a rebranding of their operation and to operate from smaller outlets in more local areas such as Bruntsfield and Stockbridge, so still retaining Paperchase as a retail shop within Edinburgh, but the current store simply is not viable.
3. The applicants are a successful Scottish family business which runs Cafe Andaluz restaurants on George Street and George1V Bridge, Cadiz and Amarone, as well as other restaurants in other cities with a total staff of c1200.
4. The retail delicatessen floorspace to the front street would retain a retail frontage and complement the restaurant very well. It would also help to deliver and support the council's vision for 'Twenty Minute Neighbourhoods' for city centre residents by improving the shopping offer in the city centre, which would serve local workers, residents, and tourists.
5. The proposal is strongly supported by Essential Edinburgh, an organisation, which is one of the country's most effective Business Improvement Districts and was established to ensure that Edinburgh city centre excels as a place to work, a place to do business, a place to shop and a place to visit. Essential Edinburgh strongly supports a flexible approach that avoids long term vacancies in George Street.
6. A previous application for this site was to change the use to solely a Class 3 restaurant, and at that time the premises did not have an end user. The proposal now has an end user which is a local business as described above. This application was only narrowly defeated at the previous Local Review Body by a single vote. That application did not retain the retail element now proposed as part of the mixed use. The applicant feels that these positive changes have not been appropriately acknowledged or recognised in this refusal.
7. Being a quality food offer, it will support local fresh food suppliers. This will help improve the retail mix in George Street where high-end retail of clothes, hats, shoes, and jewellery currently prevails.
8. The creation of a vibrant city centre restaurant and delicatessen fronting the street will be a significant benefit to the vitality of George Street, ensuring an active frontage all day and into the evening.
10. The proposal will create further local jobs, 77 George Street will support 40 new jobs, more than would be provided by a shop alone.
11. The reason for the refusal is based solely on the alleged loss of a retail unit and fails to acknowledge that the new application retains the frontage of the unit as retail (delicatessen).
12. Lastly, but more for clarification is that the current 50% non-retail element in that frontage will not be increased, as a retail element will be retained as a Delicatessen, but in any event the

Supplementary Guidance CC3 specifically excludes George Street which would lead to the conclusion George Street should be in Guidance CC4 i.e. (1/2 of frontages not 1/3)

Conclusion:

Paperchase is about to add to the historically high vacancy rate in George Street.

The world is now in a very different place since the Local Development Plan Ret 9 was adopted, and the policy is overdue for review as a result.

The retail sector in George Street has been particularly hit hard by the pandemic with the trend towards online shopping and the opening of the St James Quarter.

The proposal is for a mixed use that will offer locals and workers a place to obtain goods for daily household use (where most of the retail units on George Street are for upmarket clothing wear) and a restaurant both adding to the vibrancy of George Street.

There was one objection to the proposed flue but not for the change of use. The flue is deemed acceptable in the Planning Report of Handling and is not given as a reason for refusal.

There are very significant material considerations for supporting this proposal, to overturn the refusal and grant planning permission. In doing this, the applicant strongly believes that this will have a very positive contribution to strengthening and improving George Street and the City Centre in general.

The approach for this application is supported in Scottish Planning Policy Document dated 18 December 2020 as per paragraphs 60 and 70 of the Policy Document outlined above.

Attached are photographs of the current vacant units (at the time of the application) in the City Centre and immediate vicinity of the application site. It is our understanding that none of these have interest from retail operators and they may lay empty for much longer as a result.

We hope that the Local Review Body, after consideration of this appeal, will for all the positive reasons highlighted above support the appeal and grant Planning Permission.













































































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Gray Macpherson Architects.
Tigh-na-geat House
1 Damhead Farm
Lothianburn
Edinburgh
EH10 7DZ

Mrs Bringhurst
15 Greenhill Gardens
Edinburgh
EH10 4BN

Decision date: 14 June 2022

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house. (As amended)
At 10 Glenlockhart Bank Edinburgh EH14 1BL

Application No: 21/06240/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 25 November 2021, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reasons:-

1. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Design Quality and Context, as the development shall negatively impact the character and appearance of the area around it.
2. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Development Design- Impact on Setting, as the street has a settled townscape character, and the proposal does not have similar characteristics to the surrounding buildings and urban grain.

3. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Housing Development as the proposal is not compatible with other policies in the plan.

4. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Housing Density, as the proposal could not respect the established density and layout of the area.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01a-02a,03-11, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposal does not comply with adopted Edinburgh Local Development Plan policy Hou 1, Hou 4, Des 1 or Des 4. The proposal therefore does not comply with Paragraph 29 of SPP. There are no material considerations that outweigh this conclusion.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Adam Gloser directly at adam.gloser@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

**Application for Planning Permission
10 Glenlockhart Bank, Edinburgh, EH14 1BL**

Proposal: Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house. (As amended)

**Item – Local Delegated Decision
Application Number – 21/06240/FUL
Ward – B09 - Fountainbridge/Craiglockhart**

Recommendation

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

Summary

The proposal does not comply with adopted Edinburgh Local Development Plan policy Hou 1, Hou 4, Des 1 or Des 4. The proposal therefore does not comply with Paragraph 29 of SPP. There are no material considerations that outweigh this conclusion.

SECTION A – Application Background

Site Description

The application site relates to the swimming pool building to the rear of No. 10 Glenlockhart Bank. The application site is comprised of a detached property within a large garden area. The site is located at the end of a cul de sac on Glenlockhart Bank and the area is typified by residential dwellings located within private garden grounds.

Description Of The Proposal

The application is for the subdivision of the application site to form two separate sites each containing a residential dwelling. The proposals seek to refurbish the rear swimming pool house to form a private residential dwelling and the formation of a private vehicle access.

Amendment:

- Vehicle parking reduced to one car
- Hardstanding to be porous in nature

Relevant Site History

19/02444/PPP
10 Glenlockhart Bank
Edinburgh
EH14 1BL
Erection of a new private dwelling house.
Refused
27 September 2019

Other Relevant Site History

Consultation Engagement

Roads Authority

Publicity and Public Engagement

Date of Neighbour Notification: 9 December 2021

Date of Advertisement: 10 December 2021

Date of Site Notice: 10 December 2021

Number of Contributors: 7

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 Policies Hou 1, Hou 4 and Hou 5
- LDP Policies Des 1, Des 4, Des 5 and Des 12
- LDP Policies Tra 2 and Tra 3
- LDP Policies Env 21

The non-statutory Householder Guidance is a material consideration that is relevant when considering policies Hou 5, Des 5 and Des 12.

Principle

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

The proposed one dwelling house will not make a substantial contribution to any housing land supply and little weight can be placed on this consideration.

As the proposal does not comply with other policies contained within the LDP, the proposal does not comply with LDP policy Hou 1.

Scale Form and Design

The Edinburgh Design Guidance states that where back-land development would disrupt the spatial character of an area, it must be avoided.

The area surrounding the site is primarily residential in nature, characterised by large, detached dwellings. The houses have private front and rear gardens which can be quite substantial. The nearby dwellings are characterised by their low-density layout and a good degree of separation. The application site is located directly behind the existing property, set within the garden grounds of no. 10. While it is acknowledged that the site is comprised of a large, detached swimming pool building, this structure is ancillary to the main use of the dwelling house and is part of the larger garden grounds.

While the design and positioning of the property has ensured that the dwelling would not immediately impact on neighbouring privacy and outlook, the established position of the site and its limited size compared to other plots on the street, a dwelling house could not be constructed on this site that respects the established built form of the street in terms of density and layout.

The proposed dwelling would be back-land development which would have a detrimental impact on the spatial character and appearance of the surrounding area.

The proposal is contrary to LDP policies Des 1, Des 4, Hou 4 and the Edinburgh Design Guidance.

Amenity

The proposal has been designed to limit any outlook from the dwelling by virtue of window positioning and the use of natural screening around the perimeter of the site. Windows on the north elevation have been positioned to face the private 'Chinese garden', thereby limiting the potential outlook to the north. The windows on the south elevation shall face existing vegetation ensuring there is limited outlook to the south. The design and positioning of the proposals shall have no material impact on neighbour's privacy.

The proposal will not have any unreasonable impact on neighbouring amenity therefore complies with LDP policies Des 5 and Des 12.

Future occupiers

The Edinburgh Design Guidance (EDG) states that three-bedroom dwellings should have a minimal internal floor area of 91 m².

The proposed dwelling exceeds the minimum space standards.

All habitable rooms will achieve acceptable levels of outlook and daylight by virtue of the size and positioning of windows facing outwards or into private courtyards.

Sufficient private open space is proposed which will include outdoor seating and recreational garden grounds. The use of natural screening shall promote the biodiversity of the area and shall provide an appropriate level of separation between neighbouring gardens.

In addition, two courtyards shall provide some amenity space for future occupiers.

The proposal will result in the creation of a satisfactory residential environment and complies with LDP policies Hou 5, Des 5 and Des 12.

Transport

Properties in this area should have maximum parking provision of 1 space per dwelling. The application, as amended, complies with the Council's standards.

The Roads Authority has been consulted on this scheme and offers no objection to the proposals.

There is adequate space within the internal layout of the dwelling to accommodate the required cycle provision.

A departure from the cycle standards and LDP policy Tra 3 is appropriate as the proposal can accommodate internal cycle provision within the footprint of the building.

The proposal is in accordance with LDP policy Tra 2 and Tra 3.

Flooding

The Scottish Environmental Protection Agency (SEPA) flood maps show that there is no risk of surface water flooding within the radius of the site.

The application complies with LDP policy Env 21.

Conclusion in relation to the Development Plan

Overall, the proposals comply 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 will be overdevelopment of the site.

The proposal therefore does not comply with Paragraph 29 of SPP.

Emerging policy context

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

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

The application has received nine letters of representation objecting to the scheme. It is noted that one letter has been received three times as a duplicate. The number of representations received is therefore six.

A summary of the representations is provided below:

material considerations

Proposal represents overdevelopment; Addressed in section (a) - through principle and amenity

Negative design; Addressed in section (a) - Scale, form, and design

Impact on Amenity of neighbours; Addressed in section (a) - Amenity

Impact on parking and Traffic; Addressed in section (a) - Transport

Impact on flooding; Addressed in section (a) - Flooding

non-material considerations

- Maintenance of private access
- Land not in sole ownership of applicant
- Notification of proposals sent twice

Overall Conclusion

The proposal does not comply with adopted Edinburgh Local Development Plan policy Hou 1, Hou 4, Des 1 or Des 4. The proposal therefore does not comply with Paragraph 29 of SPP. There are no material considerations that outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Design Quality and Context, as the development shall negatively impact the character and appearance of the area around it.
2. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Development Design- Impact on Setting, as the street has a settled townscape character, and the proposal does not have similar characteristics to the surrounding buildings and urban grain.
3. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Housing Development as the proposal is not compatible with other policies in the plan.
4. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Housing Density, as the proposal could not respect the established density and layout of the area.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 25 November 2021

Drawing Numbers/Scheme

01a-02a,03-11

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Adam Gloser, Planning Officer
E-mail: adam.gloser@edinburgh.gov.uk

Appendix 1

Consultations

NAME: Roads Authority

COMMENT: No objections subject to appropriate conditions and informatives.

DATE: 2 December 2021

The full consultation response can be viewed on the Planning & Building Standards Portal.

Comments for Planning Application 21/06240/FUL

Application Summary

Application Number: 21/06240/FUL

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house.

Case Officer: Local1 Team

Customer Details

Name: Mr Alan Collins

Address: 6. Glenlockhart Bank, Glenlockhart, Glenlockhart Glenlockhart EDINBURGH

Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This application was originally rejected and for the same reason we would object to another house being built in this small community. The road is private and maintained by the residents. It's very narrow and is already under stress. The drainage and sewage system are old and struggle. In heavy rain we have heavy flooding which is well documented. There are only 5 storm drains onto a 100mm outlet. More hard landscaping will just make it worse. Some residents experienced raw sewage in their gardens as again drains are ancient. I can furnish photographs and documented correspondence with water board and drainage depts

This proposed house is being shoe horned into a tight sight with common driveway. If the other owner were to divide the driveway access to the property would be difficult.

One last point on system pressure. Many of the existing houses have now got young families and extended houses so it's added to the problems. Alan Collins

Comments for Planning Application 21/06240/FUL

Application Summary

Application Number: 21/06240/FUL

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house.

Case Officer: Local1 Team

Customer Details

Name: Mr Gary Fossett

Address: 8 Glenlockhart Bank Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Objecting on the grounds that:

- 1) The drains on Glenlockhart Bank are old and overloaded. We already experience flooding when there is heavy rainfall and they could not cope with the additional load of sewage from a new property.
- 2) The narrow private road has only limited space for parking and only been recently repaired following building works elsewhere in the street. The addition of further cars related to a new house would cause more traffic on the road (which already struggles with existing usage) and increase the dangers to small children playing in the road.

Comments for Planning Application 21/06240/FUL

Application Summary

Application Number: 21/06240/FUL

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house.

Case Officer: Local1 Team

Customer Details

Name: Mrs Fiona Jennings

Address: 1b Glenlockhart Bank Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Proposed access road of Glenlockhart Bank is already under heavy load from hard landscaped areas with insufficient drainage and regular flooding at certain points . Occasions where ancient drainage system has also caused problems with raw sewage . Already greater number of houses built than originally intended with no corresponding update/upgrading of said drainage facilities . Another dwelling house would cause increase in traffic detrimental to the present residents . Access to proposed new house looks problematic to immediate neighbours . Construction of said house would bring access issues, unacceptable traffic congestion & worsening of present road condition

Comments for Planning Application 21/06240/FUL

Application Summary

Application Number: 21/06240/FUL

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house.

Case Officer: Local1 Team

Customer Details

Name: Mr Stewart Brown

Address: 12 Glenlockhart Bank Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My wife and I are the owners of the property in closest proximity to the proposed site - the swimming pool building is a matter of inches from our back boundary. We are therefore very familiar with the site and have examined the proposed application and supporting documents via this portal. While we understand the need and pressure to increase housing stock generally, we strongly object to the planning application. There are a number of reasons for this which are set out below.

Firstly, as happened with the outline planning permission application for this project which was applied for and rejected in 2019, the site delineated in the application as belonging solely to number 10 still includes land which we, not number 10, own. This would affect the access to the proposed property. The Land Ownership Certificate section of the application form signed by the architect (in which it is sworn that all of the land to which the application relates is solely owned by the applicant) is therefore incorrect. I am somewhat alarmed that, despite having pointed this out during the outline planning permission application, the architect has wrongly certified this once again. Although I am a solicitor myself, if matters proceed, we will have to obtain specialist legal advice on the matter.

Secondly, there are a number of reasons that we object to the application itself:

Privacy/overlooking - as I say above, the swimming pool building is a matter of inches from our back boundary. You can see our house clearly in the photographs labelled "North Elevation" and "Gluelam Frame Looking West" in the Structural Engineer's Report (these angles have been omitted, for fairly obvious reasons, from the Design Statement and other documents). Conversion to a dwelling would greatly reduce our privacy (changing from an unoccupied outbuilding with one

window facing us (unused because it's unoccupied) to an occupied house overlooking us). Our lounge, dining hall, toilet, bathroom and multiple bedrooms (including children's) would be overshadowed/overlooked by the new (occupied vs. unoccupied) building. Although there is a reference to removing the current window and replacing it with an internal "lightwell/Chinese garden", it seems from the plans that there would still be a window with the same/a similar view overlooking us directly from the kitchen/living area of the new dwelling.

Noise/disturbance/appearance - an occupied dwelling would clearly result in greater noise and disturbance to us than at present. This would be from the general use of the property itself but also in particular from the increased vehicular activity (more vehicles than at present and the vehicles being brought into closer proximity with our house than at present through the creation of a large parking area directly in front of our west facing windows). The creation of this large monoblocked parking area would also detract from the appearance of the immediate area as it is currently part of number 10's garden and planted up. (See also the comments relating to the size of this parking area and the likely impact on the number of cars in the section below - the more cars, the more noise and disturbance.)

Traffic and parking - the street is a small private road (more or less single carriageway) with limited space for parking. The road was not long ago repaired following building works undertaken elsewhere in the street. The tenants living at number 10 for the past 5/6 years have had up to six vehicles (there being four adult children), some of which they park on our land without our permission and some of which are currently parked directly in front of the place where it is now proposed to create the two additional parking spaces. The addition of further cars related to a new dwelling behind number 10 would a) cause more traffic to be using the road and driveway putting further pressure on the road (which already struggles with the current levels of use) and b) increase the danger to the children playing in the road. Although it's not directly my lookout, I'm also not sure where number 10 would be able to park all their vehicles if some of the area which they currently use was being used for a new property or needed to remain accessible/unblocked. I fear this would result in vehicles being parked in the street (not really wide enough) or (more likely) in the turning circle in Glenlockhart Bank with negative implications for a) general access and b) access and manoeuvrability of council refuse/recycling vehicles and/or emergency vehicles. Additionally, number 10 (and this will be the case for the new house too) access their property by using their and also our monoblock driveways. These steep driveways will not support further traffic and will certainly not cope with building vehicles using them. Access is also likely to be impeded to our property during any building works. Further, it can clearly be seen from the scale used for the illustrative vehicles on the plan (unless they are larger than any car I've ever seen) that the area marked for the creation of the "two additional spaces" is actually quite large and may well result in far more than two vehicles at the property (and therefore using the road, exacerbating things even more).

Drainage/run-off/sewage - currently, some run-off from the proposed site diverts through our property via a drainage system which is broken and floods. This system certainly couldn't take any

additional load and also could not take any sewage from the new property (if the intention is to run the sewage down to Glenlockhart Valley and not into Glenlockhart Bank itself). I understand that there are also issues with the sewage/drainage in Glenlockhart Bank which were identified during the recent road/related repairs. I have been advised that the sewage/drainage is "at capacity". Apart from the sewage issue, in heavy rains, the road floods and the houses down the slope from number 10 are reportedly deluged. The addition of a further dwelling (with further hard landscaping/run off) would only exacerbate this. This is particularly relevant given the size of the proposed monoblock parking area which is currently soft landscaped (grass/garden area). At the very least, I'd have thought consideration would need to be given to lifting the road and upgrading the sewage/drainage system as a condition of any planning permission.

I am again somewhat disappointed that the owner did not contact us to discuss matters and, whilst no doubt permitted by the rules/regulations, chose the run up to the Christmas holidays (when people are otherwise extremely busy and during a pandemic no less) to make the neighbour notifications.

On a purely procedural note, we have been served two seemingly identical notifications - one dated 2 December and one dated 9 December, both saying that we have 21 days to respond from the date of each. I do not know why this is but if others have been similarly served, it may result in some confusion about the response date. I suggest the later date be applied.

I'd be happy to discuss things with you or, if the matter is to be decided by councillors, with them. I'd also be happy to meet at the site if that would be of assistance.

Comments for Planning Application 21/06240/FUL

Application Summary

Application Number: 21/06240/FUL

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house.

Case Officer: Local1 Team

Customer Details

Name: Mr ALAN COLLINS

Address: 6 glenlockhart bank Craiglockhart Edinburgh

Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have already objected to further development but would add the following. This street regularly floods because the drainage systems can't handle heavy rain. Also some houses have sewage backing up in their gardens. A few years ago in conjunction with the water and drainage people we had a survey done with cameras etc. It confirmed that the drains were old 100mm serving serving this now expanded area. At the time they cleared several blockages but said that with the usage it will happen again. Hard landscaping, increased occupancy etc have caught up with the old system and any increase will be a problem, I have photographs available of the flooding there will be records of the investigation on the system

Comments for Planning Application 21/06240/FUL

Application Summary

Application Number: 21/06240/FUL

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house.

Case Officer: Local1 Team

Customer Details

Name: Mrs Sarah Johnson

Address: 5 Glenlockhart Bank Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As residents of Glenlockhart Bank we are increasingly aware that this very small culdesac would not cope with additional housing from both a drainage and road usage perspective. The last time we had a heavy storm the road flooded and a river of water entirely covered the pavements and poured down our drives. Our neighbours had to erect a wooden barrier to protect their property. The private road is already costly to up keep and cannot take more traffic without incurring great expense to current residents. We are also confused how such a property could be built given access to the site would be up a shared drive with the owners of number 10 only owning a slim access.

Comments for Planning Application 21/06229/FUL

Application Summary

Application Number: 21/06229/FUL

Address: 16 Glenlockhart Road Edinburgh EH14 1BN

Proposal: Alterations and rear extension

Case Officer: Local1 Team

Customer Details

Name: Mr Allan McDougall

Address: 1a Glenlockhart Bank Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is now the second application following one that was originally rejected so cannot understand why it is being applied again but more disturbingly only one neighbor was informed suggesting short cuts are being applied!

The application is for another house being built at the rear of an existing house in 10 Glenlockhart Bank which is currently a run down swimming pool being used to further the finances of the property's owner and nothing else. This is adjacent to a conservation area and not fitting with the locality and should be rejected on that point alone. Our street has a local community built on a road which is private and maintained by the residents. It is very narrow and already has its difficulties and in need of repair our our expense, we have already made complaints about the drainage but this had gone unheard and cite this as another reason to reject this application. I cannot understand how the proposed house can be accessed as there is already 2 houses sharing the entrance.

Allan McDougall

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100598381-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Ferguson Planning Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Sam	Building Name:	37 ONE
Last Name: *	Edwards	Building Number:	37
Telephone Number: *	07854009657	Address 1 (Street): *	George Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Midlothian
		Postcode: *	EH2 2HN
Email Address: *	sam@fergusonplanning.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Susan"/>	Building Number:	<input type="text" value="15"/>
Last Name: *	<input type="text" value="Bringhurst"/>	Address 1 (Street): *	<input type="text" value="Greenhill Gardens"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH10 4BN"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="susan@bringhurst.com"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="10 GLENLOCKHART BANK"/>
Address 2:	<input type="text" value="CRAIGLOCKHART"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH14 1BL"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="670391"/>	Easting	<input type="text" value="322803"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house (As amended).

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to the supporting appeal statement enclosed.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Historic plan of the area (freely available to the officer online), and a density plan of the area (prepared to support our response in the appeal statement which rebuts the Officer's reason for refusal).

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

For the Appeal - Appeal Statement and Appendix 1: Site Photographs, Appendix 2: Historic Plans, Appendix 3: Density Plan; Revised Red Line Boundary and Explanatory Note From Previous Application - Officers Report of Handling and Decision Notice; Architectural Drawings; Design Statement; Structural Engineers Report.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/06240/FUL

What date was the application submitted to the planning authority? *

25/11/2021

What date was the decision issued by the planning authority? *

14/06/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Given the existence of the building, proposed for conversion, it is suggested that a site visit would be helpful to Members in their assessment of this appeal.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

The site is in the rear garden of the appellant's property and cannot be seen from the public road.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Sam Edwards

Declaration Date: 12/09/2022

10 Glenlockhart Bank, Edinburgh, EH14 1BL

Please find enclosed a revised red line boundary Location Plan (Drawing P01) and Block Plan (Drawing P02) to reflect comments raised by a neighbour in relation to the original application (21/06240/FUL). The owners of No 12 identified a minor error, and that a small part of the land near the access to the site, delineated within the original red line / blue line boundary, belonged to them.

The proposed amendment is minor, and does not affect the development proposals, design and layout or ability to deliver the proposed works. It should have no effect on the consideration of this appeal. However, the appellant considered it appropriate to update the plans to address these comments.

The plans have now been updated to address this issue and submitted as part of this appeal. The previous error was due to lack of information on the base OS plan. We would be grateful if the Council could consider the substitution. We note a similar issue arose and a revised plan was permitted in a recent appeal by the Scottish Government (DPEA PPA-230-2358). If not, the proposals remain unchanged, and determination of this appeal should therefore be unaffected.



Revision A - 10.3.2022 - Drawing amended to show 1 no. car parking space only.

Client: David Orr

Job: 10 Glenlockhart Bank Pool House

Title: Location Plan

Scale: 1:500 @ A3

Date: 1.9.2022

Job No: 669

Dwg No: P01

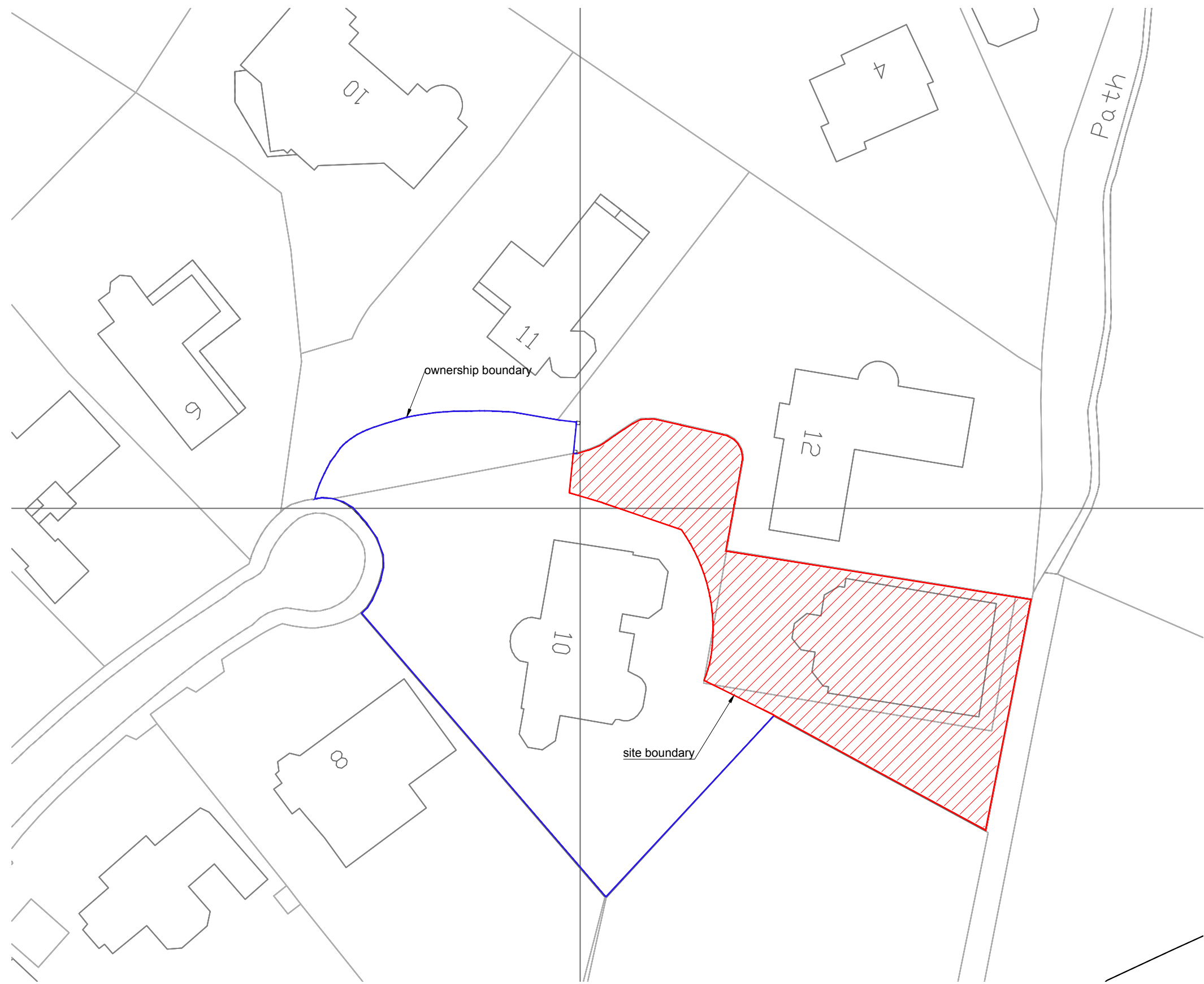
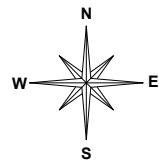
Rev: B

graymacpherson architects LLP

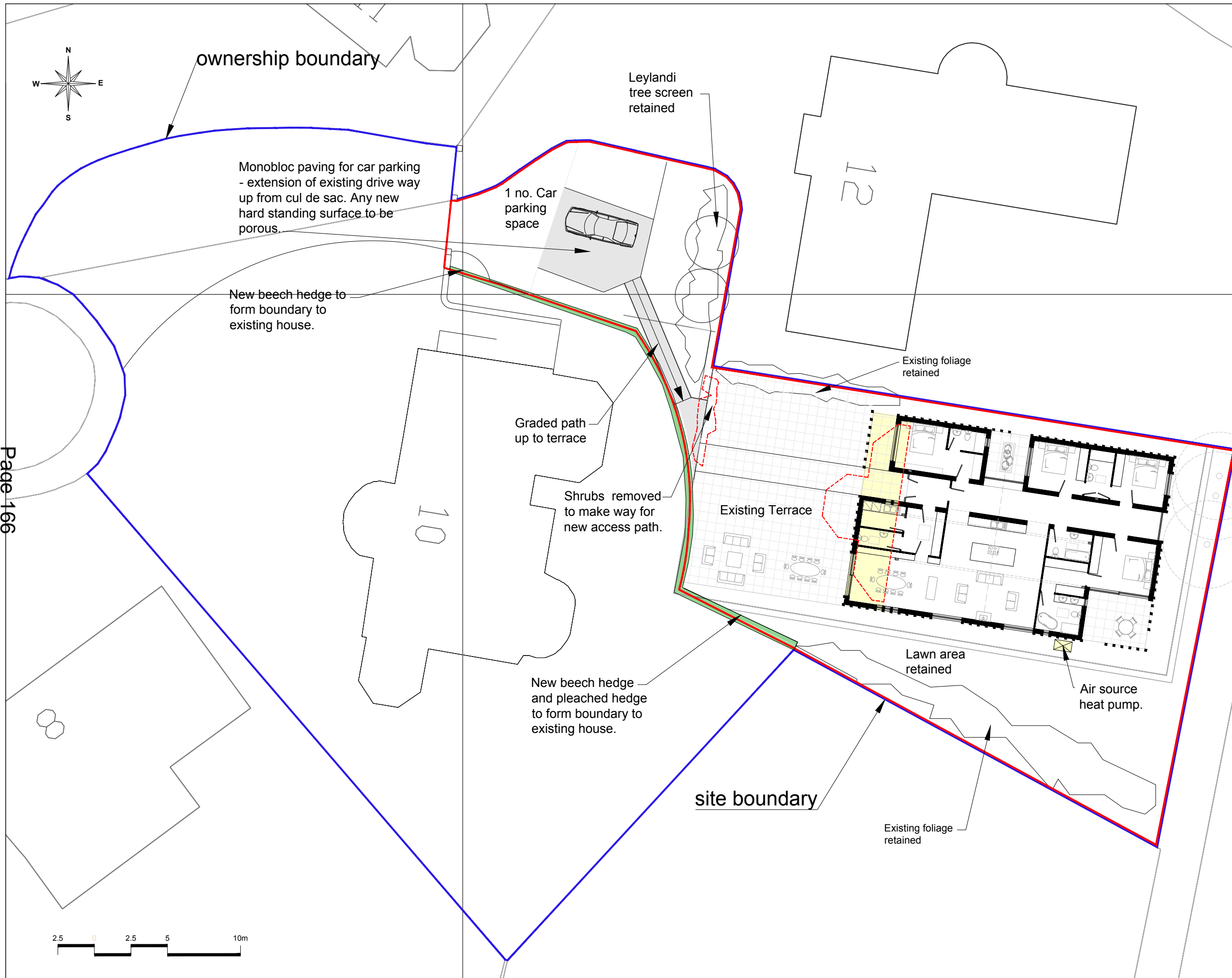
Tigh-na-Geat House, Damhead Farm, Lothianburn, Edinburgh EH10 7DZ

tel. 0131 445 2223 fax. 0131 445 7377

PLANNING



text: ©Crown Copyright and database rights 2021 OS 100047474.



Revision A - 10.3.2022 - Drawing amended to show 1 no. car parking space only.

Revision B - 10.3.2022 - Note on hard standing to be porous added to drawing..

Client: David Orr

Job: 10 Glenlockhart Bank Pool House

Title: Block Plan

Scale: 1:250 @ A3

Date: 1.9.2022

Job No: 669

Dwg No: P02

Rev: C

graymacpherson architects LLP

Tigh-na-Geat House, Damhead Farm, Lothianburn, Edinburgh EH10 7DZ

tel. 0131 445 2223 fax. 0131 445 7377

PLANNING

Mich Gray
Gray MacPherson Architects
Tigh-na-Geat House
Damhead
Edinburgh
EH10 7DZ

Dear Mich,

10 Glenlockhart Bank, The Old Swimming Pool, Edinburgh

In support of the planning application for the above project please find below our report on the existing building. This includes an assessment on the original design loadings and proposed new loadings. A site visual inspection of the walls, Glulam portal frames and roof members was carried out on 05/10/21 with the structure found to be in good condition. Site photographs are attached in Appendix C.

1. Original Loadings and Main Purlin Design Calculation

A copy of the original design drawings was obtained from City of Edinburgh Building Standards which included the roof make up loads and design calculations for the main purlin and portal frame design.

The dead load of the roof = 30lb/ft² with the equivalent metric load = 0.72kN/m²

The Imposed loading of the original design was 15lb/ft² with the equivalent metric load = 0.75kN/m²

From site information the existing roof is slate on felt and ply boarding on rafters supported on purlins with the dead load = 0.934kN/m².

A copy of the original purlin calculation overmarked with the metric conversion is attached at the end of the report Appendix A.

2. New Proposed Roof Loadings

The roof make up for the proposed alterations is required to enhance the thermal capacity while not increasing the loading onto the existing structure and as such a standing seam roof with timber boarding is proposed.

The dead loading = to 0.77kN/m² and imposed loading unchanged, a copy of the proposed make up is attached at the end of the report in Appendix B

3. Conclusions and Recommendations

From the visual inspection of the building structural members, the roof rafters, purlins and glulam portal frames were found to be in good condition with no visible signs of damp, rot or stress to any of those members.

It is deemed that the building is amenable for conversion to a single dwelling as the building proposed roof dead loads are less than the existing and the imposed loadings will be unchanged. It is therefore proposed that the existing rafters, purlins and glulam portal frames remain with the roof finishes updated to a lighter construction with better thermal properties. New loadbearing and non-loadbearing internal partitions to be constructed to create the new proposed rooms with a new floor over the swimming pool.

Yours Sincerely



Paul Jenkins
Partner

APPENDIX A

Building Original Roof Loadings Design Calculation and Comparison Roof Loadings

Oct 21

10 GLENLOCKHURST BANK HISTORIC INFORMATION RE

SWIMMING POOL AT EDINBURGH, ROOF MAKE UP

CONVERT FROM IMPERIAL TO METRIC LOADS $11\text{lb/ft}^2 \Rightarrow 0.047 \text{ kN/m}^2$

1. LOADING:

		kN/m^2
HALCRETE PANELS	7.00	0.335
3 LAYERS FELT	3.00	0.144
PURLINS	2.00	0.096
SELF WEIGHT.	3.00	0.144
DL	15.00	0.72
LL	15.00	0.72
TOTAL.	30.00 lb/ft ²	1.44 kN/m ²

2.

PURLIN DESIGN.

DOUGLAS FIR (GS GRADE) WET CONDITIONS.

$P_b = 1400 \text{ lbf/in}^2$

$K_{12} = 1.25$

6.895 kN/m^2 minus self wt.

$L = 10' - 0" / 3m$

$7' - 0" \text{ c/c} / 2.1m$

$W = 70 \times 27 = 1890 \text{ lb}$

$30 \times 2100 \text{ lb}$

TRY 7" x 4" SECTION. ($6\frac{7}{8}" \times 3\frac{7}{8}"$)

175X100

$A = 26.641 \text{ in}^2$

$Z_{xx} = 30.526 \text{ in}^3$

$I_{xx} = 104.932 \text{ in}^4$

17500 mm^2

510416 mm^3

44661458 mm^4

CHECK FOR BENDING.

$f_b = \frac{W L}{8} \times \frac{1}{Z \cdot K_{12}}$

$= \frac{1890 \times 10 \times 12}{8} \times \frac{1}{30.526 \times 1.25}$

$= 742.97 \text{ lbf/in}^2 \leq 1400 \text{ lbf/in}^2 \text{ allowable}$

CHECK FOR DEFLECTION.

$\delta = \frac{5 W L^3}{384 E I}$

$= \frac{5 \times 1890 \times 10^3 \times 12^3}{384 \times 1.5 \times 10^6 \times 104.932}$

$= .27" = \frac{L}{144}$

10343 N/mm^2

6.8mm

create
engineering

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PROJECT NAME: 10 Glenlockhart Bank

Job No: 21102

Location: EDINBURGH

Element: ROOF LOAD Assessment

By: TB Date: Oct 21 Ch: Date: Sheet No: 1

FROM HISTORIC INFORMATION

EXISTING ROOF MAKE UP

LOAD	DL KN/m ²	1L KN/m ²
HALCOTE PAVES	0.335	
3 LAYERS FELT	0.144	
RAFTERS	0.096	
Sub purlns	0.144	
1L		0.75
	<u>Σ 0.72</u>	

(FROM SITE INFORMATION EXISTING ROOF)

SLATES + BATTENS	0.42	
FELT	0.144	
BOARDING	0.13	
RAFTERS	0.096	
PURLINS	0.144	
1L		0.75
	<u>Σ 0.934</u>	

<p>create engineering</p> <p>The Breakfast Mission 15 Old Fishmarket Close Edinburgh EH11RW. T 0131 220 0215 W www.createengineering.com</p>	<p>PROJECT NAME: 10 GLENLOCKHART BANK</p> <p>Job No: 21102</p> <p>Location: EDINBURGH</p> <p>Element: ROOF LOAD ASSESSMENT</p>			
By: TB	Date: OCT 21	Ch:	Date:	Sheet No: 2
<u>PROPOSED STANDING SEAM ROOF</u>				
<u>LOAD</u>	<u>DL KN/M²</u>	<u>IL KN/M²</u>		
STANDING SEAM	0.05			
BOARDING	0.13			
BATTENS	0.10			
MEMBRANE	-			
INSULATION	0.10			
PB CEILING	0.15			
EX RAFTERS	0.096			
EX PURLINS	0.144			
IL	<u>Σ 0.77</u>	0.75		
<p>FROM EXISTING SITE INSPECTION INFORMATION THE NEW PROPOSED ROOF MAKE UP DEAD LOAD IS LESS THAN THE EXISTING ∴ OK</p>				

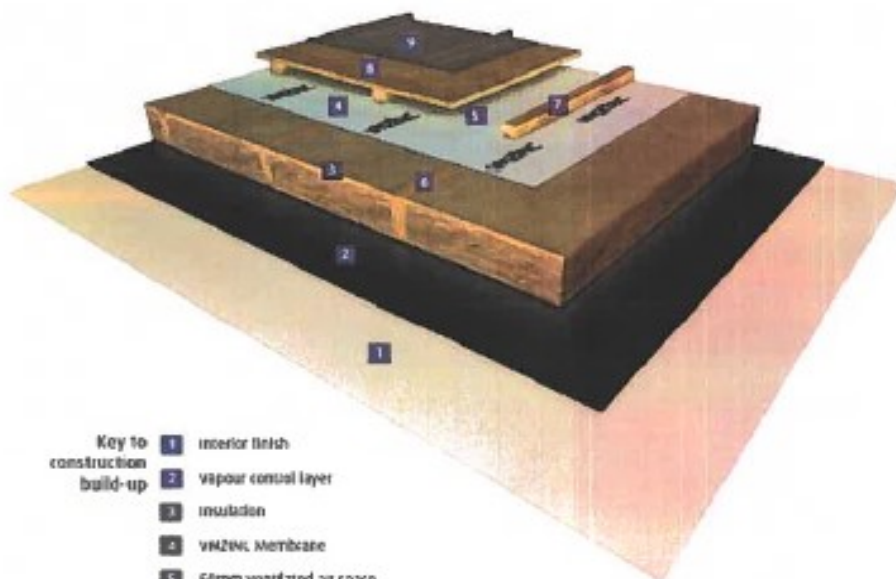
APPENDIX B

Proposed Roof Make up

VMZ Standing seam

cold weather roofs

Standing seam on open-gap timber boarding



- Key to construction build-up**
- 1 interior finish
 - 2 vapour control layer
 - 3 insulation
 - 4 VMZinc Membrane
 - 5 50mm ventilated air space
 - 6 Reflex
 - 7 ISOMER
 - 8 open-gap timber boarding
 - 9 VMZ Standing Seam

- Advantages of standing seam on open-gap timber boarding**
- A very versatile and easy to install substrate
 - Flexible because it also permits complex shapes to be clad in zinc
 - Excellent pull out resistance
 - Easy installation using traditional clips
 - BRE PN 15/06 EPO



Zinc Roof - Membrane - S.18 VMZinc - cold roof, ventilated

Quartz Zinc fibration 1.6mm thick open jointed sawing on 50 x 50 battens on VMZinc membrane on 195 x 45 rafters. PR 2 layers of 90mm thick Thermaloc TR27 between rafters. 40.5mm Kingspan K118 to underside of rafters 90mm above 50 x 50

APPENDIX C

Site Photographs



Glulam Frames looking South



Glulam Frames Looking East



Glulam Frames East



North Elevation



Glulam Frame looking West



Glulam Portal Frame Apex Connection Detail



APPEAL STATEMENT

CONVERSION OF EXISTING SWIMMING POOL INTO A PRIVATE DWELLING HOUSE

10 GLENLOCKHART BANK

SEPTEMBER 2022

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EXECUTIVE SUMMARY

- The appellant is seeking a review of the officer’s decision to refuse application 21/06240/FUL at 10 Glenlockhart Bank, Edinburgh which sought to ‘Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house’.
- The officer refused the application on four policy grounds, but the crux of the issue is understood to be concerns that the proposal would negatively impact the established character and appearance of the surrounding area.
- The appellant seeks a review of this decision, as it is considered that the reasons for refusal are unsubstantiated. We address each in turn and set out why we consider the application should have been approved in Section 4.
- The appellant does not consider that the officer gave sufficient weight to the fact that the building already exists and has been an established part of the character of the area for more than 40 years. We have requested a site visit as it is important to see this context and we do not believe that one was undertaken as part of the officer’s assessment.
- The proposed development offers a vital and viable new use for an existing building, providing a high quality and environmentally sustainable new four-bedroom family home within the city, supporting Policy Hou 1.
- A tired building will be given a high quality and modern face lift, which will vastly improve the appearance of the building compared to its current state. The privacy of the neighbouring properties is unaffected by the conversion of the building into a modern family home (as also confirmed by the officer). The proposal will positively impact the character and appearance of the area around it, compliant with Policy Des 1.
- The townscape character of the area is one that has clearly evolved over time. It is not uniform, but it is this which gives the area its unique form. The existing swimming pool building is very much part of this historical narrative. The officer did not give this sufficient consideration in their assessment. It is therefore an established part of the local urban grain, compliant with Policy Des 4.
- The appeal site has a density of 20-29% which is in line with the established street pattern. The density of development on the site has evolved historically

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and is considered appropriate and in-keeping with the surrounding context, compliant with Policy Hou 4.

- Policy Hou 5 supports the *“recycling of buildings to achieve sustainability goals and provides the essential means by which the historic character of different localities can be maintained”*. The officer should have considered this policy support for the proposals, and it was not assessed in their report.
- The officer did not give sufficient weight, to the significant environmental benefits that will arise from the re-use of the fabric of an existing building.
- The structure will be retained and improved, and demolition of an existing building will be avoided. This reuse, and repurposing of materials means that this project is fully endorsed by draft NPF4 which says such proposals for the re-use of buildings should be a priority and supported and helps the Council to address the global climate change emergency.
- In contrast to the officer’s report, we consider the proposals are compliant with policies DES 1, 4 and Hou 1 and 4. We also consider the officer should have referred to Policy Hou 5, which fully supports the proposals. There are also several material planning considerations that weigh in its favour, not least the significant environmental benefits of re-using an existing building, to provide much needed family housing in the city. We respectfully request that this appeal is therefore allowed by the Local Review Body on that basis.

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1. INTRODUCTION

- 1.1 This statement is submitted on behalf of Susan Bringham (the appellant) and sets out the grounds of appeal against the decision of the City of Edinburgh Council (CEC) to refuse planning application LPA ref: 21/06240/FUL by delegated decision on 14 June 2022.
- 1.2 The detailed planning application sought consent to “Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house. (As amended)” at 10 Glenlockhart Bank Edinburgh EH14 1BL, a property which is owned by the appellant.
- 1.3 CEC’s reasons for refusal of the application were:
1. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Design Quality and Context, as the development shall negatively impact the character and appearance of the area around it (Policy Des 1).
 2. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Development Design - Impact on Setting, as the street has a settled townscape character, and the proposal does not have similar characteristics to the surrounding buildings and urban grain (Policy Des 4).
 3. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Housing Development as the proposal is not compatible with other policies in the plan (Policy Hou 1).
 4. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Housing Density, as the proposal could not respect the established density and layout of the area (Policy Hou 4).
- 1.4 Other than the reasons for refusal above, the other technical consultees raised no objections. On all other grounds the application was therefore acceptable.

Consultee	Response
CEC Roads Authority	No Objection. Application was considered compliant with Policy Tra 2 and 3.
Scottish Environmental Protection Agency (SEPA)	No objection - no risk of surface water flooding. Application was considered compliant with Env 21.



1.5 The remaining sections in this appeal statement comprise:

- A description of the appeal site and surrounding context (Section 2).
- A description of the proposed development (Section 3)
- The appellant's grounds for appeal (Section 4)
- Material considerations in favour of the appeal proposals (Section 5)
- Summary of the appellant's case (Section 6)

1.6 This appeal statement should be read in the context of all supporting evidence documents submitted as appendices to this appeal statement, and all those from the previous planning application which are listed below:

Appendix	Appeal Document Description
1	Site Photos - Site and Surrounding Area (Ferguson Planning)
2	Historic Plan of the Area (NLS, 1968)
3	Density Plan of the Area (Gray Macpherson Architects)
Document from Original Planning Application	
Author	
CEC Decision Notice and Officers Report	CEC
Architectural Drawings <ul style="list-style-type: none"> ▪ Location Plan ▪ Block Plan ▪ Existing Floor Plan ▪ Existing North - West Elevations ▪ Existing East - South Elevations ▪ Proposed Floor Plan ▪ Proposed Roof Plan and Section ▪ Proposed North - West Elevations ▪ Proposed East - South Elevations ▪ Rendered West - North Elevations ▪ Rendered East - South Elevations 	GMA
Design Statement	GMA
Structural Engineers Report	Create Engineering

1.7 This appeal is made to the Local Review Body on the basis it was a local application, which was determined by delegated powers. For the reasons outlined in this statement, we conclude that the development is in accordance with relevant development plan policies and supported by significant material considerations. On that basis, we respectfully request that this appeal is allowed.

2. SITE CONTEXT AND PLANNING HISTORY

- 2.1 The proposal is to convert the existing swimming pool building, in the rear garden of 10 Glenlockhart Bank, into a new family home. The location of the swimming pool and extent of the proposed site is shown in Figure 1 below.
- 2.2 The property at 10 Glenlockhart Bank was purchased in 1977, and the swimming pool existed then. It is a substantial building which is believed to have been built in the late 1960s or early 1970s. The building has not been used for several years and is now beginning to degrade, as shown in **Appendix 1**.



Figure 1: Aerial view of site location with site extent outlined in red

- 2.3 In planning terms, the site is located on 'white land' within the general 'urban area'. The current buildings on site are neither statutorily listed, or within a conservation area. To the immediate east of the site is Craiglockhart Hill. This is designated as a local nature reserve, special landscape area, conservation area and open space.

Planning History

- 2.4 An application for planning consent to demolish the swimming pool and replace it with a new house (19/02444/PPP) was previously refused and that decision was subsequently upheld at appeal. The appeal now proposes the re-use of the existing swimming pool building, therefore overcoming the previous grounds for refusal.

3. PROPOSED DEVELOPMENT

3.1 The proposals seek planning permission for the following:

"Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house. (As amended)"

3.2 The proposed site layout is set out below (Figure 3).

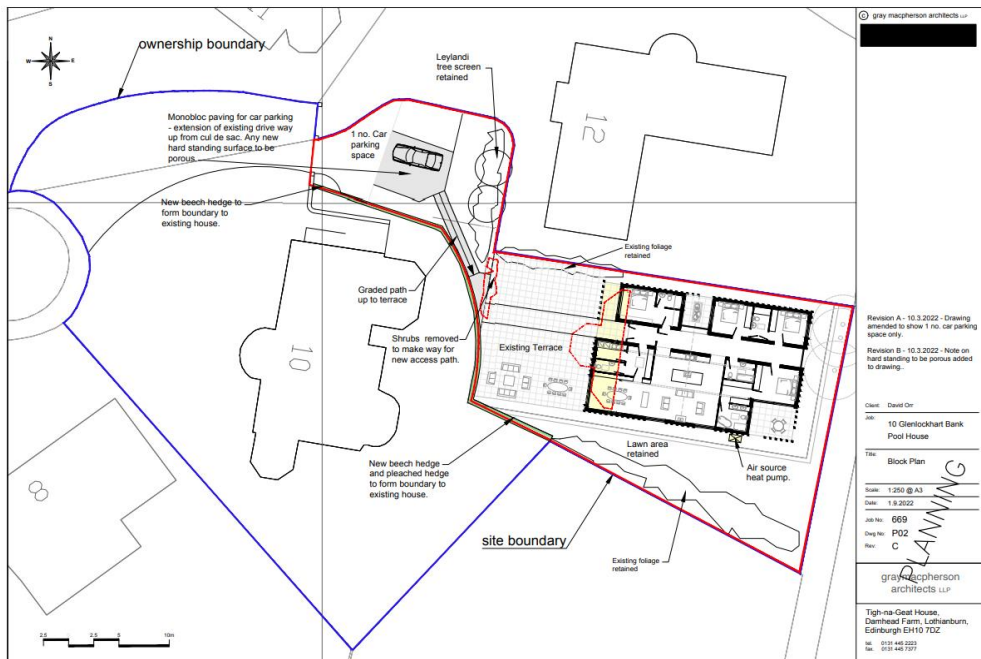


Figure 2: Extract from Proposed Block Plan P02 (Revised) (GMA)

3.3 The proposals seek to re-use and convert the existing swimming pool structure to create a new four-bedroom family home. The enclosed structural engineering report concludes that the structure is capable of conversion and can be satisfactorily transformed into a first class, sustainable modern family home.

3.4 Design, Appearance and Materials

3.5 The entrance to the swimming pool is currently via a white timber painted conservatory which was added in c.2007. The proposals will remove the conservatory and replace with a continuation of the portal frame to form a new entrance on the west elevation.

3.6 The existing rendered walls will be insulated and clad in a mixture of zinc panels and zinc clad vertical fins. The roof will also be highly insulated and clad in zinc.



Windows will be triple glazed aluminium clad timber windows. As well as zinc clad fins the new entrance will have timber fins to mark and soften the entrance. The intention is to heat the building with an air source heat pump.

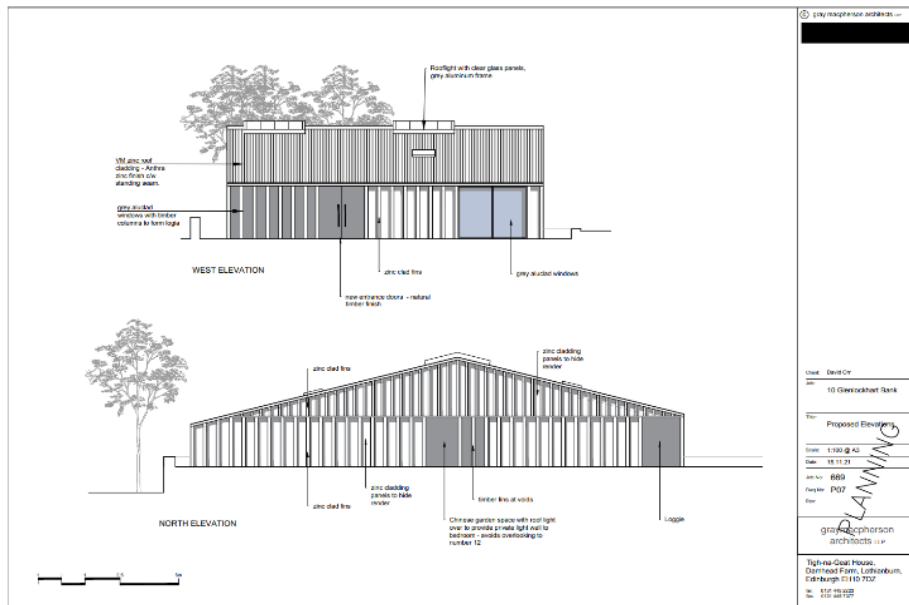


Figure 3: Proposed West (facing No 10) and North Elevation (facing No 12)

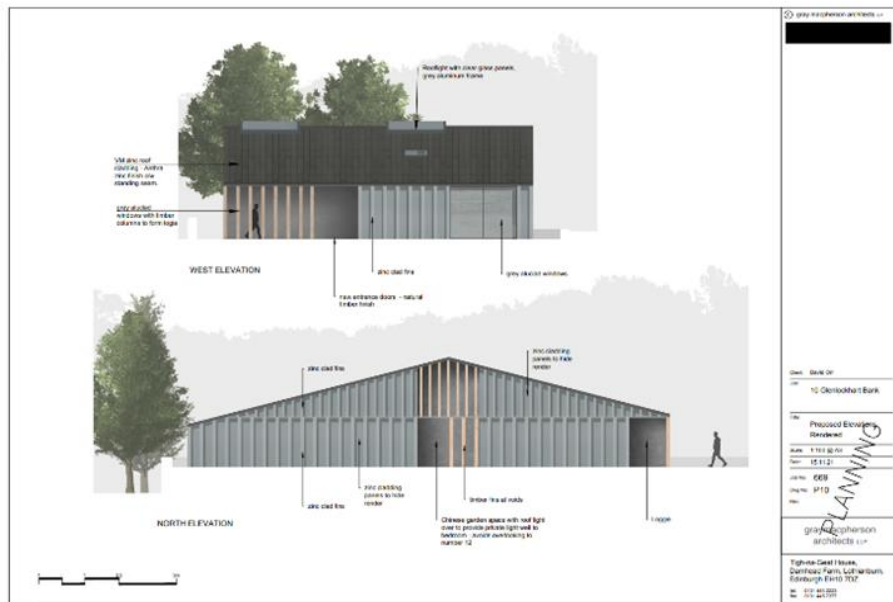


Figure 4: Proposed Rendered West (facing No 10) and North Elevations (facing No 12)

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Landscaping

- 3.7 The existing terraced area to the front of the swimming pool provides a large open garden space. This will be screened from the back of the existing main house with new beech and pleached hedging.
- 3.8 Existing lawned areas will be retained. Foliage screening to the neighbouring property at No 12 will also be retained to maintain the privacy between the properties.
- 3.9 There are many existing trees surrounding the site with Craiglockhart Wood to the east. Apart from removal of some smaller bushes to allow for the creation of a path from the terrace to the car parking area, there are no trees affected by the proposal.

Access

- 3.10 A new car parking area will be created by re-using part of the existing mono-bloc driveway of No 10 to provide one car parking space. Any new hard standing that is required will also be porous.
- 3.11 A new garden path will be created that will lead up from the car parking area to the terrace and new front door of the converted swimming pool.

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4. GROUNDS OF APPEAL

CEC's Reason for Refusal #1

- 4.1 *The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Design Quality and Context, as the development shall negatively impact the character and appearance of the area around it (Policy Des 1).*

Appellant's Response

- 4.2 The appeal site is discretely tucked away to the rear of the appellant's existing property. Due to the natural vegetation, dense tree planting, and topography of the area, the existing swimming pool is largely hidden from view from both the street and neighbouring dwelling to the north (No 12) by existing vegetation. As the series of aerial images below show, the appeal site already forms an existing and established part of the townscape and landscape setting which has grown up around it.



Figure 5: Aerial view of the appeal site looking north.



Figure 6: Aerial view of the appeal site looking east.



Figure 7: Aerial view of the appeal site looking west.

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Figure 8: Aerial view of the appeal site looking south.

- 4.3 The series of aerial images above clearly shows that the site is barely visible within the local area. On that basis, we challenge the assertion that the proposals will be damaging to the character and appearance of the area at all.
- 4.4 The fact remains that the swimming pool building exists and has done for over 40 years. The proposal is for retention and conversion, not a new build development. The footprint, scale and massing of the existing building will largely not change.
- 4.5 The changes proposed externally, will include the removal of a tired and degrading conservatory. The existing building will then be re-clad in zinc and timber, with new window and door openings created, which are sympathetic to the relationship with the neighbouring properties in terms of privacy.
- 4.6 These proposals will provide for a vital new use for a run-down swimming pool that is no longer in use. It will be given a high quality and modern face lift, which will vastly improve the appearance of the building compared to its current state.
- 4.7 There are already several buildings in the immediate local area which have a similar modern aesthetic, as they have been developed on infill sites over time and they provide a harmonious addition to the varied architectural landscape. Please refer to **Appendix 1** for examples. The proposals will therefore complement the evolving character of the local area.



- 4.8 Based on the above, it is evident that the proposals will in fact have a positive impact upon the character and appearance of the area around it and is therefore compliant with Policy Des 1.

CEC's Reason for Refusal #2

- 4.9 *The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Development Design-Impact on Setting, as the street has a settled townscape character, and the proposal does not have similar characteristics to the surrounding buildings and urban grain (Policy Des 4).*

Appellant's Response

- 4.10 The officer says that *"the area surrounding the site is primarily residential in nature, characterised by large, detached dwellings. The houses have private front and rear gardens which can be quite substantial. The nearby dwellings are characterised by their low-density layout and a good degree of separation"*.
- 4.11 In our view, the officer has mischaracterised the area and ignores the unique pattern of development which has evolved historically in this location over time. We do not believe a site visit can have been undertaken for the officer to have come to this conclusion.
- 4.12 Craiglockhart Bank is a cul-de-sac and whilst we agree it consists predominantly of large exclusive family homes, they are all varying architectural styles dating from early 1900s to the present day. Many of the houses have been clearly adapted and extended over time including the addition of outhouses with the gardens.
- 4.13 When looking at the layout of the houses on a 2-dimensional plan, the layout and special relationship appears fairly linear. The reality is quite different. The change in level across the site means that each of the houses is viewed at differing levels. Some houses are viewed looking down onto their roofs and some houses are viewed head on. The large houses to the back of the site, are high up and accordingly have a completely different character to the houses below. The overall effect of this creates the impression of a site that is quite random that has naturally evolved over time. This also affects the spatial relationship between the houses. Some plots appear to be shoe-horned into the space while others appear to be set into generous gardens. There is no consistency, like the officer suggests, but a rich variety of spaces and this is the essence and quality of this site.

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4.14 This can be seen on the aerial images above, and in the pictures at **Appendix 1**. To illustrate this point further, we have included three maps below (and at **Appendix 2**) demonstrating the historic evolution of built development in the immediate area.

4.15 The first map, published in 1949, shows the appellant's property (No 10) and the outline of the swimming pool site to the rear. In this period, there are still only a few other houses on Glenlockhart Bank, all large, detached dwellings with sizeable garden areas. There appear to be several remaining plots delineated for future development.

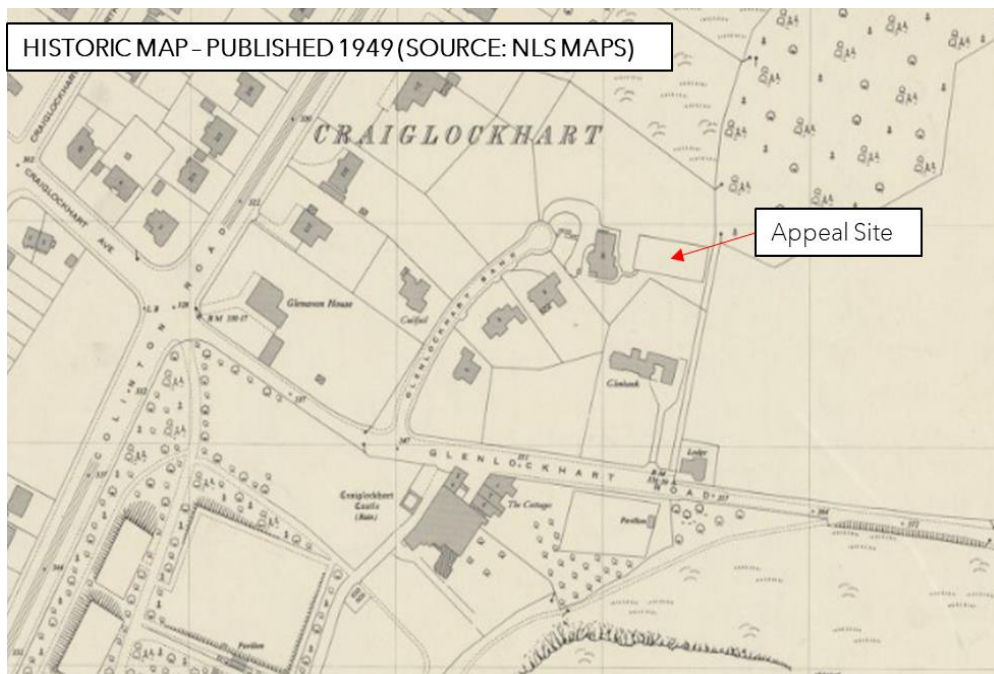


Figure 9: Historic Map (1949) - NLS

4.16 As time progresses, the later map from 1968 below, shows how further infill development takes place with the development of new homes and outbuildings (possibly garage) on Glenlockhart Bank, as well as Glenlockhart Road. It is notable that the road known as Glenlockhart Valley to the north, does not yet exist and this remains open space.

4.17 It is clear from both historic maps, that the appeal site has always been distinct from the rest of the house and garden with a path leading up to it, in the map below - perhaps a raised terrace or courtyard.

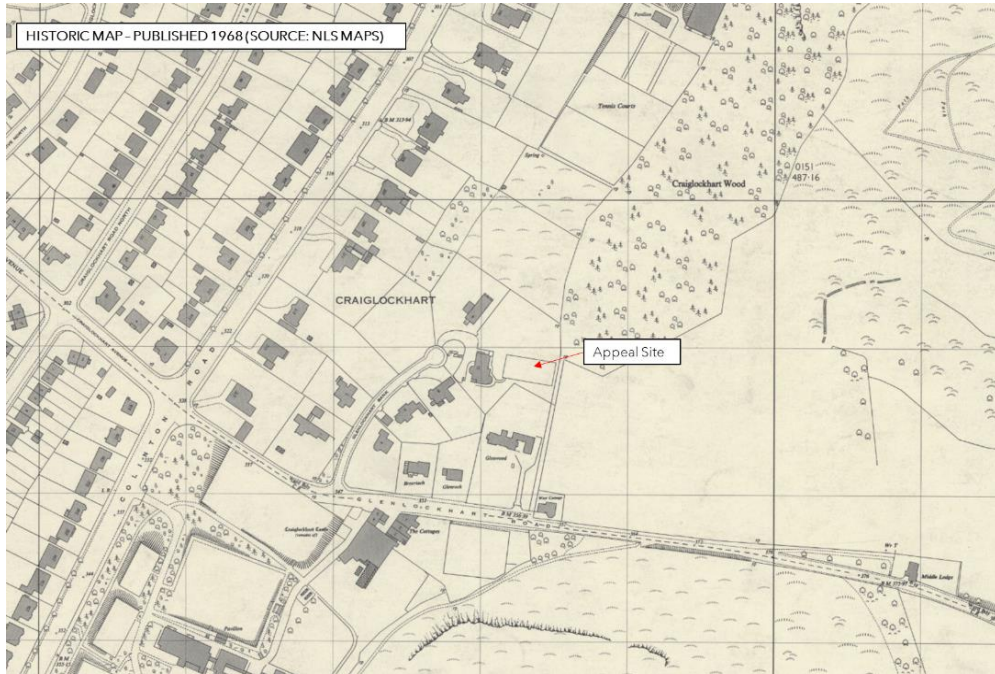


Figure 10: Historic Map (1968) - NLS

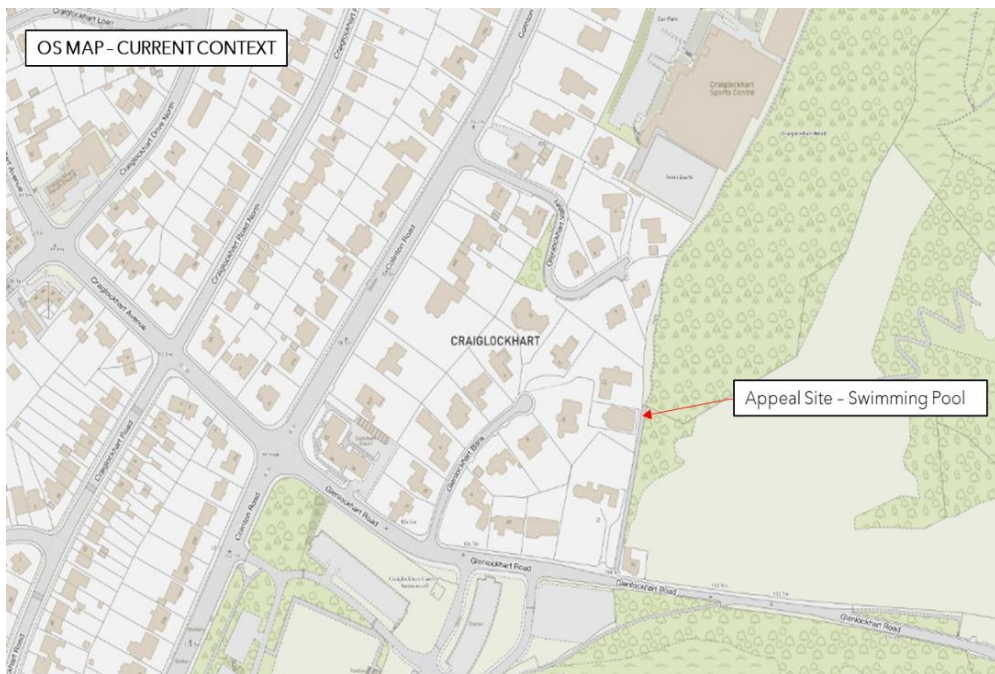


Figure 11: Current OS Map showing how the development of the area has evolved since 1968.

4.18 Finally, the recent OS Map above shows that the 1970s onwards saw a rapid growth in the development of this area. There is evidence that plots have subsequently



been subdivided, including for the development of the property at No 12 Glenlockhart Road, adjacent to the appeal site. Plots on Glenlockhart Road also appear to have been created by the subdivision of rear gardens of those properties on Colinton Road. Generally, there has also been an expansion in the size of properties through extensions, to fill the existing plots.

- 4.19 The development on Glenlockhart Valley to the north of the site, is also shown on the OS Map. A new access road was created between two dwellings on Colinton Road, and a denser form of development can be seen with smaller plot sizes because of subdivision.
- 4.20 Based on the evidence above, the settled townscape character is one that has evolved over time. It is not uniform, but it is this which gives the area its character. The swimming pool is very much part of this historical narrative of development, having now been in existence for over 40 years. It is therefore an established part of the local urban grain.
- 4.21 Instead, we consider that the sensitive upgrading of the existing building, will have a positive impact on its surroundings. It will not fundamentally change the character of the wider townscape and landscape, as the building exists. The proposed access will utilise an existing area of hardstanding and existing natural break in the boundary wall of No 10.
- 4.22 The officer also describes the proposals as back-land development in their report and uses this as a reason for refusal. However, we consider that they have fundamentally missed the point of these proposals by doing so. The Edinburgh Design Guidance (EDG) refers to back-land development in relation to new development and the position of new buildings on site [our emphasis].
- 4.23 Clearly, in this case, the swimming pool building already exists. Regardless of whether it is ancillary in use to the main use of the dwelling house at present, the physical form of the building is present and has existed for over 40 years. It is as much a part of the character of the area as any of the other new developments.
- 4.24 Nevertheless, the EDG says back-land development may be acceptable where it would not disrupt the spatial character of the area and the amenity of future residents, and residents of adjacent properties.
- 4.25 The proposals will not disrupt the spatial character of the area, as that character has already been formed with the presence of the existing pool building. The re-use and upgrade of the existing building has been designed sensitively and



sympathetically so as to provide a high-quality family home, whilst protecting the privacy and amenity of the adjacent properties.

CEC's Reason for Refusal #3

4.26 *The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Housing Development as the proposal is not compatible with other policies in the plan (Policy Hou 1).*

Appellant's Response

4.27 The application site is defined as being part of the urban area in the adopted LDP. The principle of housing development at the site is therefore acceptable if the proposals are compatible with other policies in the plan. Compliance with other policies in the plan is addressed in response to the Council's three other reasons for refusal. The proposal is therefore compliant with LDP policy Hou 1.

CEC's Reason for Refusal #4

4.28 *The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Housing Density, as the proposal could not respect the established density and layout of the area (Policy Hou 4).*

Appellant's Response

4.29 The diagram below (and at **Appendix 3**) illustrates the density of neighbouring properties in relation to their respective site extents. The built footprints of the neighbouring properties occupy from 10% to greater than 31% of their plot size, as illustrated by the key.

4.30 The appeal site has a density of 20-29% which is in line with the established street pattern. The density of development on the site has evolved historically and is therefore considered appropriate and in-keeping with the surrounding context.

4.31 The proposals do not seek to significantly change the extent of the form or mass of the existing swimming pool building. We would therefore challenge even the principal of whether the proposals are able to disrespect the established density and layout, given the swimming pool is already very much part of the established urban grain and has been for the last 40 years.

4.32 Nevertheless, based on the diagram below and the images contained within supporting document, we consider the proposals are compliant with Policy Hou 4.

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Figure 12: Housing Density Plan for Site and Surrounding Context

OTHER CONSIDERATIONS - ADDRESSING NEIGHBOUR OBJECTIONS

4.33 The proposals received 6 neighbour objections. Whilst these were addressed by the officer and were either addressed by the statutory consultees or not considered to be reasons for refusal, we have summarised the key concerns and respond to each in turn for completeness.

Neighbour Comment	Response
Access via a narrow private road - traffic and parking	Properties in this area should have maximum parking provision of 1 space per dwelling. The application, as amended, complies with the Council's standards. The Roads Authority has been consulted on this scheme and offers no objection to the proposals.
Impact on existing drainage and sewage system due to increase in hard standing - experience flooding during heavy rainfall.	The Scottish Environmental Protection Agency (SEPA) flood maps show that there is no risk of surface water flooding within the radius of the site. The application complies with LDP policy Env 21.



Sewage/drainage at capacity	Scottish Water raised no issue with the previous application. Swimming pool, and changing rooms are already connected to the existing sewage/drainage - unlikely that a significant upgrade is required. Existing mono-block can be re-used for the parking area where possible, and any new hardstanding will be porous.
Access to new house difficult for immediate neighbours	Access to the new house (swimming pool) already exists given that the swimming pool is there. There is sufficient paved area attributed to No 10 to create a new parking space without affecting any other neighbours.
Construction congestion / worsening of road condition	The appellant would be happy to accept a construction management plan as part of any permission to manage these issues and provide any necessary mitigation.
Land ownership - overlap in title with No 12	The site plan has been updated to address this minor issue. Previous error due to lack of information on the base OS plan. Please refer to updated plan and note submitted with the appeal.
Impact on privacy on No 12 due to proximity of swimming pool	<p>There is currently a large picture window overlooking 12 Glenlockhart Bank. This will be removed improving the privacy to number 12.</p> <p>The officer agreed that the proposal has been designed to limit any outlook from the dwelling by virtue of window positioning and the use of natural screening around the perimeter of the site. They stated that, <i>"Windows on the north elevation have been positioned to face the private 'Chinese garden', thereby limiting the potential outlook to the north. The design and positioning of the proposals shall have no material impact on neighbour's privacy. The proposal was not considered to have any unreasonable impact on neighbouring amenity therefore complies with LDP policies Des 5 and Des 12"</i>.</p>
Noise / disturbance from use of property and vehicles	Not considered to be noticeable in context of the wider street and residential area.



5. MATERIAL CONSIDERATIONS IN FAVOUR OF THE APPEAL PROPOSALS

CEC Local Development Plan (2016)

- 5.1 The Council have not assessed the proposals against Policy Hou 5 (Conversion to Housing) which seems remiss given the nature of the proposals and the support it offers for the application.
- 5.2 Policy Hou 5 says that, *"Planning permission will be granted for the change of use of existing buildings in non-residential use to housing, provided: a) a satisfactory residential environment can be achieved b) housing would be compatible with nearby uses c) appropriate open space, amenity and car and cycle parking standards are met d) the change of use is acceptable having regard to other policies in this plan including those that seek to safeguard or provide for important or vulnerable uses"*.
- 5.3 The supporting text to that policy states, *"The recycling of buildings achieves sustainability goals and provides the essential means by which the historic character of different localities can be maintained"* [our underlined emphasis].
- 5.4 The proposals clearly satisfy Policy Hou 5. A good quality residential environment can be achieved, as has been confirmed by the officer, satisfying part (a). The housing would be compatible with nearby uses, given the nature of surrounding development is residential. There are no conflicts in terms of privacy or overlooking, thereby satisfying part (b). The proposals meet all open space, amenity and parking standards required, complying with part (c). We have demonstrated through this statement that the change of use is acceptable regarding other policies, in compliance with part (d).
- 5.5 The proposals overwhelmingly support the Council's ambition to achieve sustainability goals by the re-use of an existing building. The proposals are therefore considered fully compliant with Policy Hou 5, which should be a material consideration in support of these proposals.

Provision of New Family Housing

- 5.6 The proposals will enable the conversion of a redundant swimming pool into a high quality and much needed new family home in Edinburgh. The proposal exceeds the EDG minimum space standards. All the accommodation will be on one floor, so it will provide high quality accessible living accommodation. The proposed bedrooms are organised around a private courtyard which ensures there is no overlooking to the neighbouring property. The main living space which is open plan



is located on the south and west elevations, taking advantage of the southern aspect and the west facing terrace area. The terraced area to the front will provide a large open garden space. This will be screened from the back of the existing main house with pleached hedging.

- 5.7 The officer considered in his assessment that the proposal will result in the creation of a satisfactory residential environment and complies with LDP policies Hou 5, Des 5 and Des 12.

City Plan 2030

- 5.8 Draft Policy Env 7 (Sustainable Developments) requires that *'all detailed proposals involving the construction or change of use of one or more buildings* must incorporate all reasonably practicable measures to address the climate emergency and contribute to sustainable living'*.
- 5.9 The Council will in future for proposals involving the replacement of existing buildings require a carbon assessment setting out the 'whole-life' carbon footprint of the proposed development compared to the option of re-using the existing building to accommodate the proposed use.
- 5.10 The re-use of the existing swimming pool building will likely have a much lower carbon footprint than a totally new building. In this case, the architect has prepared proposals which allow the existing building fabric to be adapted to create a new family home. This will limit the need to source new materials. It will also limit the pressure on landfill to dispose of the redundant building components that cannot be recycled.
- 5.11 The proposals fully support City Plan 2030, contribute to the reduction in carbon emissions and address the climate change emergency.

Draft National Planning Framework 4 (NPF4)

- 5.12 Draft Policy 2 (Climate Emergency) states that when considering all development proposals, significant weight should be given to the Global Climate Change Emergency, and that all development should be designed to minimise emissions over its lifecycle in line with the decarbonisation pathways set out nationally.
- 5.13 Draft Policy 30 (Vacant and Derelict Land) states that local development plans should seek to re-use vacant and derelict land and redundant buildings as a priority including in proposals to creatively and sustainable repurpose buildings and structures.

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- 5.14 It goes on to say that planning applications for proposals that result in the permanent or temporary reuse of vacant or derelict land and buildings should be supported in principle. It also says that development proposals for the reuse of existing buildings should be supported, taking into account their suitability for conversion to other uses. Demolition should be regarded as the least preferred option [our underlined emphasis].
- 5.15 Given the above, it surely therefore must be concluded that the proposals fully support the ambitions of NPF4 and address the global climate change emergency by making full use of an existing building to create a new family home.
- 5.16 Whilst NPF4 has not yet been approved, the global climate change emergency is an on-going threat to our planet and is why the Council declared a climate change emergency in 2019. Significant weight should be given to this as a material consideration and the proposals should therefore be supported.

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6. CONCLUSIONS

6.1 The submitted appeal, supported by this statement, seeks the Local Review Body's approval to "Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house. (As amended)" at 10 Glenlockhart Bank Edinburgh EH14 1BL.

6.2 For the reasons outlined in this statement and summarised below we believe the LRB should allow this appeal because:

- The proposals seek to re-use an existing building to create a high quality and sustainable new four-bedroom family home within the city in line with Policy Hou 1.
- A tired building will be given a high quality and modern face lift, which will vastly improve the appearance of the building compared to its current state. The privacy of the neighbouring properties is unaffected by the conversion of the building into a modern family home. The proposal will therefore positively impact the character and appearance of the area around it, compliant with Policy Des 1.
- The townscape character of the area is one that has evolved over time. It is not uniform, but it is this which gives the area its unique form. The swimming pool is very much part of this historical narrative of development, having now been in existence for over 40 years. It is therefore an established part of the local urban grain, compliant with Policy Des 4.
- The appeal site has a density of 20-29% which is in line with the established street pattern. The density of development on the site has evolved historically and is considered appropriate and in-keeping with the surrounding context, compliant with Policy Hou 4.
- The proposals are supported by Policy Hou 5, which encourages that the recycling of buildings to achieve sustainability goals and provides the essential means by which the historic character of different localities can be maintained.
- The structure will be retained and improved, and demolition of an existing building will be avoided. This reuse, and repurposing of materials means that this project is fully endorsed by draft NPF4 which says such proposals for the re-use of buildings should be a priority and supported and helps the Council to address the global climate change emergency.

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6.3 In contrast to the officer's report, we consider the proposals are compliant with policies DES 1, 4 and Hou 1 and 4. We also consider the officer should have referred to Policy Hou 5, which fully supports the proposals. There are also several material planning considerations that weigh in its favour, not least the significant environmental benefits of re-using an existing building, to provide much needed family housing in the city. We respectfully request that this appeal is therefore allowed by the Local Review Body on that basis.

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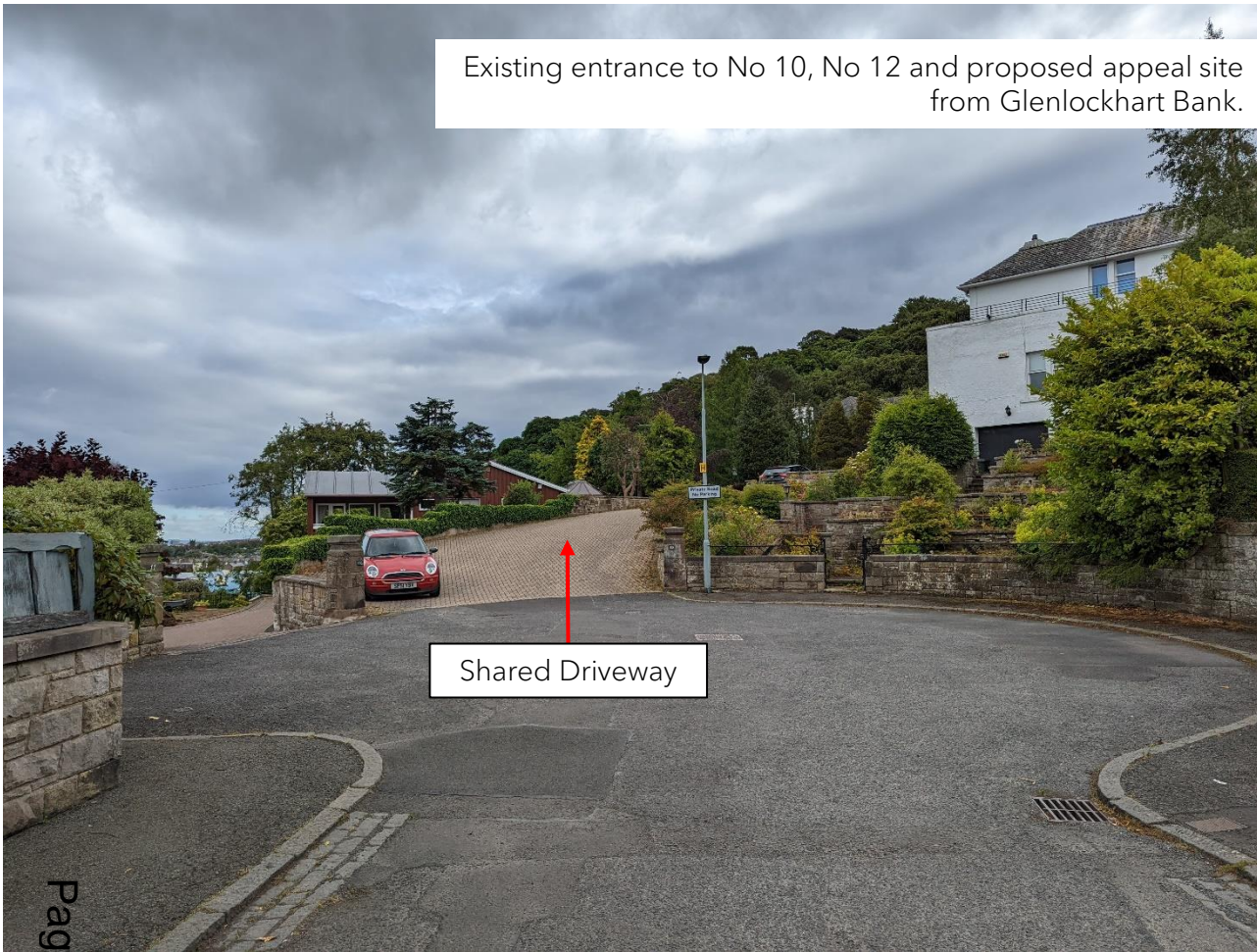
37 One George Street
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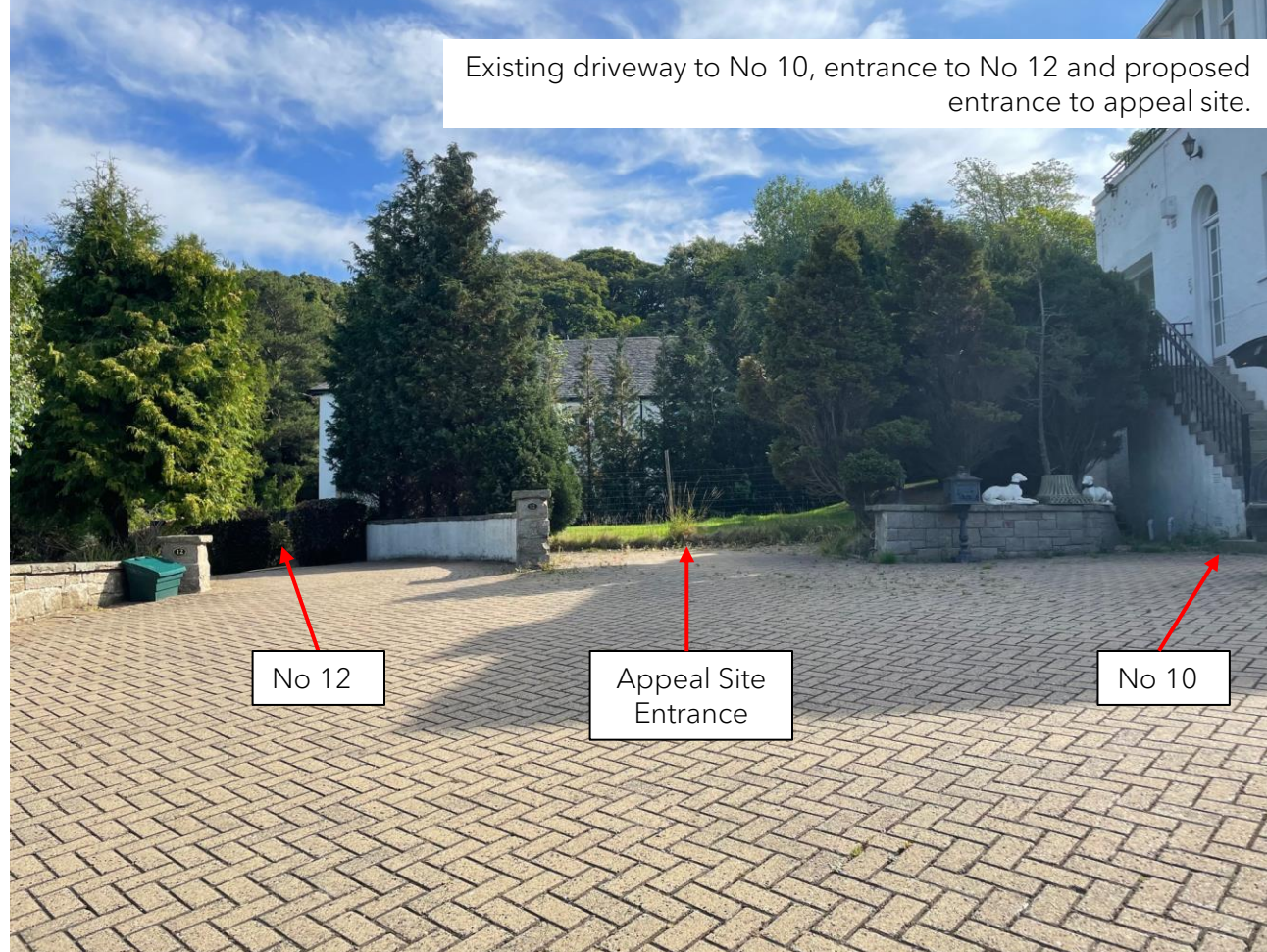
Appendix 1 - Site Photos (Appeal Site)

Existing entrance to No 10, No 12 and proposed appeal site from Glenlockhart Bank.



Shared Driveway

Existing driveway to No 10, entrance to No 12 and proposed entrance to appeal site.



No 12

Appeal Site Entrance

No 10

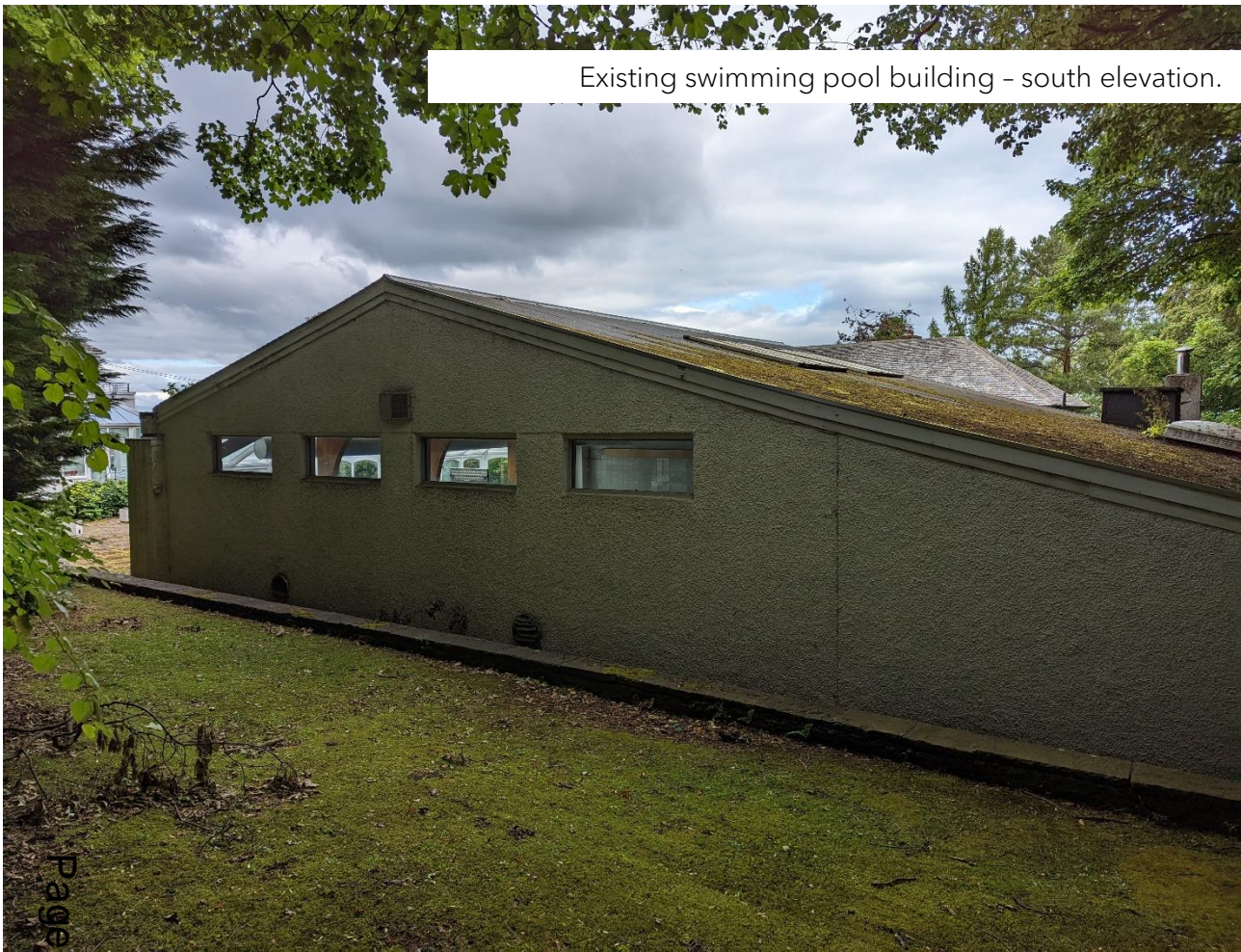
Proposed entrance to appeal site. Existing mono-bloc will be re-purposed for a new parking space at edge of existing garden area to avoid need for further hardstanding.



Existing parking area for No 10.



Existing swimming pool building - south elevation.



View from courtyard of swimming pool back towards the entrance to the site and garden area (remaining)



Entrance to appeal site and existing garden area (remaining). Site is well screened by dense tree planting.



View of swimming pool from rear of No 10 (No 12 is roof to left of picture). Appeal site is well screened from all neighbours by dense vegetation and well established trees (remaining) and set back from rear of No 10.





Appendix 1 - Site Photos (Surrounding Context)



Glenlockhart Bank - Surrounding Townscape - Illustrates existing mix of architectural styles and plot sizes (street on which appeal site is located)





Glenlockhart Valley - Surrounding Townscape (street to the north of the appeal site) - Illustrates existing mix of architectural styles and plot sizes



PARCEL NUMBERS AND ACREAGES
The number and acreage of each parcel of land is shown within the parcel. It is important when identifying a parcel to specify the number(s) of the plan(s) on which it falls.
IN PARCELS DIVIDED BY THE SHEET EDGE, THE ACREAGES ARE SHOWN TO SHEET EDGE ONLY.

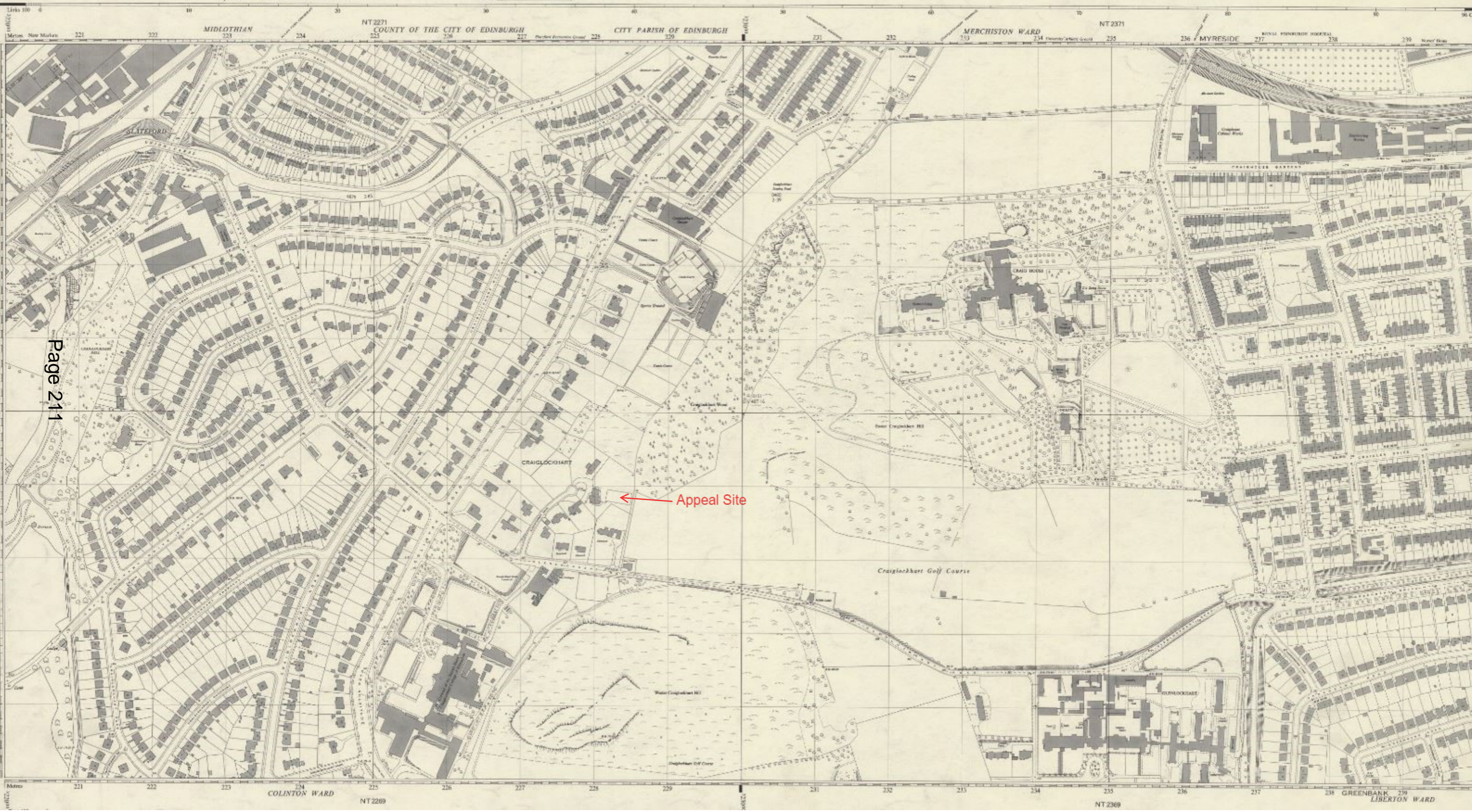
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1/4 in. 1944	1/4 in. 1944	1/4 in. 1944	1/4 in. 1944

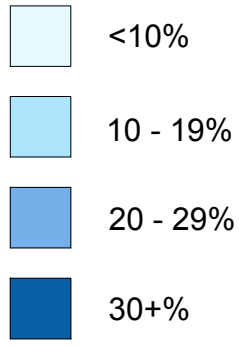
ORDNANCE SURVEY

Scale: 1:2500 or 25/344 inches to 1 mile

Levelled 1944/46
Broadened November 1955

The West half of this sheet is Plan NT 2270
The East half of this sheet is Plan NT 2370





Client: Susan Bringhurst

Job: 10 Glenlockhart Bank

Title: Density Plan

Scale: 1:2000

Date:

Job No: 669

Dwg No: D01

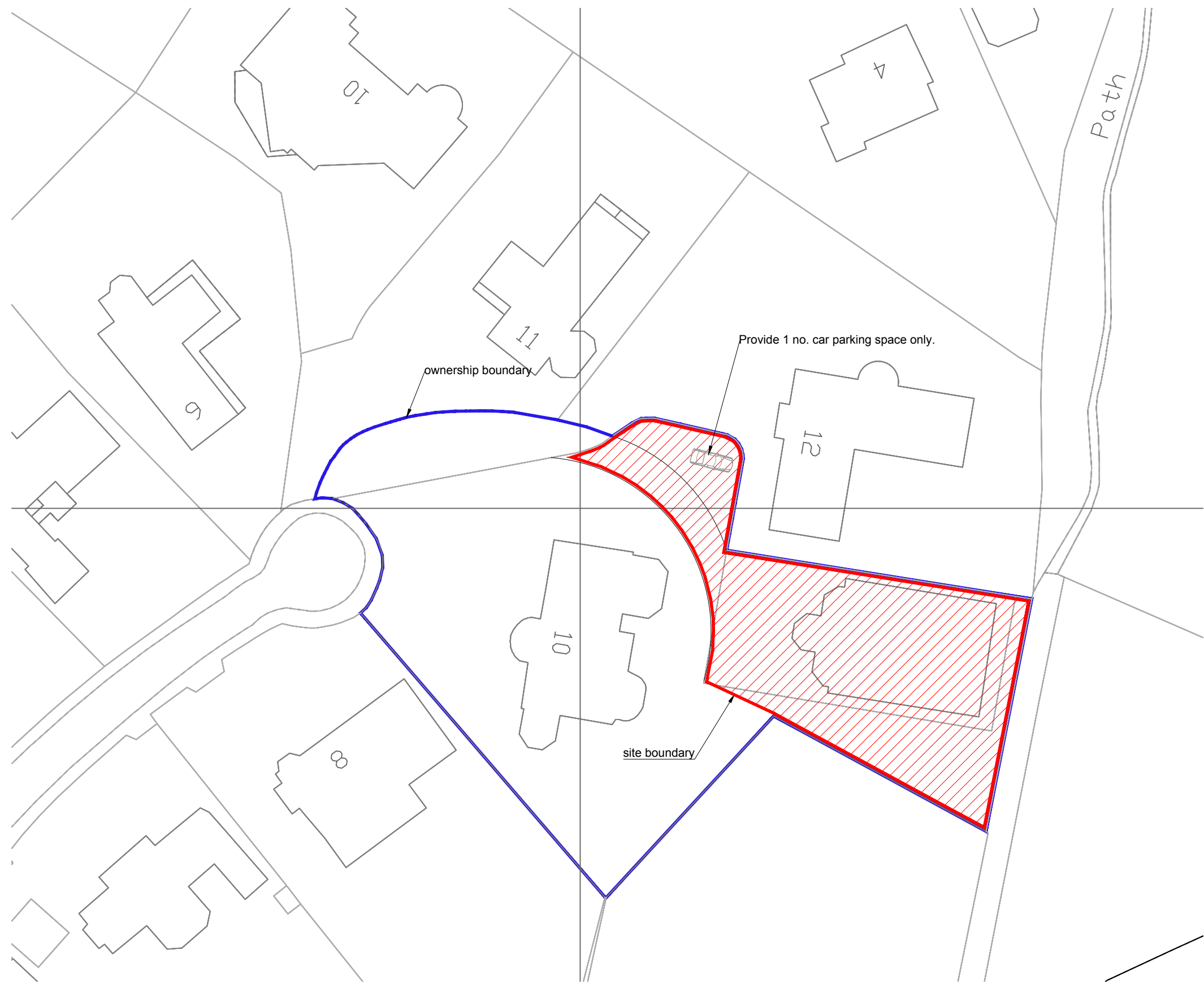
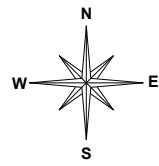
Rev:

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architects LLP

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Edinburgh
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fax. 0131 445 7377





Page 213

Revision A - 10.3.2022 - Drawing amended to show 1 no. car parking space only.

Client: David Orr

Job: 10 Glenlockhart Bank Pool House

Title: Location Plan

Scale: 1:500 @ A3

Date: 15.11.21

Job No: 669

Dwg No: P01

Rev: A

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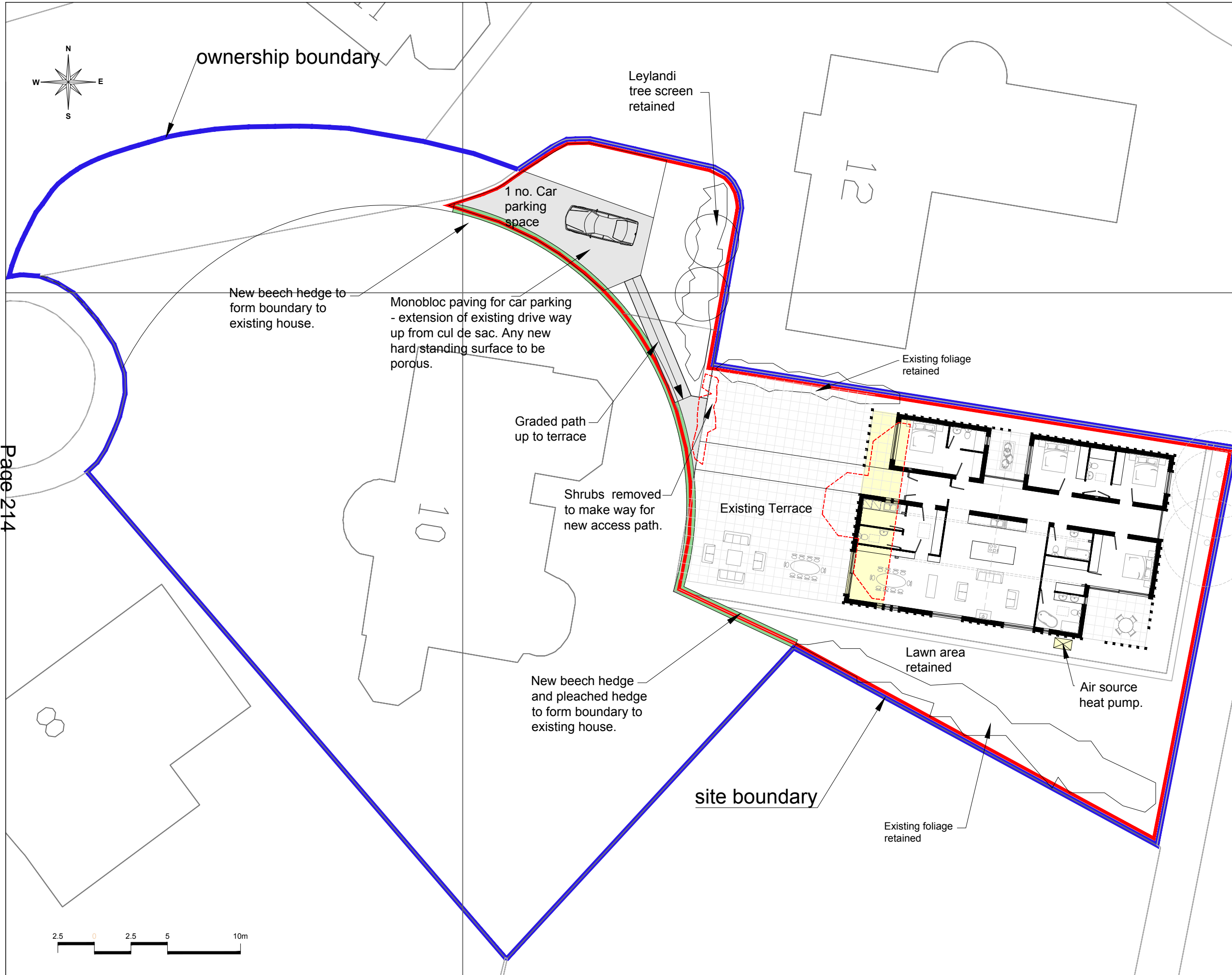
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PLANNING



Page 214

Revision A - 10.3.2022 - Drawing amended to show 1 no. car parking space only.

Revision B - 10.3.2022 - Note on hard standing to be porous added to drawing..

Client: David Orr

Job: 10 Glenlockhart Bank Pool House

Title: Block Plan

Scale: 1:250 @ A3

Date: 15.11.21

Job No: 669

Dwg No: P02

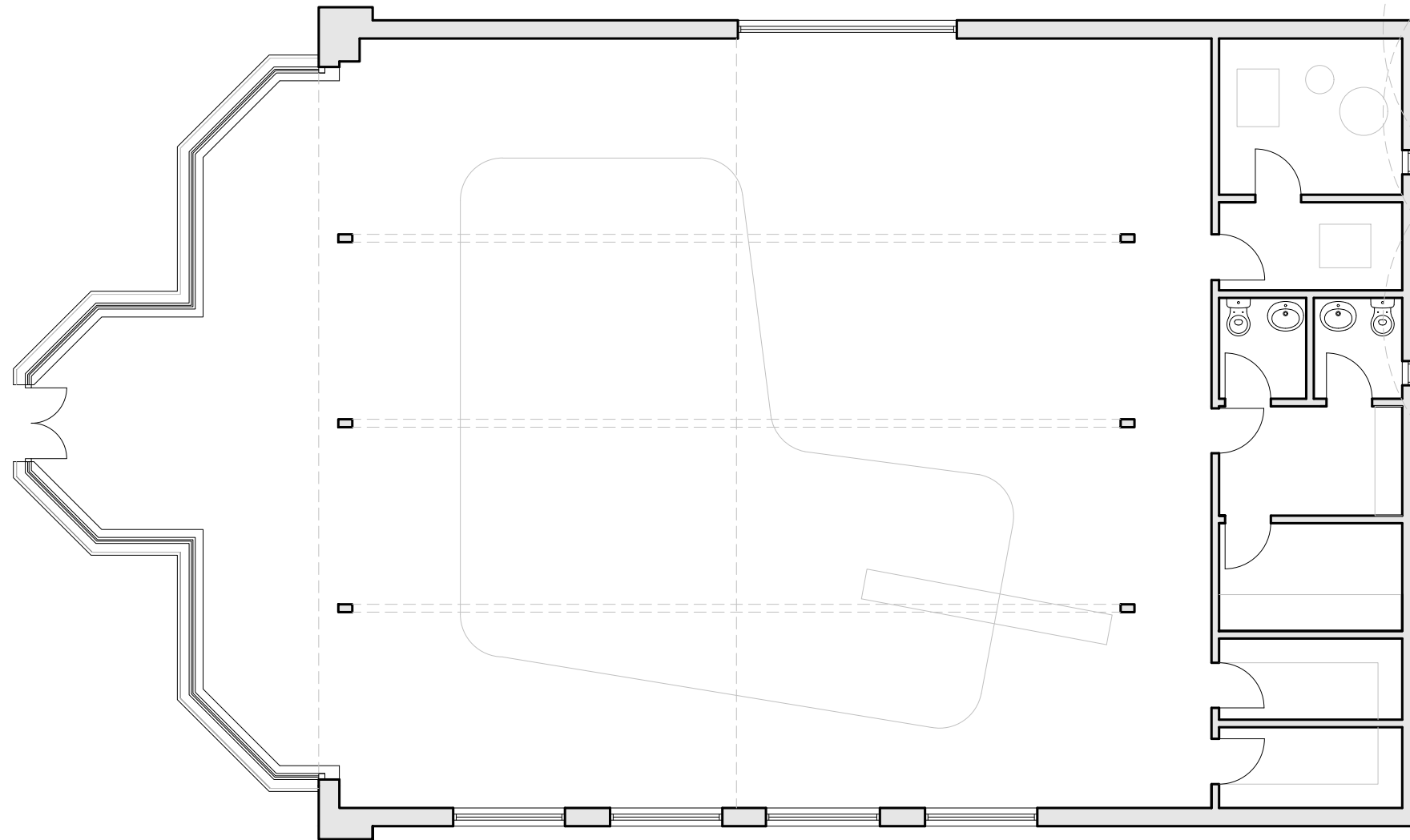
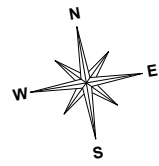
Rev: B

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PLANNING



Client: David Orr

Job: 10 Glenlockhart Bank
Pool House

Title: Existing Plan

Scale: 1:100 @ A3

Date: 15.11.21

Job No: 669

Dwg No: P03

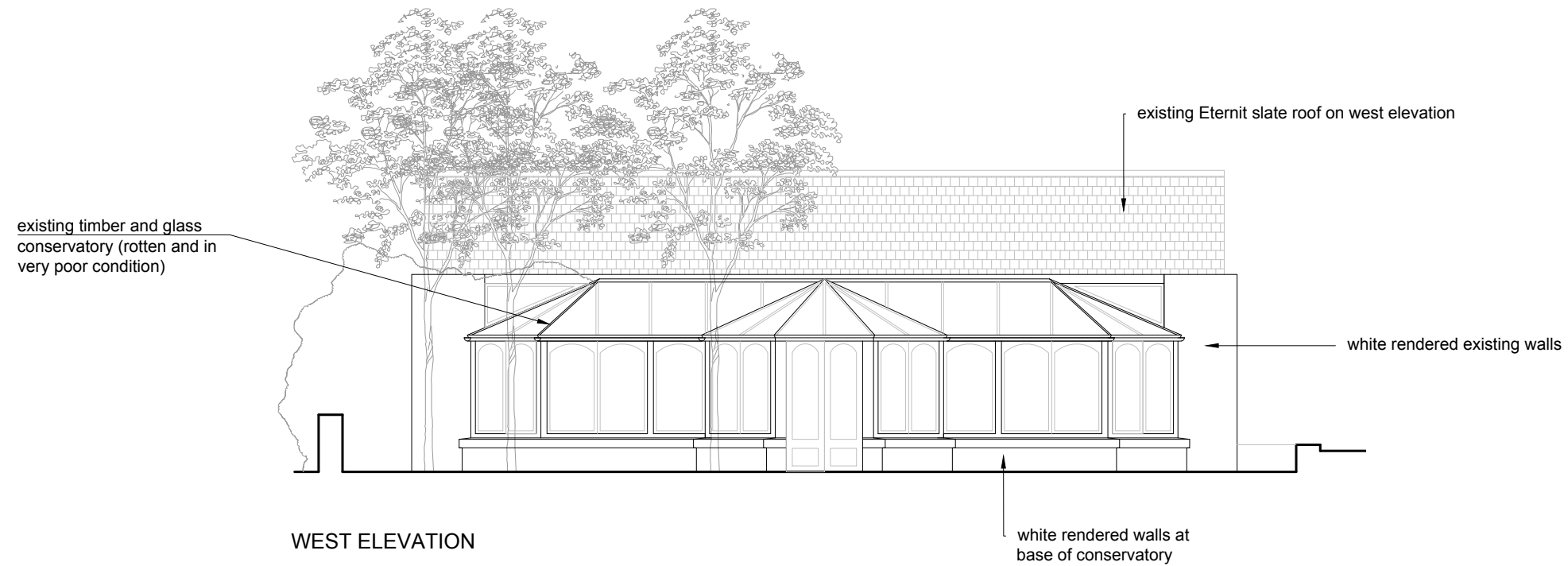
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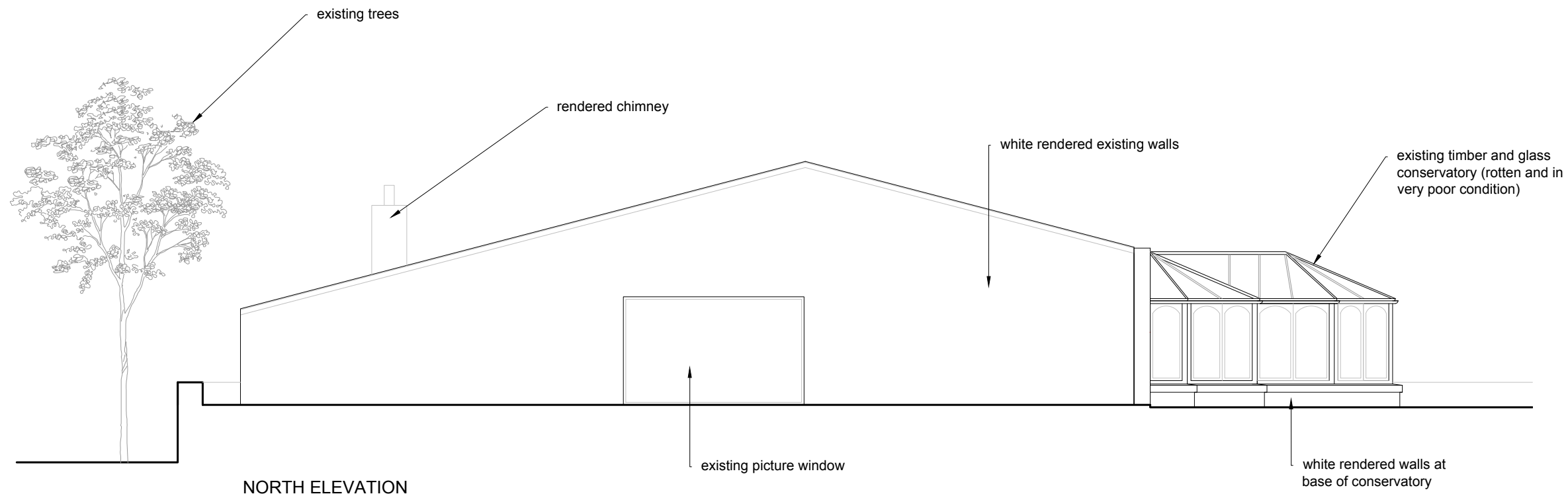
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PLANNING



WEST ELEVATION



NORTH ELEVATION



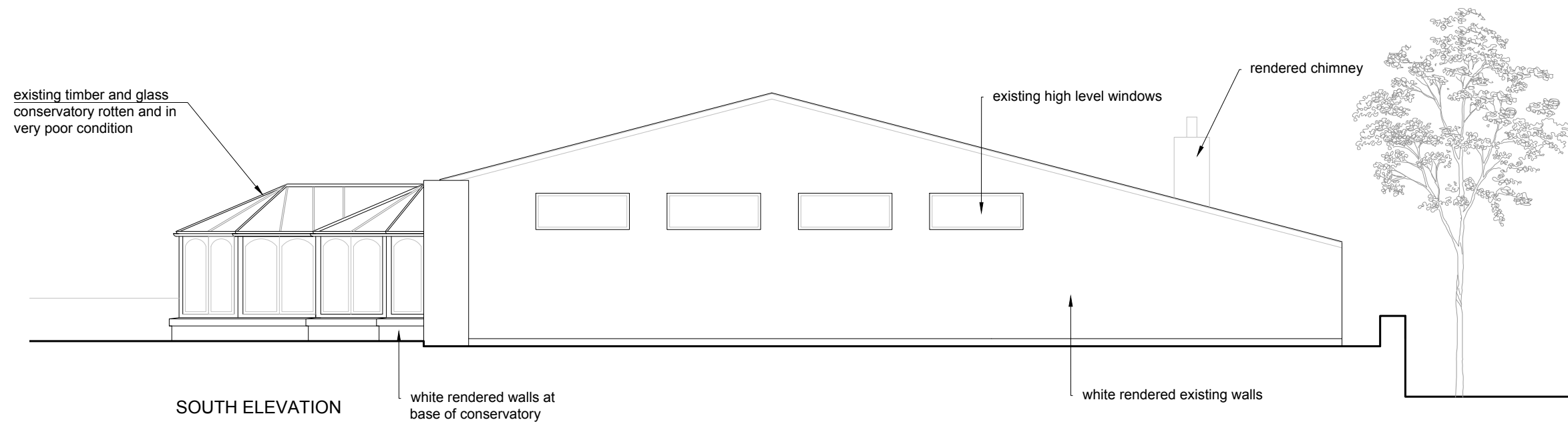
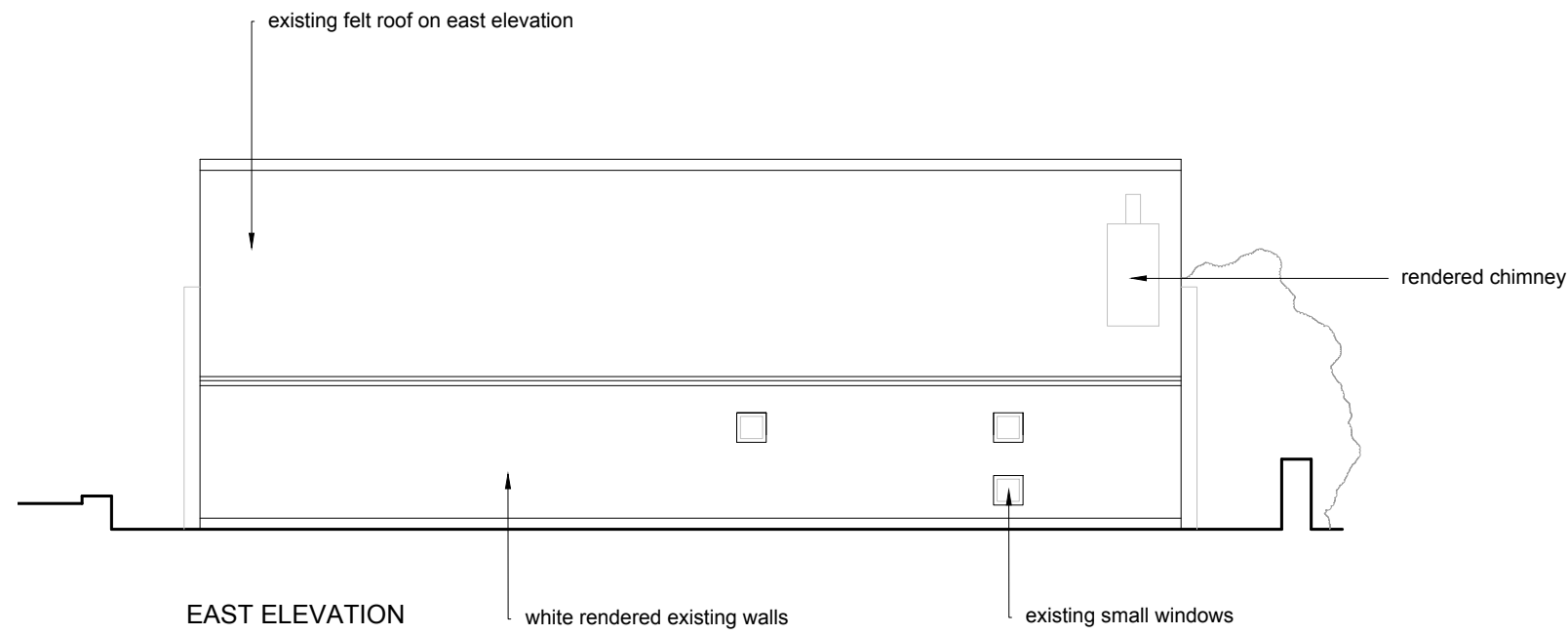
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 Job: 10 Glenlockhart Bank
 Title: Existing Elevations Pool House
 Scale: 1:100 @ A3
 Date: 15.11.21
 Job No: 669
 Dwg No: P04
 Rev:

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PLANNING



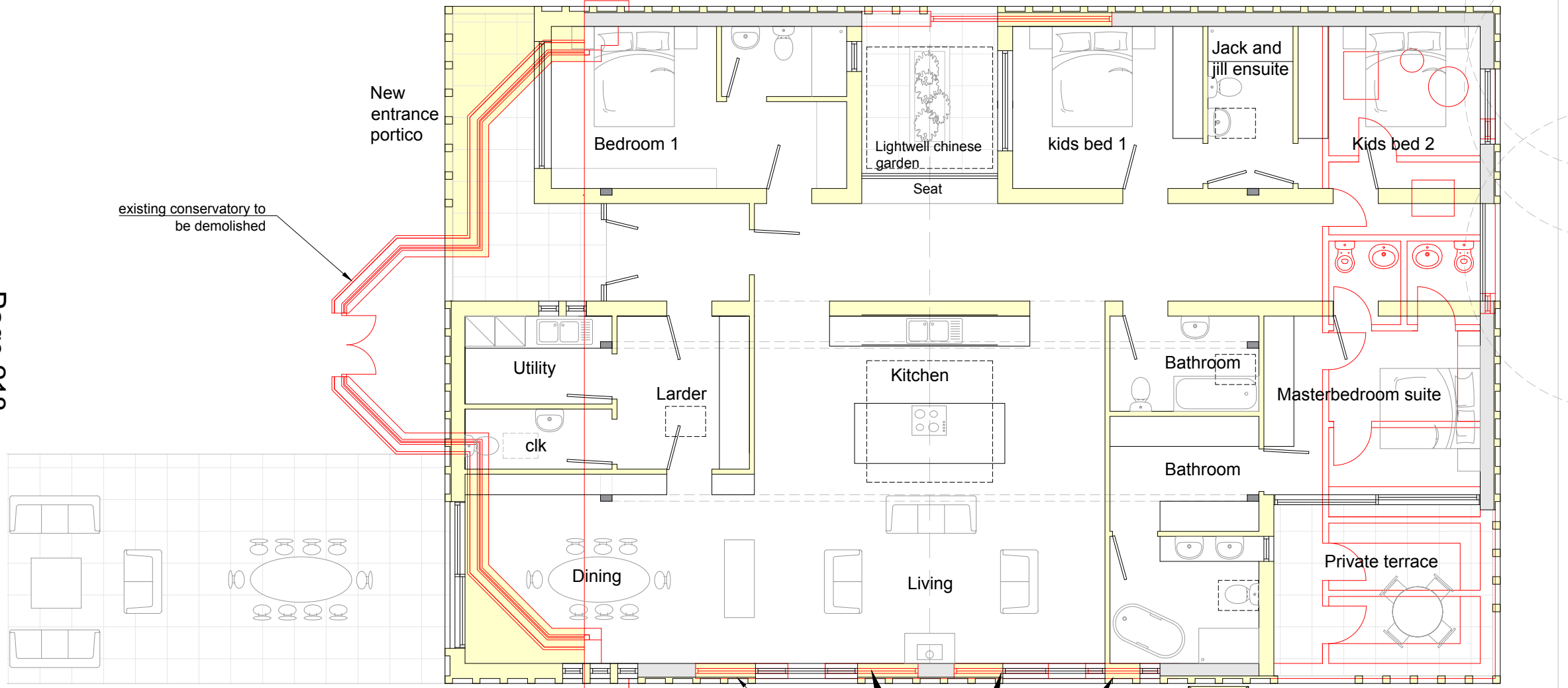
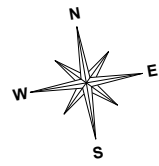
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 Job: 10 Glenlockhart Bank
 Pool House
 Title: Existing Elevations
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 Date: 15.11.21
 Job No: 669
 Dwg No: P05
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PLANNING



PROPOSED FLOOR PLAN



Existing high level windows omitted. New window openings to south facing garden area

Air source heat pump.

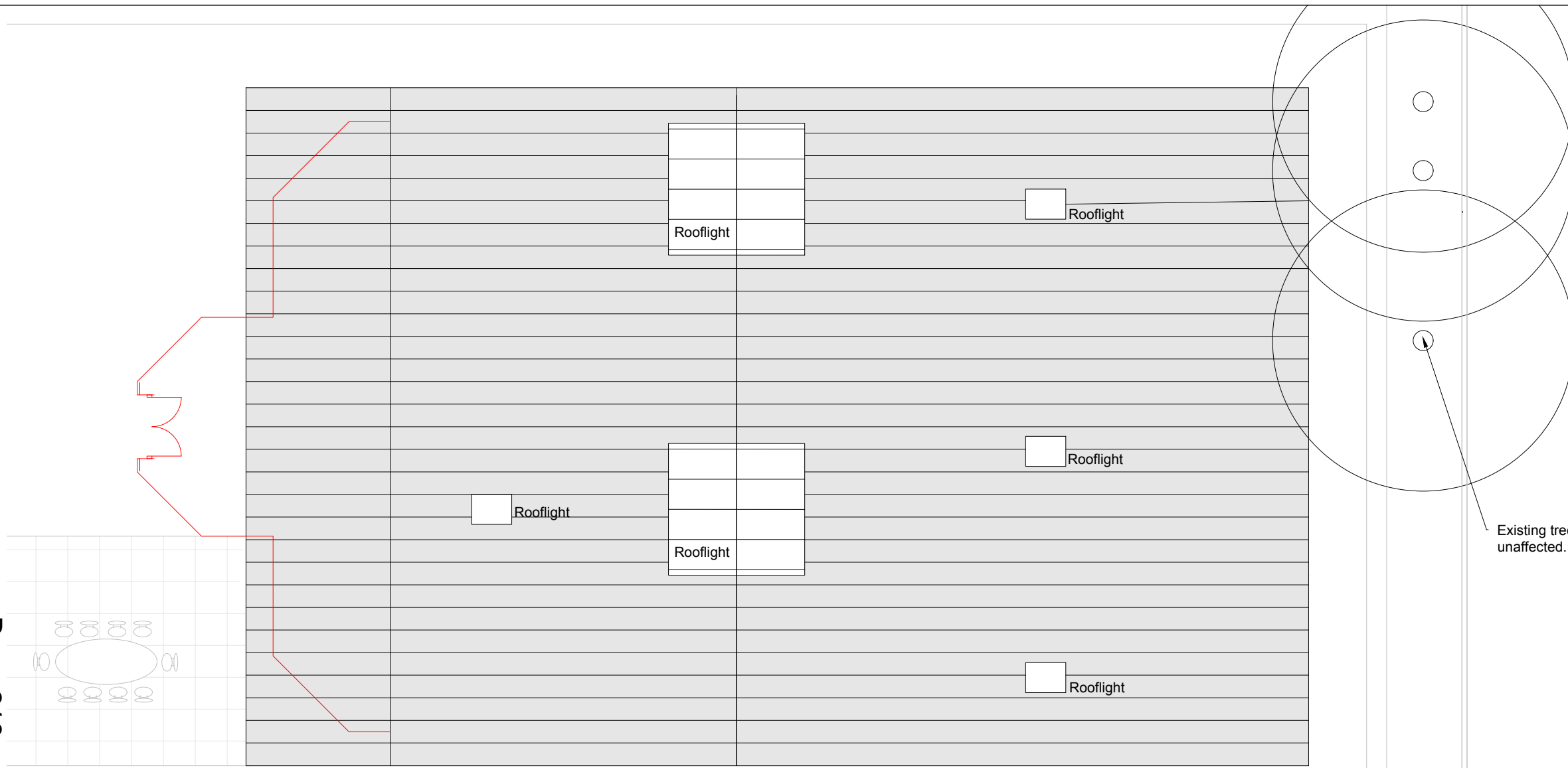
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 Job: 10 Glenlockhart Bank Pool House
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 Job No: 669
 Dwg No: P06
 Rev:

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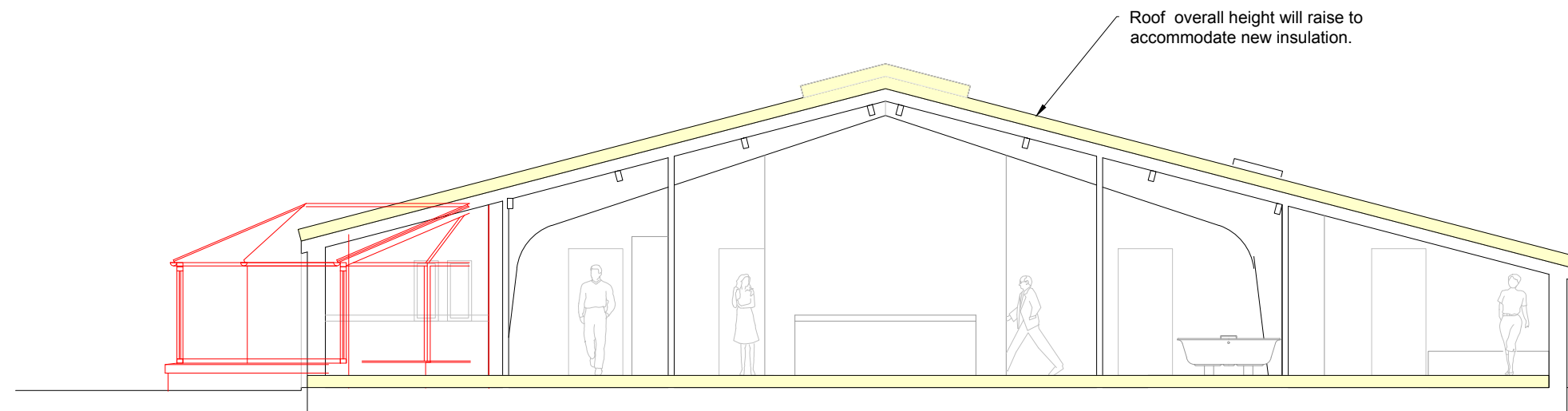
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PLANNING



ROOF PLAN



SECTION AA



Client: David Orr

Job: 10 Glenlockhart Bank

Title: Section and roof plan

Scale: 1:100 @ A3

Date: 15.11.21

Job No: 669

Dwg No: P09

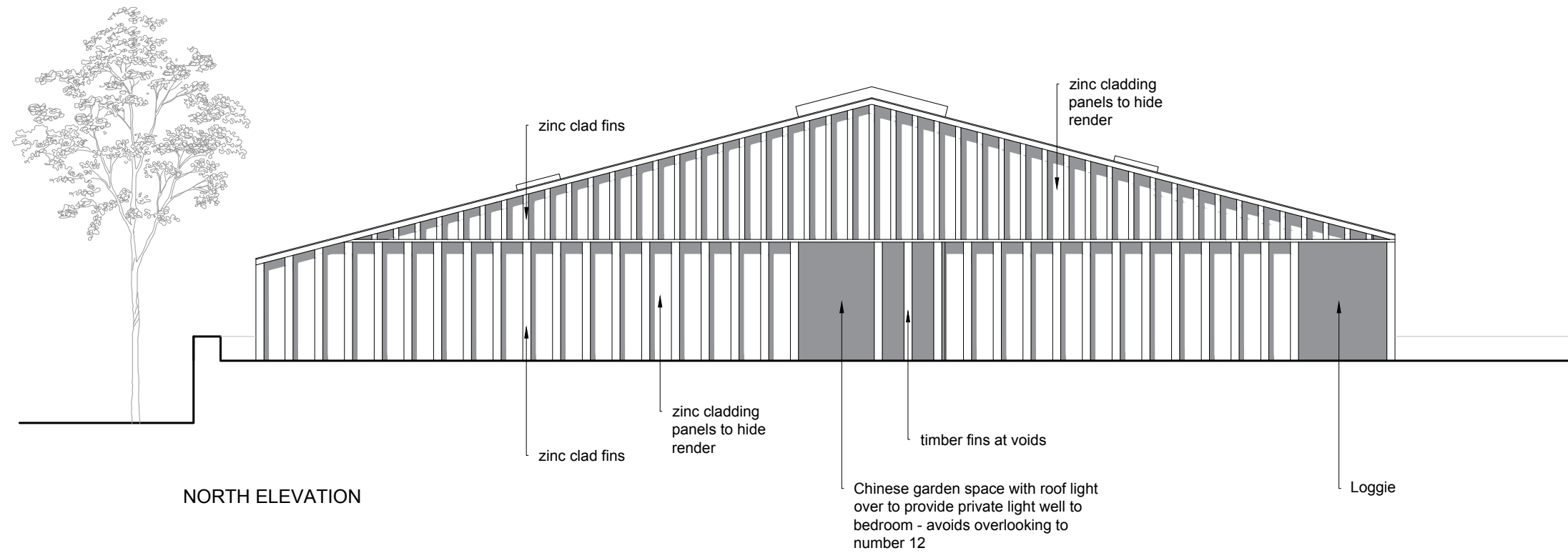
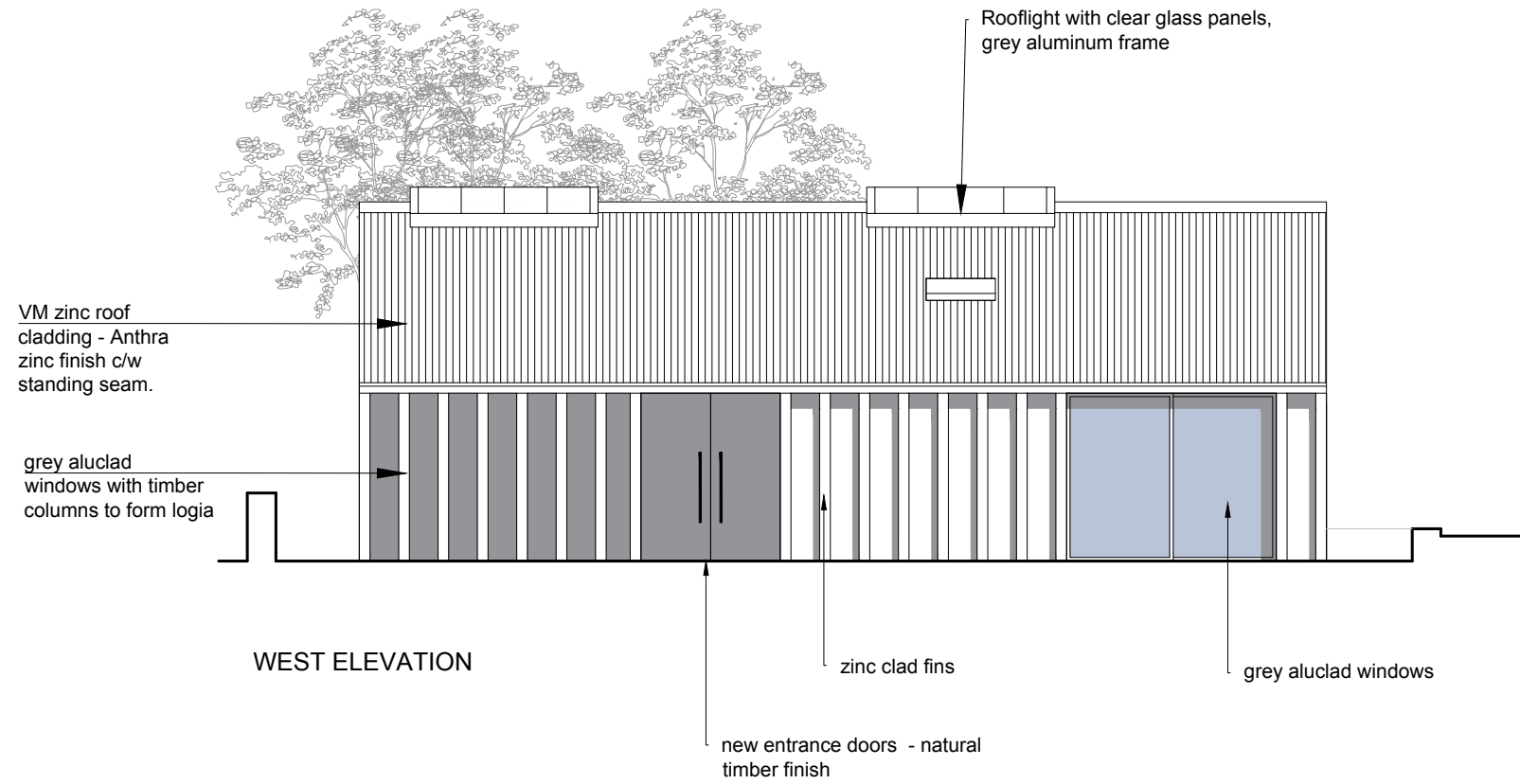
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PLANNING



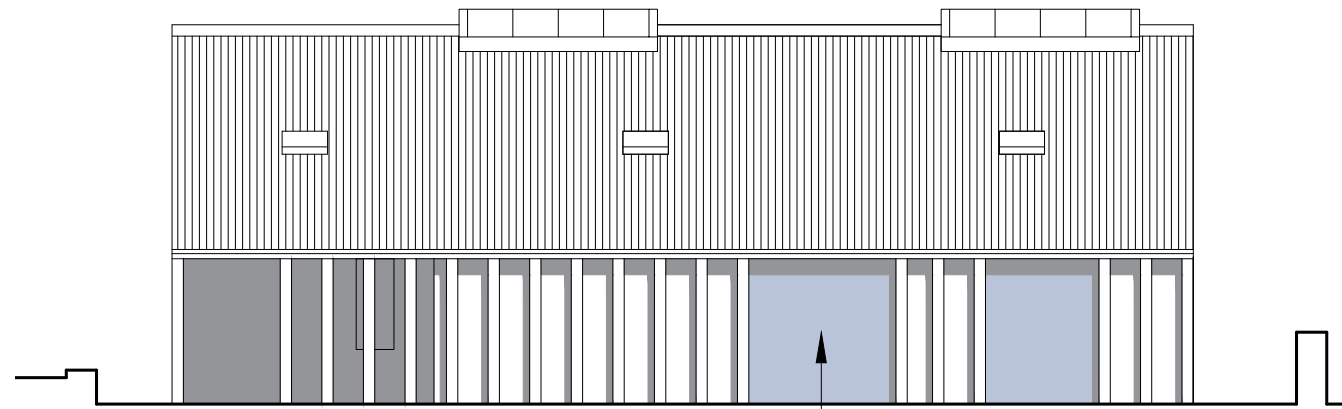
Client: David Orr
 Job: 10 Glenlockhart Bank
 Title: Proposed Elevations
 Scale: 1:100 @ A3
 Date: 15.11.21
 Job No: 669
 Dwg No: P07
 Rev:

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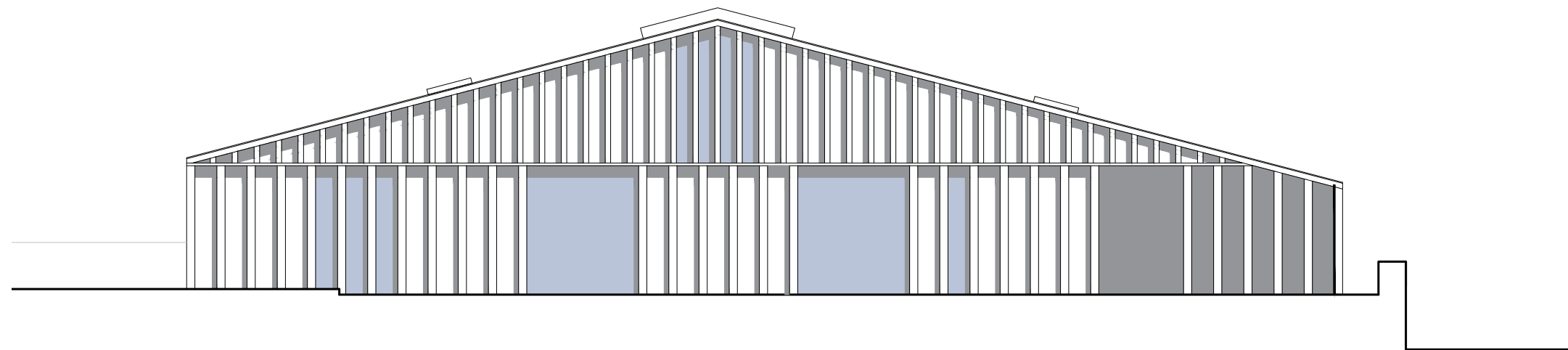
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 fax. 0131 445 7377

PLANNING



EAST ELEVATION

grey aluclad windows



SOUTH ELEVATION



Client: David Orr

Job: 10 Glenlockhart Bank

Title: Proposed Elevations

Scale: 1:100 @ A3

Date: 15.11.21

Job No: 669

Dwg No: P08

Rev:

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PLANNING

VM zinc roof cladding - Anthra zinc finish c/w standing seam.

grey aluclad windows with timber columns to form loggia

Rooflight with clear glass panels, grey aluminum frame

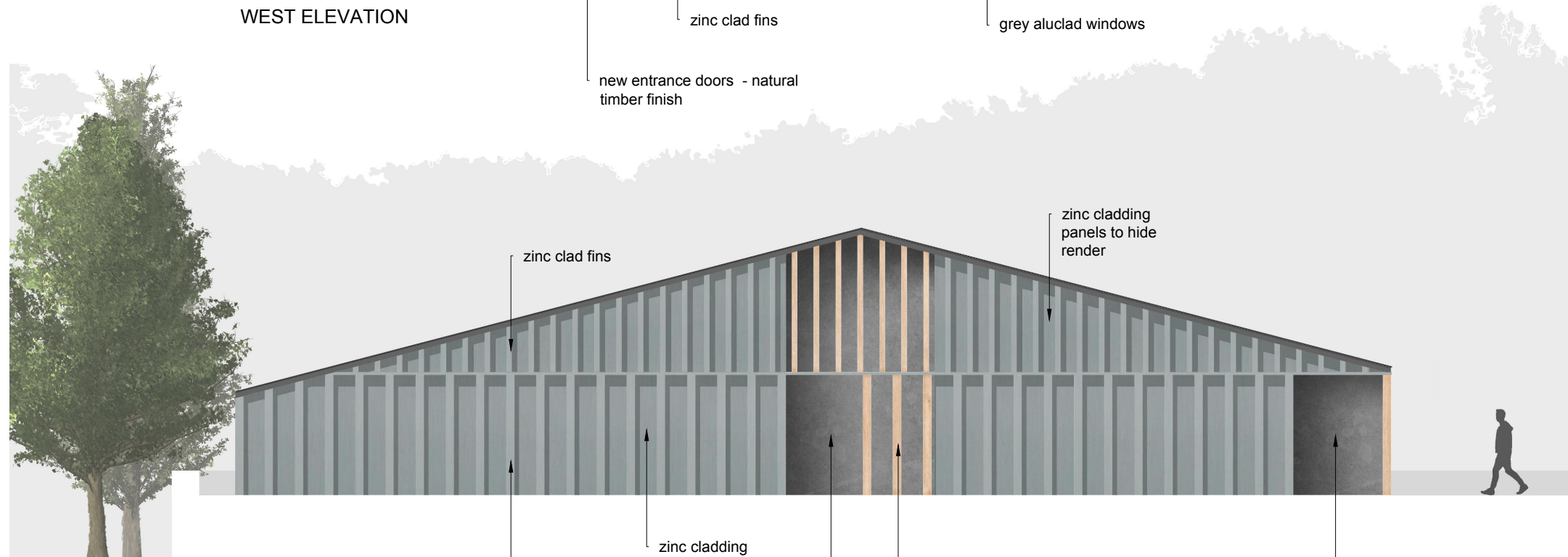


WEST ELEVATION

zinc clad fins

grey aluclad windows

new entrance doors - natural timber finish



NORTH ELEVATION

zinc clad fins

zinc cladding panels to hide render

zinc clad fins

zinc cladding panels to hide render

timber fins at voids

Chinese garden space with roof light over to provide private light well to bedroom - avoids overlooking to number 12

Loggie



Client: David Orr

Job: 10 Glenlockhart Bank

Title: Proposed Elevations Rendered

Scale: 1:100 @ A3

Date: 15.11.21

Job No: 669

Dwg No: P10

Rev:

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PLANNING



VM zinc roof cladding - Anthra zinc finish c/w standing seam.

Rooflight with clear glass panels, grey aluminum frame

EAST ELEVATION

zinc clad fins grey aluclad windows

fins at terrace - natural timber finish



zinc cladding panels to hide render

SOUTH ELEVATION

zinc clad fins

zinc cladding panels to hide render

timber fins at voids



Client: David Orr

Job: 10 Glenlockhart Bank

Title: Proposed Elevations Rendered

Scale: 1:100 @ A3

Date: 15.11.21

Job No: 669

Dwg No: P11

Rev:

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PLANNING

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Mrs Bringhurst
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Edinburgh
EH10 4BN

Decision date: 14 June 2022

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house. (As amended)
At 10 Glenlockhart Bank Edinburgh EH14 1BL

Application No: 21/06240/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 25 November 2021, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reasons:-

1. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Design Quality and Context, as the development shall negatively impact the character and appearance of the area around it.
2. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Development Design- Impact on Setting, as the street has a settled townscape character, and the proposal does not have similar characteristics to the surrounding buildings and urban grain.

3. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Housing Development as the proposal is not compatible with other policies in the plan.

4. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Housing Density, as the proposal could not respect the established density and layout of the area.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01a-02a,03-11, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposal does not comply with adopted Edinburgh Local Development Plan policy Hou 1, Hou 4, Des 1 or Des 4. The proposal therefore does not comply with Paragraph 29 of SPP. There are no material considerations that outweigh this conclusion.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Adam Gloser directly at adam.gloser@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

**Application for Planning Permission
10 Glenlockhart Bank, Edinburgh, EH14 1BL**

Proposal: Convert existing redundant swimming pool building into a separate private family dwelling house within the curtilage of an existing house. (As amended)

**Item – Local Delegated Decision
Application Number – 21/06240/FUL
Ward – B09 - Fountainbridge/Craiglockhart**

Recommendation

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

Summary

The proposal does not comply with adopted Edinburgh Local Development Plan policy Hou 1, Hou 4, Des 1 or Des 4. The proposal therefore does not comply with Paragraph 29 of SPP. There are no material considerations that outweigh this conclusion.

SECTION A – Application Background

Site Description

The application site relates to the swimming pool building to the rear of No. 10 Glenlockhart Bank. The application site is comprised of a detached property within a large garden area. The site is located at the end of a cul de sac on Glenlockhart Bank and the area is typified by residential dwellings located within private garden grounds.

Description Of The Proposal

The application is for the subdivision of the application site to form two separate sites each containing a residential dwelling. The proposals seek to refurbish the rear swimming pool house to form a private residential dwelling and the formation of a private vehicle access.

Amendment:

- Vehicle parking reduced to one car
- Hardstanding to be porous in nature

Relevant Site History

19/02444/PPP
10 Glenlockhart Bank
Edinburgh
EH14 1BL
Erection of a new private dwelling house.
Refused
27 September 2019

Other Relevant Site History

Consultation Engagement

Roads Authority

Publicity and Public Engagement

Date of Neighbour Notification: 9 December 2021

Date of Advertisement: 10 December 2021

Date of Site Notice: 10 December 2021

Number of Contributors: 7

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 Policies Hou 1, Hou 4 and Hou 5
- LDP Policies Des 1, Des 4, Des 5 and Des 12
- LDP Policies Tra 2 and Tra 3
- LDP Policies Env 21

The non-statutory Householder Guidance is a material consideration that is relevant when considering policies Hou 5, Des 5 and Des 12.

Principle

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

The proposed one dwelling house will not make a substantial contribution to any housing land supply and little weight can be placed on this consideration.

As the proposal does not comply with other policies contained within the LDP, the proposal does not comply with LDP policy Hou 1.

Scale Form and Design

The Edinburgh Design Guidance states that where back-land development would disrupt the spatial character of an area, it must be avoided.

The area surrounding the site is primarily residential in nature, characterised by large, detached dwellings. The houses have private front and rear gardens which can be quite substantial. The nearby dwellings are characterised by their low-density layout and a good degree of separation. The application site is located directly behind the existing property, set within the garden grounds of no. 10. While it is acknowledged that the site is comprised of a large, detached swimming pool building, this structure is ancillary to the main use of the dwelling house and is part of the larger garden grounds.

While the design and positioning of the property has ensured that the dwelling would not immediately impact on neighbouring privacy and outlook, the established position of the site and its limited size compared to other plots on the street, a dwelling house could not be constructed on this site that respects the established built form of the street in terms of density and layout.

The proposed dwelling would be back-land development which would have a detrimental impact on the spatial character and appearance of the surrounding area.

The proposal is contrary to LDP policies Des 1, Des 4, Hou 4 and the Edinburgh Design Guidance.

Amenity

The proposal has been designed to limit any outlook from the dwelling by virtue of window positioning and the use of natural screening around the perimeter of the site. Windows on the north elevation have been positioned to face the private 'Chinese garden', thereby limiting the potential outlook to the north. The windows on the south elevation shall face existing vegetation ensuring there is limited outlook to the south. The design and positioning of the proposals shall have no material impact on neighbour's privacy.

The proposal will not have any unreasonable impact on neighbouring amenity therefore complies with LDP policies Des 5 and Des 12.

Future occupiers

The Edinburgh Design Guidance (EDG) states that three-bedroom dwellings should have a minimal internal floor area of 91 m².

The proposed dwelling exceeds the minimum space standards.

All habitable rooms will achieve acceptable levels of outlook and daylight by virtue of the size and positioning of windows facing outwards or into private courtyards.

Sufficient private open space is proposed which will include outdoor seating and recreational garden grounds. The use of natural screening shall promote the biodiversity of the area and shall provide an appropriate level of separation between neighbouring gardens.

In addition, two courtyards shall provide some amenity space for future occupiers.

The proposal will result in the creation of a satisfactory residential environment and complies with LDP policies Hou 5, Des 5 and Des 12.

Transport

Properties in this area should have maximum parking provision of 1 space per dwelling. The application, as amended, complies with the Council's standards.

The Roads Authority has been consulted on this scheme and offers no objection to the proposals.

There is adequate space within the internal layout of the dwelling to accommodate the required cycle provision.

A departure from the cycle standards and LDP policy Tra 3 is appropriate as the proposal can accommodate internal cycle provision within the footprint of the building.

The proposal is in accordance with LDP policy Tra 2 and Tra 3.

Flooding

The Scottish Environmental Protection Agency (SEPA) flood maps show that there is no risk of surface water flooding within the radius of the site.

The application complies with LDP policy Env 21.

Conclusion in relation to the Development Plan

Overall, the proposals comply 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 will be overdevelopment of the site.

The proposal therefore does not comply with Paragraph 29 of SPP.

Emerging policy context

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

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

The application has received nine letters of representation objecting to the scheme. It is noted that one letter has been received three times as a duplicate. The number of representations received is therefore six.

A summary of the representations is provided below:

material considerations

Proposal represents overdevelopment; Addressed in section (a) - through principle and amenity

Negative design; Addressed in section (a) - Scale, form, and design

Impact on Amenity of neighbours; Addressed in section (a) - Amenity

Impact on parking and Traffic; Addressed in section (a) - Transport

Impact on flooding; Addressed in section (a) - Flooding

non-material considerations

- Maintenance of private access
- Land not in sole ownership of applicant
- Notification of proposals sent twice

Overall Conclusion

The proposal does not comply with adopted Edinburgh Local Development Plan policy Hou 1, Hou 4, Des 1 or Des 4. The proposal therefore does not comply with Paragraph 29 of SPP. There are no material considerations that outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Design Quality and Context, as the development shall negatively impact the character and appearance of the area around it.
2. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Development Design- Impact on Setting, as the street has a settled townscape character, and the proposal does not have similar characteristics to the surrounding buildings and urban grain.
3. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Housing Development as the proposal is not compatible with other policies in the plan.
4. The proposal is contrary to the relevant adopted Local Development Plan Policies in respect of Housing Density, as the proposal could not respect the established density and layout of the area.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 25 November 2021

Drawing Numbers/Scheme

01a-02a,03-11

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Adam Gloser, Planning Officer
E-mail:adam.gloser@edinburgh.gov.uk

Appendix 1

Consultations

NAME: Roads Authority

COMMENT: No objections subject to appropriate conditions and informatives.

DATE: 2 December 2021

The full consultation response can be viewed on the Planning & Building Standards Portal.

10 Glenlockhart Bank, Edinburgh.
Design Statement for Planning Application - November 2021



SOUTH ELEVATIONAL TREATMENT OF OVERCLAD RENDERED WALLS TO PORTAL FRAME

**CONVERSION OF SWIMMING POOL TO FORM
SEPARATE MODERN FAMILY HOME**

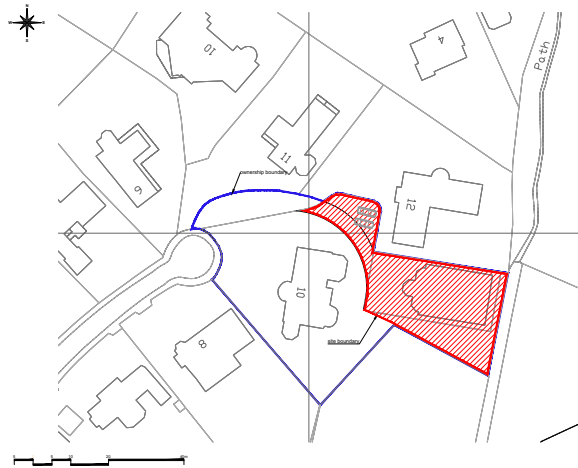


Figure 1 - Site location plan

Introduction

The proposal is to convert an existing building into a private residence. The site is located within the curtilage of a private house at 10 Glenlockhart Bank Edinburgh. The existing structure is a substantial building housing a swimming pool. The building was constructed in the 1960's and is a single storey glulam portal framed structure with rendered cavity blockwork walls. Its orientation is East West. The entrance is to the West via a white timber painted conservatory which was added circa 2007. The changing facilities are located along the East elevation and the pool is in the middle. The roof is clad in a mixture of Eternit type tiles on the West slope and felt on the east slope.

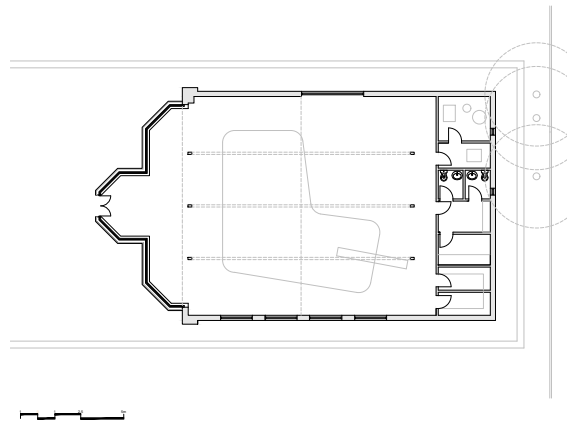


Figure 2 - Floor plan of existing pool house.



Figure 3 - internal view



Figure 4 – South gable elevation.



Figure 5 – North gable elevation showing existing picture window.

An application for planning consent to demolish it and replace it with a new house was made in 2019 reference 19/02444/PPP. This was refused and the refusal was upheld at appeal.

The building has not been used for about several years and is now beginning to degrade.



Figure 6 – Internal view of swimming pool looking East.

Description of the site

The building is positioned in the back garden of the main house. The site area around it extending to 0.0920 hectares (920m²).

The site is located within the Craiglockhart area. This is generally a residential area characterized by a mix of house types around a varied topography. There are many mature trees in the surrounding area. There is a golf course immediately to the East of the site. This is not a conservation area.

The existing building to be converted is discreetly tucked in behind the main house and can only really be seen from number 12 and the existing footpath between the eastern boundary and the golf course and Craiglockhart Wood.

The Proposals

The proposal will remove the existing timber painted conservatory along the Western face of the building. This will be replaced with a continuation of the portal frame to form a new entrance. The living accommodation is generally open plan with a spine corridor running east west to give long view through the building and provide efficient circulation to living and bedroom accommodation. The main living space which is open plan is located on the south and west elevations taking advantage of the southern aspect and the west facing terrace area. All the accommodation is on the one floor, so it provides high quality accessible living accommodation. The master bedroom is in the southeast corner of the building. This is organised around a private courtyard. The additional bedrooms are located around a private garden courtyard. This ensures there is no overlooking to the neighbouring property. There is currently a large picture window overlooking 12 Glenlockhart Bank. This will be removed improving the privacy to number 12.



Figure 7 – view of 2007 conservatory added to front of portal frame.

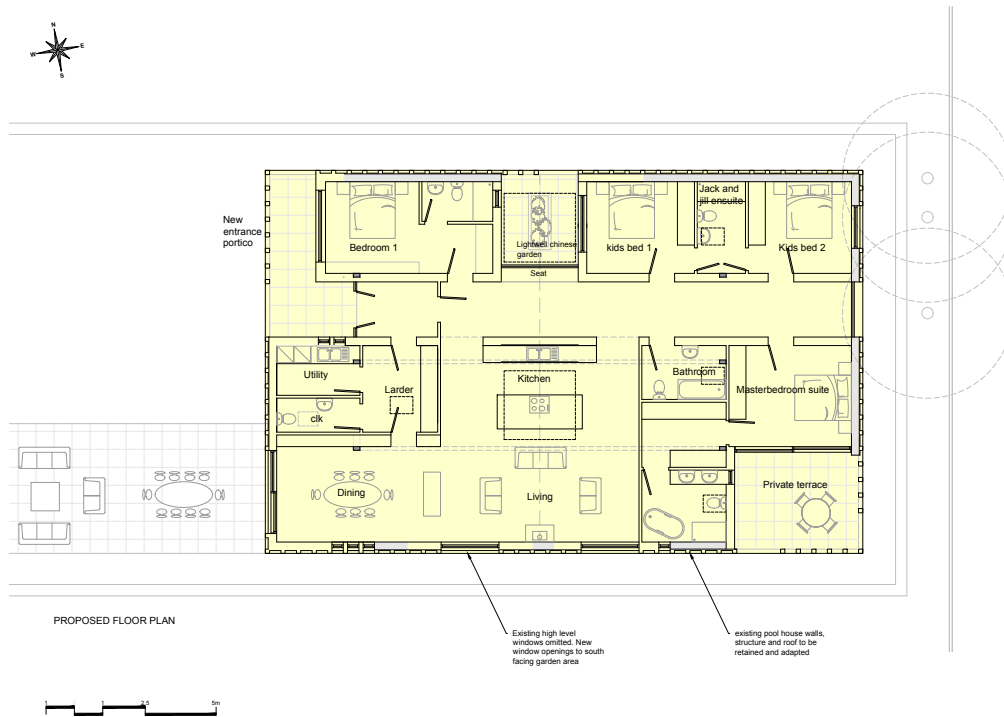


Figure 8 - Proposed floor plan.

Elevational Treatment.

The rendered walls will be highly insulated and clad in mixture of zinc panels and zinc clad vertical fins. The roof will also be highly insulated and again clad in zinc.



Figure 9 - New entrance elevation.

Windows will be triple glazed aluminium clad timber windows. As well as zinc clad fins the new entrance will have timber fins to mark and soften the entrance.



Figure 10 - Rear elevation facing gold coursed

The terraced area to the front provides a large open garden space. This will be screened from the back of the existing main house with pleached hedging.

Cars will park in the driveway to the Northwest of the terrace. There will be 2 car parking spaces provided. There is a new garden path that will lead up to the terrace and up to the new front door.

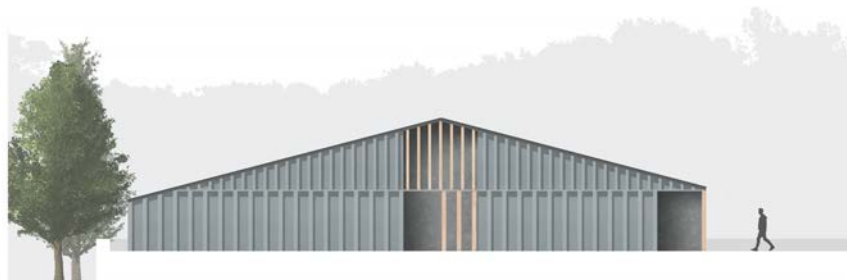


Figure 11 - Elevation to North facing number 12 Glenlockhart Bank.

Sustainability.

An existing building will have a lower carbon footprint than a totally new building. In this case, all the ingredients are there to allow the existing building fabric to be adapted to create a new family home. This will limit the need to source new materials. It will also limit the pressure on landfill to dispose of the redundant building components that cannot be recycled.

Heating

The existing building envelope is poorly insulated. The idea is to re line the external envelope to a very high standard. A new floor will also be built on top of the existing concrete slab and span across the pool opening. This again will be insulated and gives the opportunity to install an underfloor heating system.

As the building will be highly insulated the intention is to use renewable energy to heat the building. The intention is to use an air source heat pump. This is most efficient when used with underfloor heating.

Capable of Conversion

A structural engineer has obtained information from the City of Edinburgh Council Archives detailing the construction of the existing building. The report concludes that the structure is capable of conversion and can be satisfactorily transformed into a first class, sustainable modern family home.

A copy of the report is attached as part of the application.

Existing Trees

There are many trees surrounding the site with Craiglockhart Wood to the East. Apart from the removal of some bushes by the path leading to the terrace from the car parking spaces, there are no trees affected by the proposal. This is possible because the existing building is being re purposed and new excavations are limited to the main entrance area only.

Proposed Landscape

The foliage screening to number 12 will be retained maintaining the privacy between the properties.

A beech hedge is proposed to define the boundary between the new house and the existing house.

The existing lawn areas to the south are to be retained.

The parking area will have porous mono bloc to match the existing monobloc surface of the access road. A sloping path will give access to the existing terrace which lead to the front door. The slabs to the terrace would be cleaned and retained as the main garden space to the house.

Conclusion

The massing and design of the building is extremely polite within its context. As the building is existing, it cannot be argued that its conversion will adversely affect the character of the area.

The privacy of the neighbouring properties is unaffected by the conversion of the building into a modern family home.

The development is a sustainable solution for a new house. The structure and enclosing envelope can be retained and improved. This must reduce the carbon footprint of the new house.

Avoiding demolition means that only limited materials would have to be removed from the site to landfill or for recycling.

Reuse, and repurposing of materials means that this project does not exert pressure on the ever-decreasing resources of our planet the way a totally new building might.

The structural engineer has confirmed that the building is structurally sound and capable of conversion.

A restricted palette of high quality and durable external materials have been chosen to ensure the building sits quietly in its environment maintaining the character of the area.

The design concept seeks to promote a contemporary family house of appropriate scale, design and construction fit for 22nd century living.

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FERGUSON PLANNING

LRB Appeal - Application 21/06240/FUL

"Conversion of Existing Swimming Pool into a Private Dwelling House" at 10 Glenlockhart Bank, Edinburgh

Appellant's Response to CEC comments received 5 October 2022

The appellant has received three further comments in relation to the request for LRB review. Each raises similar issues, so we have addressed the key concerns raised below.

Comments on Appeal Proposals	
<p>Drainage/Sewerage: <i>"strain on drainage and sewage systems"</i></p> <p><i>"drainage is old and we are regularly flooded so additional sewage and hard landscaping is going to make matters worse"</i></p>	<p>The drainage is existing as the swimming pool is currently connected to the mains, as are the changing room facilities and existing bathroom. There is therefore no new connection required.</p> <p>The new parking area will be created using part of the existing mono-bloc driveway of No 10. It is highly likely that this will be sufficient, or only a modest extension will be necessary. Any new hardstanding that is required, would be permeable too.</p> <p>Scottish Water raised no issue with the previous application. The SEPA flood maps show that there is no risk of surface water flooding within the radius of the site and the Officer raised no concerns during the application.</p>
<p>Access: <i>"to shoehorn another dwelling into this area where services, access etc are already stretched will impact on the other residents"</i></p>	<p>The building already exists on site and has done for a significant period (c.40 years). It is an established part of the townscape. The proposals will reduce the overall footprint of the existing building, by removing an existing conservatory.</p> <p>The driveway of No 10 is more than sufficient to accommodate the proposed access and parking solution as can be seen on the site photos enclosed with the appeal. It will have no impact upon any other dwelling nearby.</p>
<p>Traffic: <i>"additional traffic"</i></p>	<p>The proposal is for one family dwelling with one parking space. The increase in traffic movements will be very modest. Not considered to be noticeable in context of the wider street and residential area.</p> <p>The Officer considered the application complied with the Council's standards. The</p>

GALASHIELS

Shiel House, 54 Island Street
Galashiels TD1 1NU
T: 01896 668 744

EDINBURGH

37 One George Street
Edinburgh EH2 2HN
T: 0131 529 3000

NORTHERN IRELAND

61 Moyle Road, Ballycastle, Co. Antrim,
Northern Ireland BT54 6LG
T: 07960 003 358

	Roads Authority has been consulted on this scheme and offers no objection to the proposals.
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We have also addressed all other comments previously submitted against the application, which residents refer to, within the Appeal Statement - Section 4.

Summary

As demonstrated in our appeal statement, the re-use of this existing building will create a high quality and sustainable new four-bedroom family home. We have addressed all residents' concerns above, and these were also resolved to the Officers satisfaction during the determination, as they were not factors in the refusal.

The appellant maintains that the proposals meet all the criteria of Policy Des 1, 4 and Hou 1 and 4, on which the Council refused the application, relating to concerns about impact on the townscape character of the area, and density. The proposals are also supported by Policy Hou 5, which encourages the recycling of buildings to achieve sustainability goals. This was not previously considered by the officer.

There are also significant material planning considerations that weigh in their favour, not least the environmental benefits of re-using an existing building to provide much needed family housing in the city. Such re-use should be a priority (as advocated by NPF4) and is essential if the Council wants to address the global climate change emergency. We respectfully request that this appeal is therefore allowed by the LRB.

From: [REDACTED]
To: [Local Review Body](#)
Subject: application 21/06240/FUL
Date: 16 September 2022 11:27:32

With regard to the proposed review of this planning application I would have you note our objections to the build based on the grounds submitted on two previous occasions . To shoehorn

in another dwelling into this area where services, access etc are already stretched will impact on the other residents , The drainage in particular is old and we are regularly flooded so additional sewage and hard landscaping is going to make matters worse .

For the life of me I cant understand why this application is being reconsidered when it has been rejected on at least two previous applications . Trusting good sense will prevail

Regards

Mr and Mrs Collins No6

From: ██████████
To: [Local Review Body](#)
Subject: Re planning application 21/06240/FUL
Date: 20 September 2022 21:19:16

Dear Sir/madam

I received a letter dated 14 September 2022 stating that the planning application with reference 21/06240/FUL is being reviewed. This application was previously rejected. When the application was originally made, I submitted an objection on grounds of strain on the drainage and sewage systems for the road and additional traffic. My objections still stand and I would like these to be noted as part of the review.

Kind regards

Gary Fossett
Owner of 8 Glenlockhart Bank

Sent from my iPhone

From: [REDACTED]
To: [Local Review Body](#)
Subject: Re: Notice of Local Review No 21/06240/FUL
Date: 20 September 2022 22:01:58
Attachments: [ufm13 LRB Review Representator Letter \(2020\).pdf](#)

Hello

Please can you explain why this is still being pursued - my objection stands based on my earlier correspondence and the whole street were pleased with the previous decision to block this application on the many grounds sent?

Confused
Allan

Sent from my iPhone

> On 14 Sep 2022, at 10:15, localreviewbody@edinburgh.gov.uk wrote:
>
> Please See Attached This email is to inform you that a local review has been received for a planning application that you commented on .
>
> *****
> This email and files transmitted with it are confidential and are intended for the sole use of the individual or organisation to whom they are addressed.
> If you have received this eMail in error please notify the sender immediately and delete it without using, copying, storing, forwarding or disclosing its contents to any other person.
> The Council has endeavoured to scan this eMail message and attachments for computer viruses and will not be liable for any losses incurred by the recipient.
> *****

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David Hewitt Architects.
Wellsprings
71 Whitehill Street
Musselburgh
EH21 8QZ

Mr Rupert Ward.
42 Macdowall Road
Edinburgh
EH9 3EF

Decision date: 1 July 2022

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Two storey extension to replace existing porch of upper villa plus new driveway.
At 42 Macdowall Road Edinburgh EH9 3EF

Application No: 22/00461/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 2 February 2022, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as The works will result in an unreasonable loss of neighbouring amenity.
2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as the works are not compatible with the existing dwelling and surrounding neighbourhood character.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 1-9, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. The works will result in an unreasonable loss of neighbouring amenity. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Karen Robertson directly at karen.robertson@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

Application for Planning Permission
42 Macdowall Road, Edinburgh, EH9 3EF

Proposal: Two storey extension to replace existing porch of upper villa plus new driveway.

Item – Local Delegated Decision
Application Number – 22/00461/FUL
Ward – B15 - Southside/Newington

Recommendation

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

Summary

The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. The works will result in an unreasonable loss of neighbouring amenity. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

SECTION A – Application Background

Site description

Semi detached flatted property on south side of Macdowall Road which lies at junction with Saville Place. The application site comprises the upper flat and associated garden ground. The property has a mixture of harled and sandstone walls and a slate roof. Small porch addition to side which gives access to upper flat/application site. Two storey protusion to the rear. This is mirrored with the neighbouring property to the east. There is a single storey addition at the property on the opposite side of the road from the gable elevation.

Proposed development

The proposal is the demolish the existing porch to the side of the property and build a ground floor entrance/sun porch and bedroom at first floor level above. The existing connifer tree would be removed. The extension would measure: 4.86m by 4.4m and would have a height of 6.5m.

The extension would have a flat roof.

Materials: Single ply membrane to roof, sandstone and rendered walls and cedar panels in grey.

New vehicular access from Saville Place with a single car parking space and timber gates. The car parking space would measure 5.7m by 3m and would have an electric car charging point.

A Design Statement has been submitted with the application.

Relevant Site History

17/02749/FUL

42 Macdowall Road

Edinburgh

EH9 3EF

Two storey side extension comprising entry/sun room at ground level and first floor double bedroom.

withdrawn

17 August 2017

16/06386/FUL

42 Macdowall Road

Edinburgh

EH9 3EF

Replace existing side porch with 1.5 storey pitched roof side extension.

withdrawn

2 March 2017

04/04355/FUL

42 Macdowall Road

Edinburgh

EH9 3EF

Erect second floor roof room

Granted

31 January 2005

04/02568/FUL

42 Macdowall Road

Edinburgh

EH9 3EF

Erect second floor roof room

withdrawn

27 August 2004

Other Relevant Site History

Consultation Engagement

Publicity and Public Engagement

Date of Neighbour Notification: 1 July 2022

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 2

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 12.

The non-statutory Householder Guidance is a material consideration that is relevant when considering policy Des 12.

Scale, form, design and neighbourhood character

The proposed two storey extension would be in a prominent location at the junction of Macdowall Road and Saville Place. The proposed introduction of a two storey, flat roofed extension which is angled (with the aim of reducing impact on neighbouring property) would, due to its design and form and positioning, not be compatible with the

character of the existing building or the street scene. It would be contrary to LDP policy Des12.

The Guidance for Householders states that proposed side extension roofs 'should normally be pitched to match the house. Otherwise flat and mansard roofs on extensions will not normally be allowed unless these are complementary to the existing roof, or in the case of flat roofs they are part of a high quality, contemporary design.' The design of the two storey extension would not comply with the Guidance for Householders.

The proposed parking space is less than 6m long being 5.75m. This is a minor infringement of the Guidance for Householders and would not have an adverse impact on highway safety. The proposed gates open inwards which is acceptable. Material for the driveway can be covered by condition.

The proposals are not of an acceptable scale, form and design and are not compatible with the existing dwelling and the surrounding area.

Neighbouring Amenity

The Guidance for Householders states that adequate daylight will be maintained to the neighbouring property if 45 degree lines drawn from the plan or section of the new extension do not enclose the centre of the neighbour's window.

The two storey extension would result in loss of daylight to the existing ground floor window of the lower flat to an unacceptable degree. Overshadowing of the garden area would fall on land within the garden area of the applicants.

With respect to privacy, overshadowing and loss of daylight or sunlight, the proposals have been assessed against requirements set out in the non-statutory 'Guidance for Householders'. The proposals will result in unreasonable loss to neighbouring amenity.

Conclusion in relation to the Development Plan

The proposals are not compatible with both the existing building and neighbourhood character and result in an unreasonable loss of neighbouring amenity. Therefore, the proposals do not comply with LDP policy Des 12 and the overall objectives of 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.

Emerging policy context

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

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

Two letters of representation have been received. One objection from the Grange/ Prestonfield Community Council and one letter in support.

material considerations

- Design is incompatible with the building and would dominate the street; proposal does not comply with LDP design policies.

non-material considerations

- comment about size of vehicle to fit into car parking space.

Conclusion in relation to identified material considerations

The proposals do not raise any issues in relation to other material considerations identified.

Overall conclusion

The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. The works will result in an unreasonable loss of neighbouring amenity. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as The works will result in an unreasonable loss of neighbouring amenity.
2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as the works are not compatible with the existing dwelling and surrounding neighbourhood character.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 2 February 2022

Drawing Numbers/Scheme

1-9

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Karen Robertson, Senior planning officer
E-mail:karen.robertson@edinburgh.gov.uk

Appendix 1

Consultations

The full consultation response can be viewed on the Planning & Building Standards Portal.

MEMORANDUM

To: Planning Officer
Karen Robertson

From: Transport
Matthew Simpson

Our Ref: 22/00461/FUL

22/00461/FUL
42 MACDOWALL ROAD
EDINBURGH
EH9 3EF

TRANSPORT CONSULTATION RESPONSE

Summary Response

No objections subject to appropriate conditions and informatives.

Full Response

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

1. The off-street parking space should comply with the Council's Guidance for Householders dated 2021 (see <https://www.edinburgh.gov.uk/downloads/file/27026/for-householders>) including:
 - a. Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;
 - b. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
 - c. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
 - d. Any gate or doors must open inwards onto the property;
 - e. Any hard-standing outside should be porous;
 - f. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>

Matthew Simpson

TRANSPORT
Matthew Simpson
Senior Transport Officer

Comments for Planning Application 22/00461/FUL

Application Summary

Application Number: 22/00461/FUL

Address: 42 Macdowall Road Edinburgh EH9 3EF

Proposal: Two storey extension to replace existing porch of upper villa plus new driveway.

Case Officer: Householder Team

Customer Details

Name: Mr Maurice Allan

Address: 44 MacDowall Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I support this application

Comments for Planning Application 22/00461/FUL

Application Summary

Application Number: 22/00461/FUL

Address: 42 Macdowall Road Edinburgh EH9 3EF

Proposal: Two storey extension to replace existing porch of upper villa plus new driveway.

Case Officer: Householder Team

Customer Details

Name: Mr Tony Harris (Grange/Prestonfield Community Council)

Address: 21 Mentone Terrace Edinburgh

Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. This site is on the corner with Savile Place and the application is to form a two storey extension on this corner, extending to the flank boundary of Savile Place, together with a driveway off Savile Place at the end of the back garden. 42 Macdowall Road is the upper flat of this building with number 40 at ground floor level and adjoining a similar arrangement of two flats to the east, under a single "four in a block" hipped roof building fronting onto Macdowall Road. The proposal is to replace the existing side porch of 42, with the two storey extension offering at ground level a new entrance and sun porch and additional bedroom above.

2. Grange/Prestonfield Community Council (GPCC) considers that the proposed flat-roofed extension in its form and treatment would be incompatible with the existing hipped roof building and would dominate this building and the streetscape, from both the main frontage of Macdowall Road and the flank frontage of Savile Place. This scheme is very similar to 17/02749/FUL withdrawn on 17th August 2017 and we consider this new proposal is not sufficiently different to justify any greater acceptance now than then. We note that an earlier different 2016 scheme was also withdrawn. GPCC is of the view that the current scheme would conflict with policies in the Local Development Plan, specifically Des1, Des4 and Des12.

3. GPCC has no objection in principle to the driveway at the end of the garden, but points out that the limited length available and the inward opening gates proposed could affect the size of car to be parked and this could constrain the interests of future occupants of the dwelling.

4. In summary therefore GPCC objects to this application and asks that it be refused.

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100527389-005

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	David Hewitt Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	David	Building Name:	Wellsprings
Last Name: *	Hewitt	Building Number:	71
Telephone Number: *	01316571169	Address 1 (Street): *	Whitehill Street
Extension Number:		Address 2:	Newcraighall
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH21 8QZ
Email Address: *	david@wellsprings.uk.net		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Rupert"/>	Building Number:	<input type="text" value="42"/>
Last Name: *	<input type="text" value="Ward"/>	Address 1 (Street): *	<input type="text" value="Macdowall Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH9 3EF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="42 MACDOWALL ROAD"/>
Address 2:	<input type="text" value="BLACKFORD"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH9 3EF"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="671216"/>	Easting	<input type="text" value="326554"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Two storey extension to replace existing porch of upper villa plus new driveway

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

The proposed chamfered extension is to the NW of the ground floor window, which faces directly SW with full sun all day, so given its position, this window would not be adversely affected. There are many precedents of flat roofed extensions built onto hipped roof dwellings in the area, contemporary and traditional. The scale of the extension would not in reality dominate the street – it would in fact be dwarfed by the four-storey tenements opposite. Please see full supporting statement (uploaded)

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Drawing 113-4-09 now shows the proposed street elevations with the adjacent tenements. We feel that this context was not adequately taken into account previously. Please see the full statement in the Supporting Documents.

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Dwg. 113-4-01 EXISTING PLAN, Dwg. 113-4-02 EXISTING ELEVATIONS, Dwg. 113-4-03 PROPOSED GROUND PLAN, Dwg. 113-4-04 PROPOSED 1ST PLAN, Dwg. 113-4-05 PROPOSED SECTION, Dwg. 113-4-06 PROPOSED ELEVATIONS, Dwg. 113-4-07 SUN PATH DIAGRAM, Dwg. 113-4-08 PROPOSED SITE PLAN, Dwg. 113-4-09 STREET VIEW, Document 113-4-10 Statement of Grounds of Appeal, Document 113-4-11 Photographs, Planning Application, Planning Refusal, 113-2 Location Plan

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/00461/FUL

What date was the application submitted to the planning authority? *

02/02/2022

What date was the decision issued by the planning authority? *

01/07/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

The scale of the proposal and the relative limitation of its impact can best be seen in context with the surrounding buildings and open aspect for daylight

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr David Hewitt

Declaration Date: 09/09/2022



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100527389-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Two storey extension to replace existing porch of upper villa plus new driveway

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details


Company/Organisation:	David Hewitt Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	David	Building Name:	Wellsprings
Last Name: *	Hewitt	Building Number:	71
Telephone Number: *	01316571169	Address 1 (Street): *	Whitehill Street
Extension Number:		Address 2:	Newcraighall
Mobile Number:	07747740381	Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH21 8QZ
Email Address: *	david@wellsprings.uk.net		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Rupert	Building Number:	42
Last Name: *	Ward	Address 1 (Street): *	Macdowall Road
Company/Organisation:		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	EH9 3EF
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

42 MACDOWALL ROAD

Address 2:

BLACKFORD

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH9 3EF

Please identify/describe the location of the site or sites

Northing

671216

Easting

326554

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Original discussions in 20216 with Ruth King who noted that the daylight to the side window and the size of projection would need to be addressed. The proposals have been developed to take into account the issues raised.

Title:

Ms

Other title:

First Name:

Ruth

Last Name:

King

Correspondence Reference Number:

Date (dd/mm/yyyy):

13/12/2016

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

1

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: David Hewitt

On behalf of: Mr Rupert Ward

Date: 01/02/2022

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) Have you provided a written description of the development to which it relates? * Yes No

b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No

c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No

d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No

e) Have you provided a certificate of ownership? * Yes No

f) Have you provided the fee payable under the Fees Regulations? * Yes No

g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

David Hewitt Architects.
Wellsprings
71 Whitehill Street
Musselburgh
EH21 8QZ

Mr Rupert Ward.
42 Macdowall Road
Edinburgh
EH9 3EF

Decision date: 1 July 2022

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013

Two storey extension to replace existing porch of upper villa plus new driveway.
At 42 Macdowall Road Edinburgh EH9 3EF

Application No: 22/00461/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 2 February 2022, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as The works will result in an unreasonable loss of neighbouring amenity.
2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as the works are not compatible with the existing dwelling and surrounding neighbourhood character.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 1-9, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. The works will result in an unreasonable loss of neighbouring amenity. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Karen Robertson directly at karen.robertson@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Document no.113-4-10

Statement of Appeal for side extension at 42 Macdowall Road, Edinburgh

We appeal the refusal of planning consent for the above property, that was issued on the grounds that a. The works will result in an unreasonable loss of neighbouring amenity, and b. the works are not compatible with the existing dwelling and surrounding neighbourhood character

- a. That the works will result in an unreasonable loss of neighbouring amenity

The main issue here was regarding overshadowing of the window on the rear apartment to the ground floor flat. However, we would contend that in practice, due to the proposed shape of the extension, it would have no real impact on the daylight or outlook from this window. Indeed, no objection was lodged by the owners of the ground floor flat, and the neighbours at no.44 opposite actually wrote in support of the application.

The proposed extension would have a chamfered layout, thus complying with the 45-degree daylight rule on plan (a line drawn to the midpoint of the neighbour's side window). When the sun path diagram is studied, this shows it would also have no impact in elevation. Only when the sun is nearing the summer solstice could it cast shadow on the neighbour's window, but at this time the sun angle would be so low that it would be no different to the current overshadowing situation with the existing porch and the large conifer (see Sun Path Diagram) which already casts shadow over the side window at ground floor. Furthermore, the sun drops behind nos. 19 and 21 Macdowall Road, on the opposite corner. As the side window from 40 Macdowall Road faces directly south-west, it gets full sun all day, and given the chamfered plan of the new extension and its position to the north-west, this window would not be adversely affected, and so daylight is maintained.

- b. That the works are not compatible with the existing dwelling and surrounding neighbourhood character

Grange/Prestonfield Community Council (GPCC) considers that the proposed flat-roofed extension in its form and treatment would be incompatible with the existing hipped roof building and would dominate this building and the streetscape, from both the main frontage of Macdowall Road and the flank frontage of Savile Place.

However, as we demonstrate below, there are many precedents of flat roofed extensions built onto hipped roof dwellings in the area. In Macdowall Road alone there are 4 two-storey, flat-roofed extensions (numbers 37, 45, 49 and 58) and two single-storey, flat-roofed extensions (at numbers 17 and 44 directly opposite the applicant's site on Macdowall Road and on the other corner of Savile Place).

Although the proposal is contemporary in style, again there are precedents (such as 49 Macdowall Road, just up the street, and 8 Eva Place nearby) with many examples of the successful juxtaposition of old and new in Edinburgh today (see photos below). The area has an eclectic character already, from large sandstone tenements to Victorian and Edwardian villas and also inter-war and post-war development.

In fact, the front and side elevations of the extension would follow the pattern of the existing finishes at ground floor level, with sandstone masonry and retaining the door surround from the existing porch, with a matching stone plinth and string course. The colour of first floor cladding would complement this but give a contemporary appearance in line with the flat roof finish. The applicant is willing to consider other forms of treatment to this if preferred. At the rear the ground floor would be finished in smooth render. The contemporary nature of the design is dictated by the plan and the need for a flat roof due to Velux windows on the upper roof.

The scale of the proposed extension would not in reality dominate the street, and as the submitted street elevations now show, it would in fact be dwarfed by the four-storey tenements opposite.

Example of contemporary two-story extension in the same street, at 49 Macdowall Road:



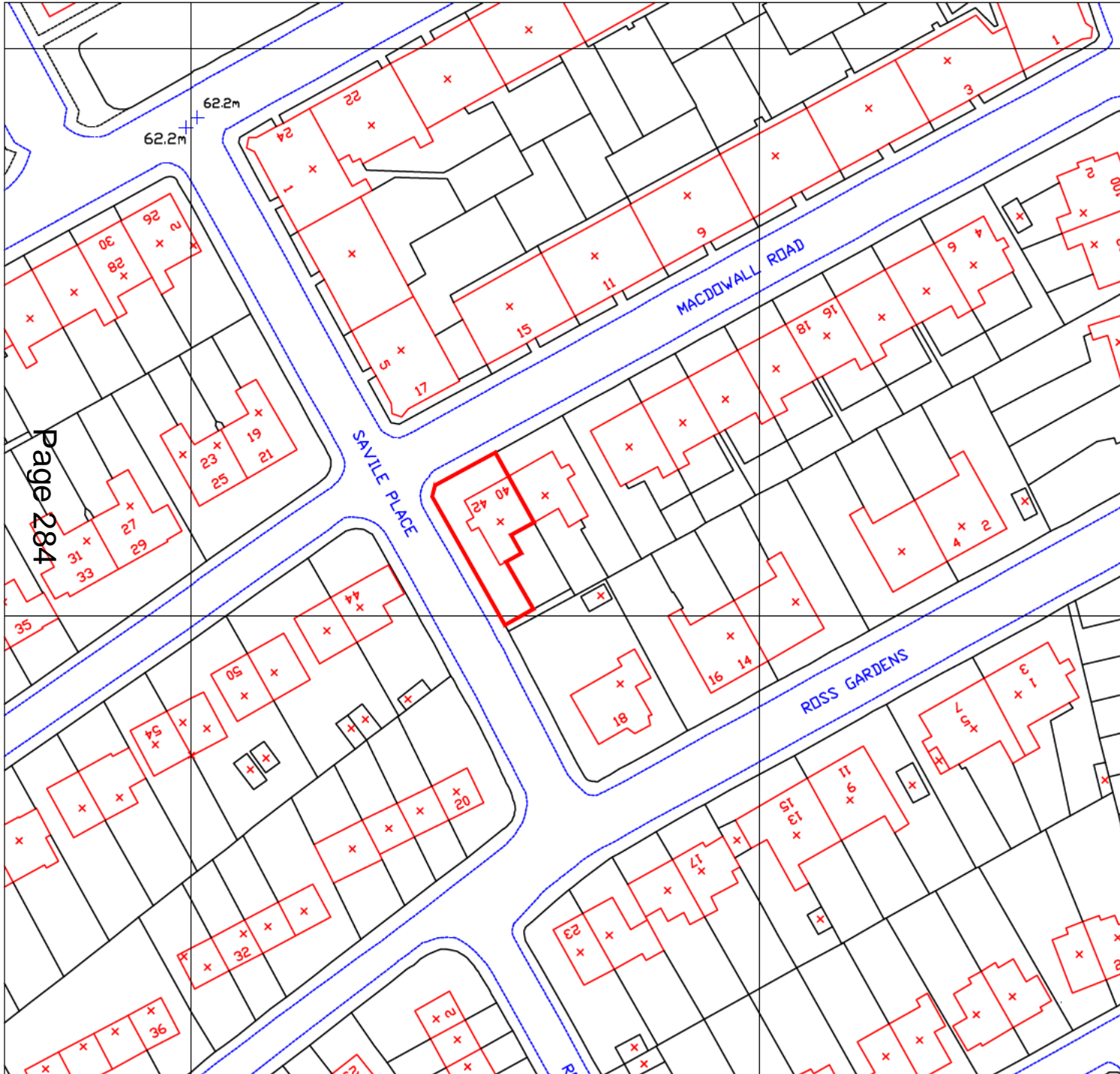
Example of contemporary two-story extension in the vicinity, at 8 Eva Place:



There are also many similar examples of modern architecture sitting comfortably with traditional buildings in the city:



In conclusion, this extension of the applicants' property would accommodate this growing family and allow them to remain in this home, within walking distance of school and cycling distance to work. Furthermore, the addition of a vehicle run-in (mirroring their rear neighbour's driveway) with electrical charge point would assist with the move towards sustainable transport.



713

712

Revision	Date	Details

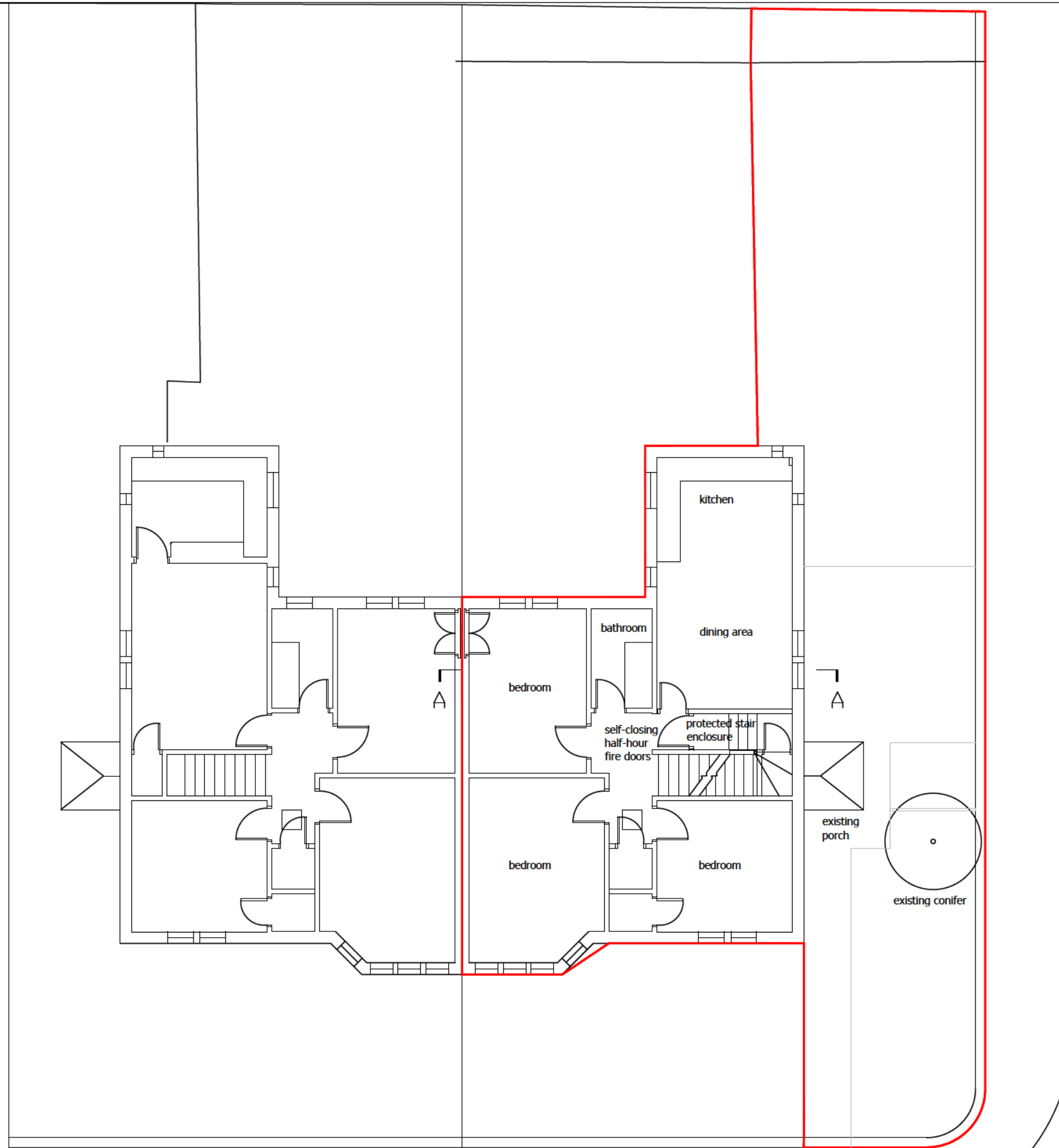
David Hewitt Architects
 71 Whitehall Street, Newcraighall
 EDINBURGH
 EH21 8QZ
 Tel 0131 657 1169
 Mobile 07747740381

Client
 Mr & Mrs R Ward

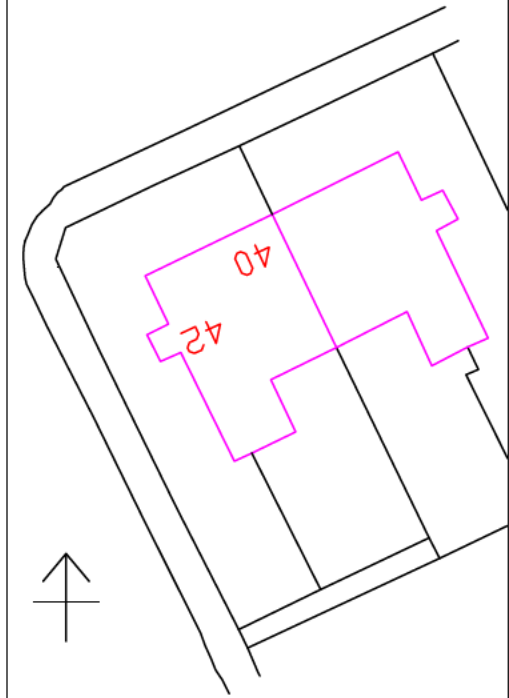
Project
 42 McDowall Rd EH9 3EF

Title
 LOCATION PLAN

CAD Ref:		Date Jan 14	
Drawn DH		Scale 1:1250	
Job Number	Code	Drawing No.	Rev.
113	2	LOC	



0 1 2 3 4m **EXISTING FIRST FLOOR PLAN**



BLOCK PLAN 1:500

Revision	Date	Details
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David Hewitt Architects
 71 Whitehill Street, Newcraighall
 EDINBURGH
 EH21 8QZ
 Tel 0131 657 1169
 Mobile 07747740381

Client
Mr & Mrs R Ward

Project
42 Macdowall Rd EH9 3EF

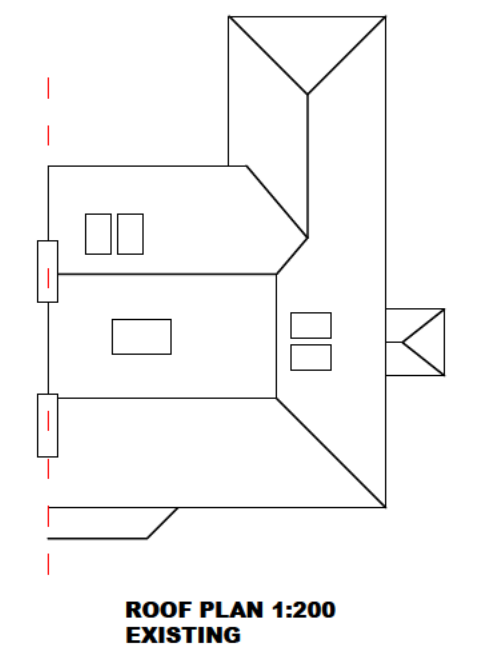
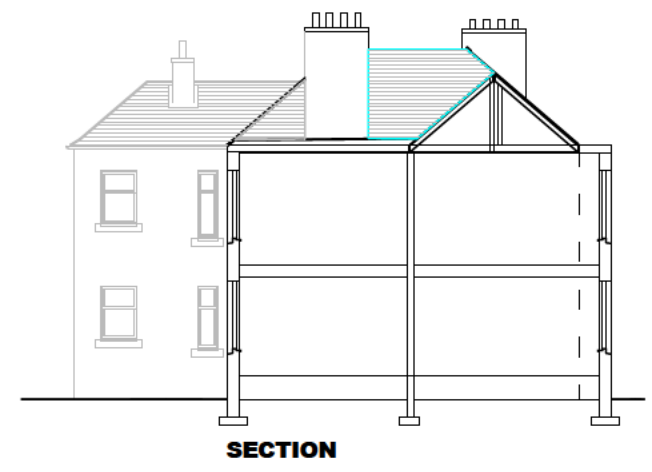
Title
Existing PLAN & BLOCK PLAN

CAD Ref:	Date Jan 22
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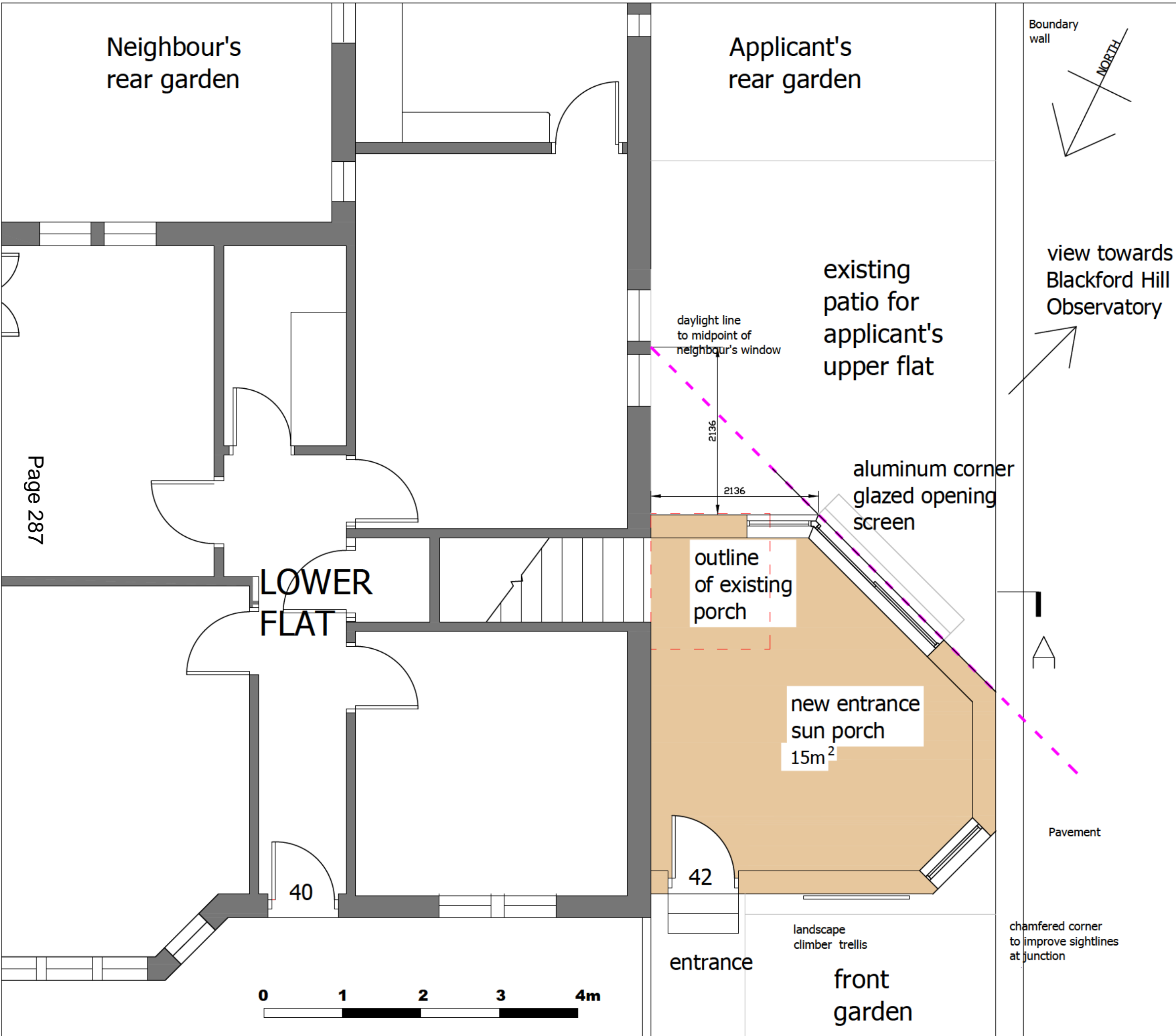
Drawn DH	Scale 1:100 1:500
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Job Number	Code	Drawing No.	Rev.
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113	4	01	
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Revision	Date	Details	
<p>David Hewitt Architects 71 Whitehill Street, Newcraighall EDINBURGH EH21 8QZ Tel 0131 657 1169 Mobile 07747740381</p>			
<p>Client Mr & Mrs R Ward</p>			
<p>Project 42 Macdowall Rd EH9 3EF</p>			
<p>Title Existing ELEVATIONS</p>			
CAD Ref:		Date Jan 22	
Drawn DH		Scale 1:200	
Job Number	Code	Drawing No.	Rev.
113	4	02	



Page 287

LOWER FLAT

40

42

entrance

new entrance sun porch
15m²

outline of existing porch

aluminum corner glazed opening screen

daylight line to midpoint of neighbour's window

2136

2136

Applicant's rear garden

Neighbour's rear garden

existing patio for applicant's upper flat

front garden

landscape climber trellis

chamfered corner to improve sightlines at junction

Pavement

Road

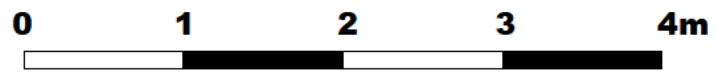
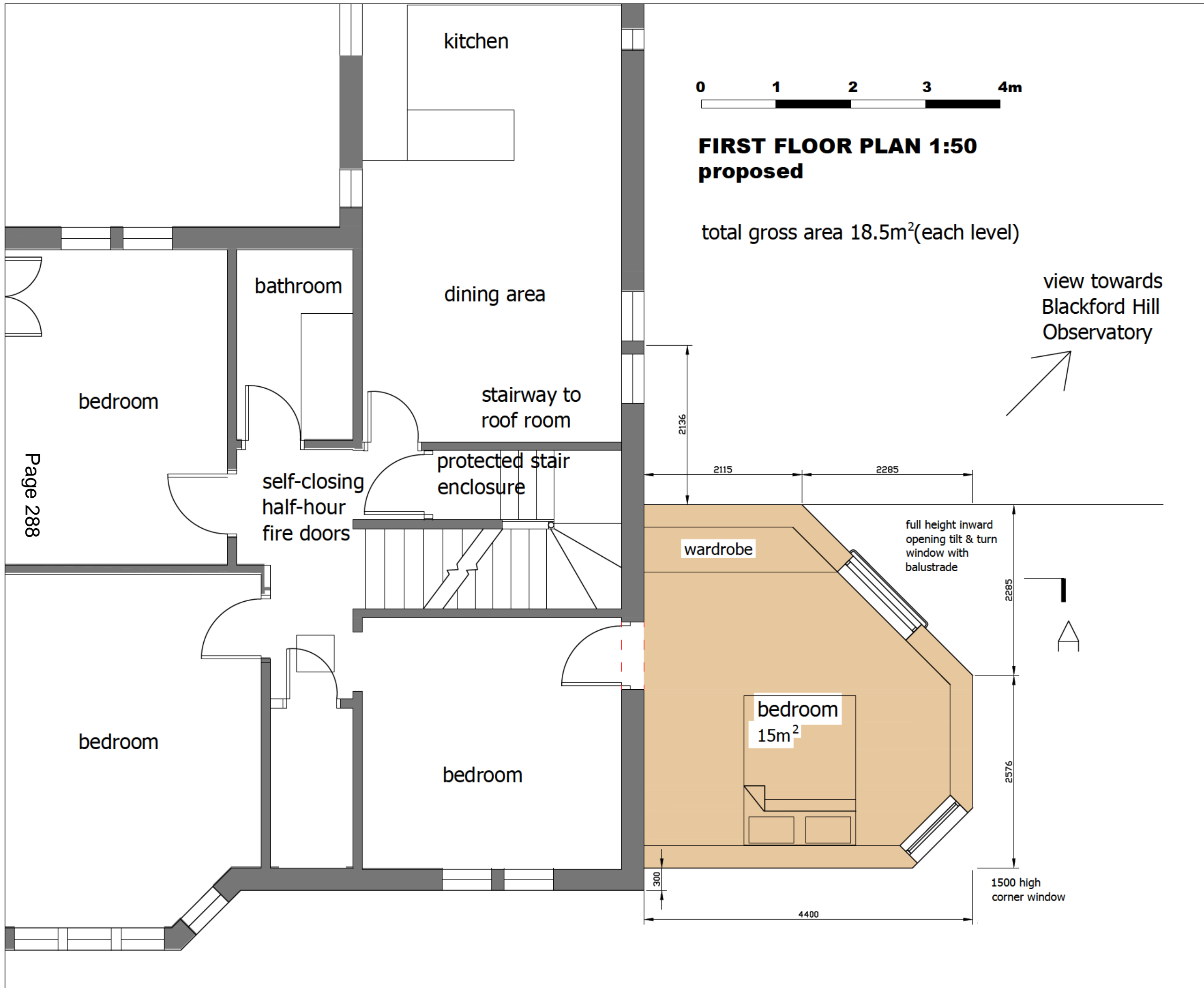
Boundary wall

NORTH

view towards Blackford Hill Observatory



Revision	Date	Details	
David Hewitt Architects 71 Whitehill Street, Newcraighall EDINBURGH EH21 8QZ Tel 0131 657 1169 Mobile 07747740381			
Client Mr & Mrs R Ward			
Project 42 Macdowall Rd EH9 3EF			
Title Proposed GROUND FLOOR			
CAD Ref:		Date JAN 2022	
Drawn DH		Scale 1:50	
Job Number	Code	Drawing No.	Rev.
113	4	03	



**FIRST FLOOR PLAN 1:50
proposed**

total gross area 18.5m²(each level)

view towards
Blackford Hill
Observatory

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Revision	Date	Details
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David Hewitt Architects
71 Whitehill Street, Newcraighall
EDINBURGH
EH21 8QZ
Tel 0131 657 1169
Mobile 07747740381

Client
Mr & Mrs R Ward

Project
42 Macdowall Rd EH9 3EF

Title
Proposed FIRST FLOOR

CAD Ref: _____ Date
JAN 2022

Drawn
DH Scale
1:50

Job Number	Code	Drawing No.	Rev.
113	3	04	

5908

NEW SIDE
EXTENSION

existing
roof room

bedroom

2400

SCFD
to hall

3104

new sunporch

2420

line of existing
Stairs

NEIGHBOUR'S
FLAT

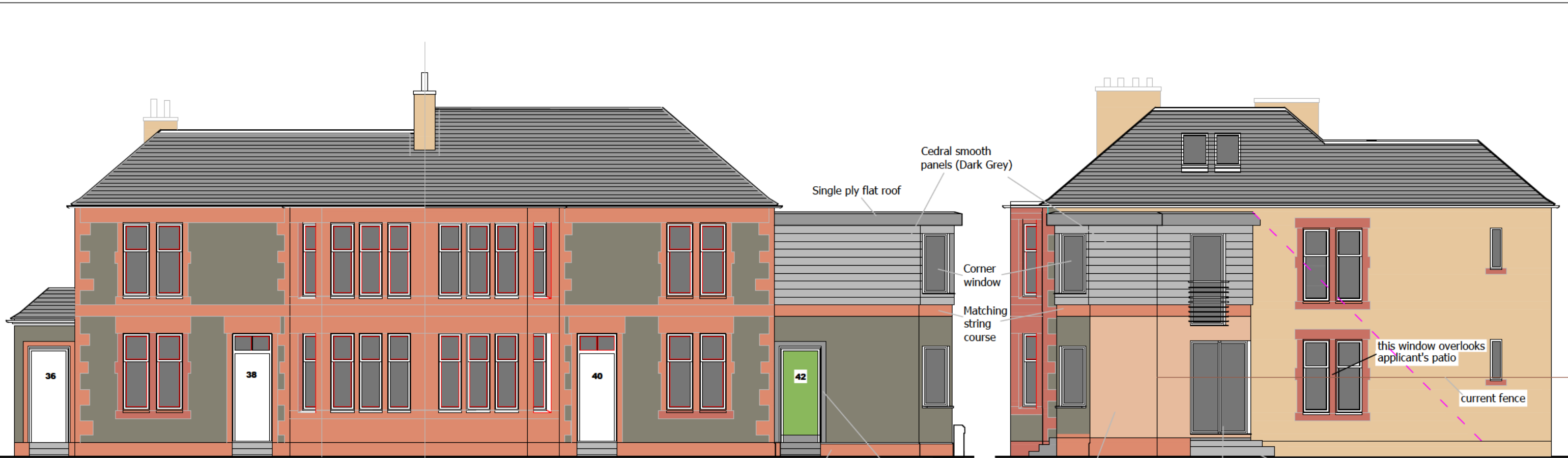
existing porch
floor level

outline of
existing porch

SECTION A-A

0 1 2 3 4m

Revision	Date	Details
<p>David Hewitt Architects 71 Whitehill Street, Newcraighall EDINBURGH EH21 8QZ Tel 0131 657 1169 Mobile 07747740381</p>		
<p>Client Mr & Mrs R Ward</p>		
<p>Project 42 Macdowall Rd EH9 3EF</p>		
<p>Title Proposed SECTION</p>		
<p>CAD Ref:</p>		<p>Date JAN 2022</p>
<p>Drawn DH</p>		<p>Scale 1:50</p>
<p>Job Number</p>	<p>Code</p>	<p>Drawing No.</p>
<p>113</p>	<p>4</p>	<p>05</p>
		<p>Rev.</p>



FRONT ELEVATION



WEST SIDE ELEVATION

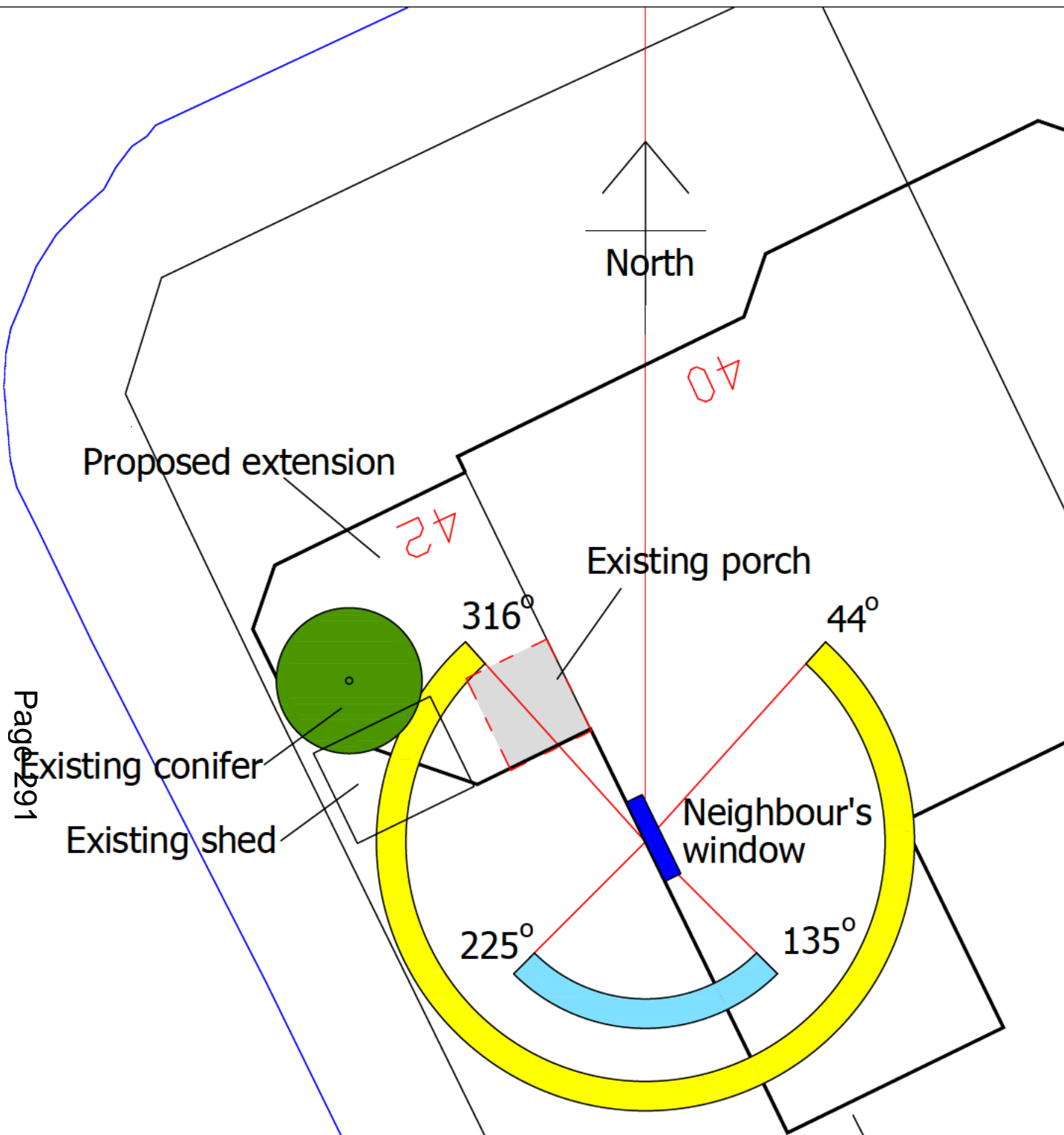
45 degree line shown on elevation [note: the extension only projects 2115mm at right angles to the wall at this point]

Page 290



REAR ELEVATION

David Hewitt Architects 71 Whitehill Street, Newcraighall EDINBURGH EH21 8QZ Tel 0131 657 1169 Mobile 07747740381		Project 42 Macdowall Road	
Title PROPOSED ELEVATIONS			
CAD Ref:		Date 2022	
Drawn DWH		Scale 1:100	
Client Mr & Mrs R Ward	Job Number 113	Code 4	Drawing No. 6
			Rev.

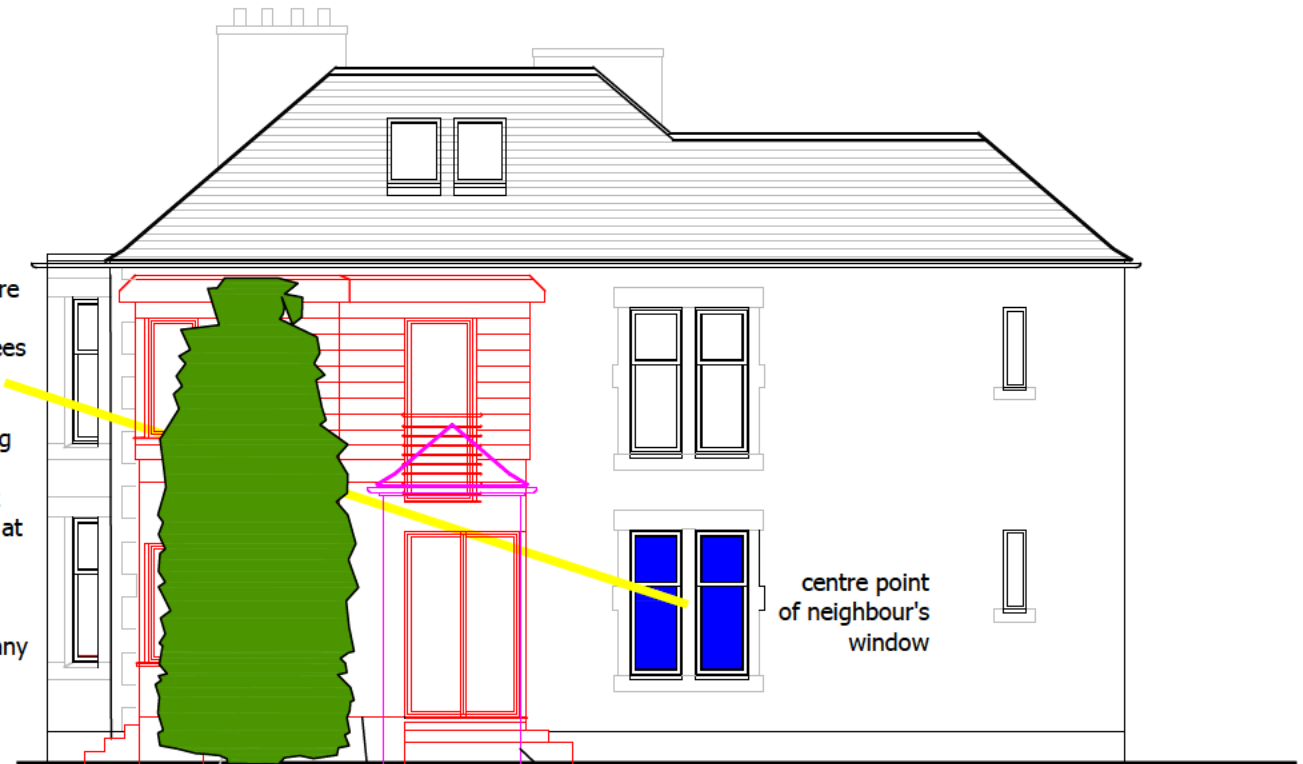


SUN PATH AND DAYLIGHT

- Winter solstice sun path
- Summer solstice sun path

Angle of sun before extension casts shadow (18 degrees at approx 8pm) - currently already blocked by existing porch and mature conifer - for last 2 hrs before sunset at summer solstice.

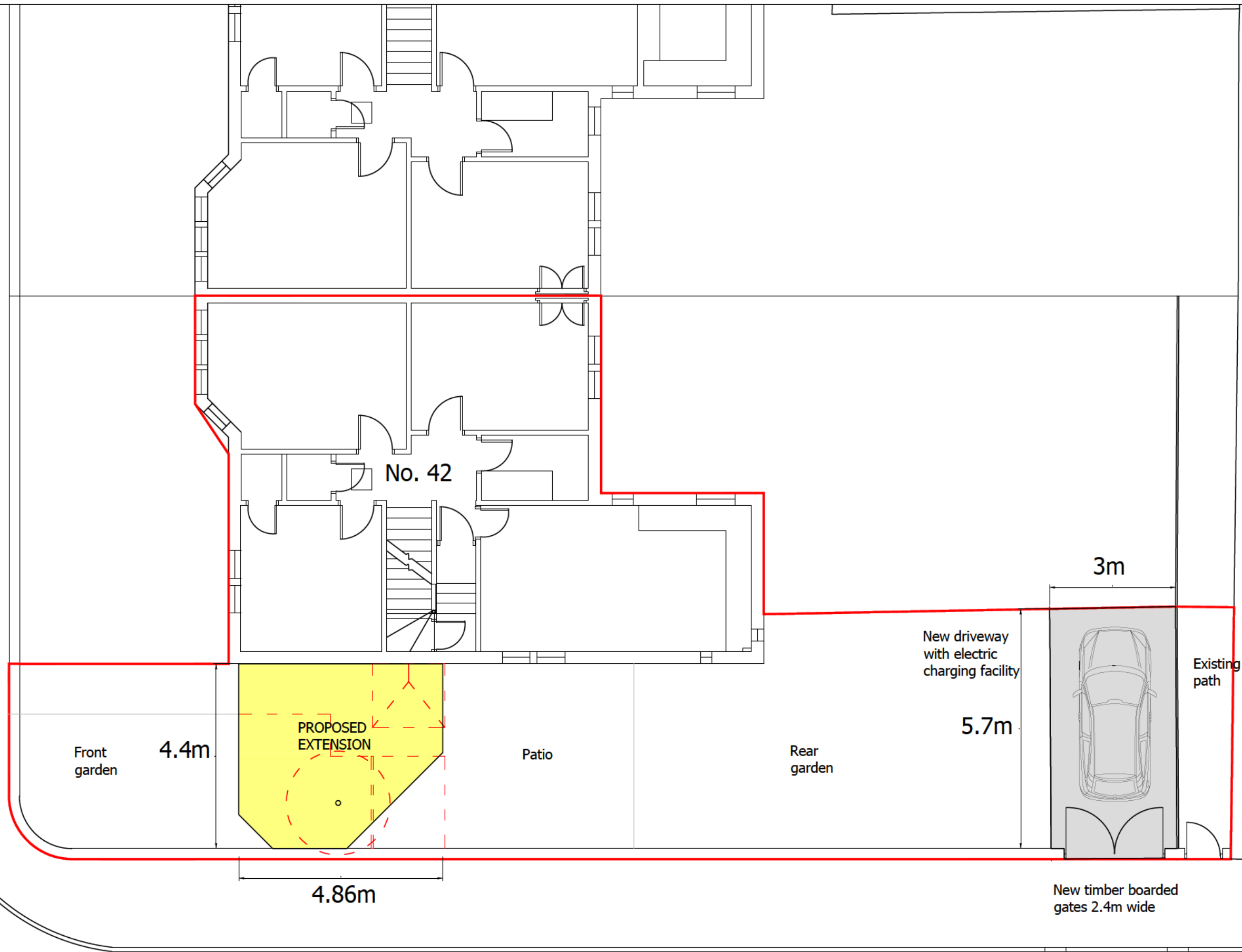
For most of year this will not cast any shadow.



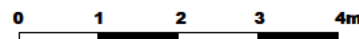
WEST SIDE ELEVATION

existing mature conifer proposed extension shown in red existing porch shown in magenta

Revision	Date	Details	
David Hewitt Architects 71 Whitehill Street, Newcraighall EDINBURGH EH21 8QZ Tel 0131 657 1169 Mobile 07747740381			
Client Mr & Mrs R Ward			
Project 42 Macdowall Rd EH9 3EF			
Title SUN PATH / DAYLIGHT			
CAD Ref:		Date Jan 22	
Drawn DH		Scale 1:100	
Job Number	Code	Drawing No.	Rev.
113	4	07	



S A V I L E P L A C E



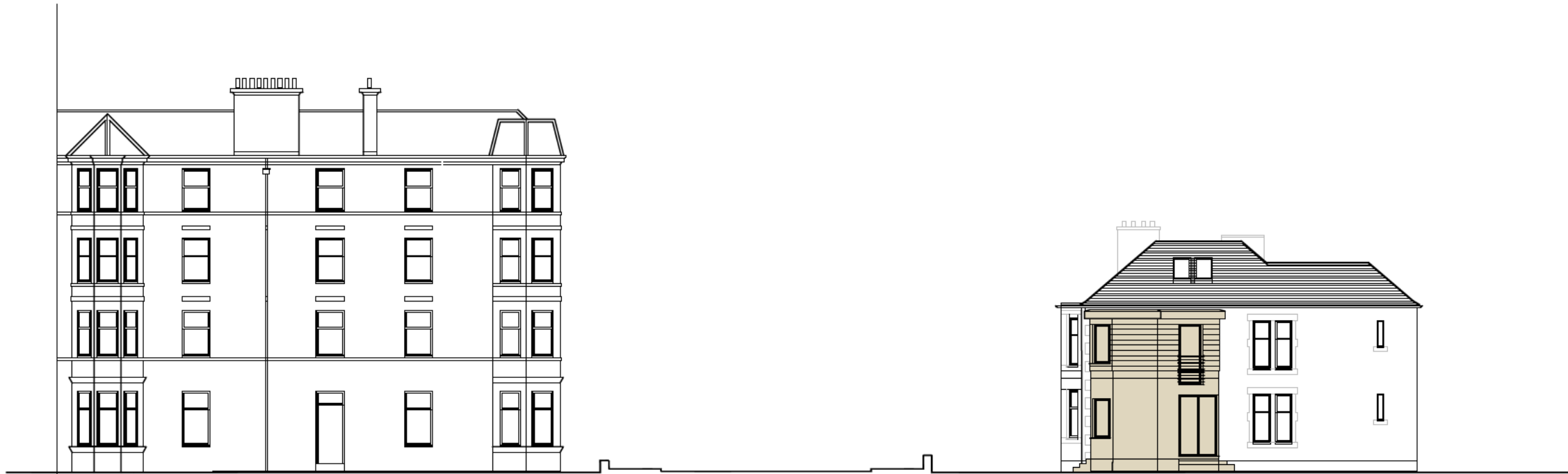
PROPOSED SITE PLAN



Revision	Date	Details	
David Hewitt Architects 71 Whitehill Street, Newcraighall EDINBURGH EH21 8QZ Tel 0131 657 1169 Mobile 07747740381			
Client Mr & Mrs R Ward			
Project 42 Macdowall Rd EH9 3EF			
Title Proposed SITE PLAN			
CAD Ref:		Date JAN 2022	
Drawn DH		Scale 1:100	
Job Number	Code	Drawing No.	Rev.
113	4	08	



LOOKING NW ALONG SAVILE PLACE



LOOKING NE ALONG MACDOWALL ROAD

0 8m
 TENEMENT HEIGHT SCALED FROM STONE COURSING
 FENESTRATION IS APPROXIMATE

David Hewitt Architects 71 Whitehill Street, Newcraighall EDINBURGH EH21 8QZ Tel 0131 657 1169 Mobile 07747740381		Project 42 Maccowall Road	
		Title STREET ELEVATIONS	
		CAD Ref:	Date 2022
		Drawn DWH	Scale 1:200
Client Mr & Mrs R Ward		Job Number 113	Code 4
		Drawing No. 9	

Document no.113-4-11 PHOTOGRAPHS

Photo 1 – View North East along Macdowall Road with applicant’s house on right.



Photo 2 – View South East along Savile Place with applicant’s house on left.



Photo 3 – View from applicant’s home across Savile Place showing no.44 Macdowall Road opposite.



Photo 4 – View towards side of applicant’s house from the rear, showing the side windows in full sun.



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John Tod Associates.
59 Edinburgh Road
Musselburgh
EH21 6EE

Mr Murdochy
227 Portobello High Street
Edinburgh
EH15 2AN

Decision date: 17 June 2022

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Proposed alterations extension and use of a hot food takeaway and an office to form a restaurant.

At 227 & 229 Portobello High Street Edinburgh EH15 2AN

Application No: 21/04749/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 6 October 2021, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reason for Refusal:-

1. The proposal is contrary to the Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as it would have a materially detrimental effect on the living conditions of nearby residents.
2. The proposal is contrary to the Local Development Plan Policy Ret 11 in respect of Food and Drink Establishments, as it would be likely to lead to an unacceptable increase in noise and disturbance to the detriment of living conditions for nearby residents.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-08, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposal does not comply with the relevant policies within the Edinburgh Local Development Plan and the relevant Guidance in that it would have an unacceptable impact on amenity. No material considerations would outweigh this decision.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Murray Couston directly at murray.couston@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

Application for Planning Permission

227 & 229 Portobello High Street, Edinburgh, EH15 2AN

Proposal: Proposed alterations extension and use of a hot food takeaway and an office to form a restaurant.

Item – Local Delegated Decision

Application Number – 21/04749/FUL

Ward – B17 - Portobello/Craigmillar

Recommendation

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

Summary

The proposal does not comply with the relevant policies within the Edinburgh Local Development Plan and the relevant Guidance in that it would have an unacceptable impact on amenity. No material considerations would outweigh this decision.

SECTION A – Application Background

Site Description

The application site is a two storey building with the existing takeaway at ground floor and a flat above. The site also takes in the neighbouring single storey office.

Description Of The Proposal

Planning permission is sought for a change of use from hot food takeaway and office to a restaurant including a rear extension.

Supporting Information

A noise impact assessment has been submitted.

Relevant Site History

19/00020/FUL
227 Portobello High Street
Edinburgh

EH15 2AN

Alterations, extension & change of use of existing hot food takeaway to form class 3 restaurant.

Granted

2 April 2019

17/02368/FUL

227 Portobello High Street

Edinburgh

EH15 2AN

Sub-divide existing shop to form shop and 2 bedroom flat

Refused

11 August 2017

Other Relevant Site History

Consultation Engagement

Environmental Protection

Publicity and Public Engagement

Date of Neighbour Notification: 17 June 2022

Date of Advertisement: 15 October 2021

Date of Site Notice: 15 October 2021

Number of Contributors: 2

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 proposed changes represent minor alterations to the building. By virtue of their size, location and suitable materials, the works would not have a detrimental impact on the character and appearance of the conservation area.

Conclusion in relation to the conservation area

The proposal has regard to the desirability of preserving or enhancing the character or appearance of the conservation area. The proposal is acceptable with regards to Section 64 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997.

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 Retail policies Ret 3 and Ret 11
- LDP Housing policy Hou 7
- LDP Design policy Des 12

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering policy Env 6. The non-statutory Guidance for Businesses is a material consideration that is relevant when considering policies Ret 3 and Ret 11.

Principle

The site is located within Portobello Town Centre. The existing uses are a hot food takeaway and office. The proposal would not result in the loss of a retail unit and therefore complies with policy Ret 3.

Policy Ret 11 states that if a proposal is likely to lead to an unacceptable increase in noise to the detriment of living conditions for nearby residents then it will not be supported. Although it is acknowledged that the current use is that of a hot food takeaway, the extension to the rear would intensify the use of the premises and potentially impact on surrounding properties. Furthermore, consent was granted for a similar proposal in 2019 (19/00020/FUL), however, this was assessed with no noise impact assessment and on the basis that the flat above did not object.

Environmental Protection have objected to the proposal. This is discussed further in the section on amenity below. The proposal does not comply with policy Ret 11 and is therefore not acceptable in principle.

Scale, form and design

The proposed external works would represent suitable additions that would be acceptable in this location. The proposed materials are also acceptable in that they would be congruous to the application site and the surrounding area.

This would comply with Des 12 in terms of design.

Amenity

Following submission of a noise impact assessment, Environmental Protection have objected to the proposal. Concerns have been raised regarding breakout noise from the rear extension and the lack of information regarding the flue and ventilation. As noted above, permission for a similar scheme was granted in 2019 without the benefit of a noise impact assessment. Furthermore, regardless of the ownership or stance on the scheme of the property above the proposed restaurant, this is not something that can be controlled in perpetuity by the Council and any future tenants may find the restaurant a nuisance.

Taking this into consideration, the proposal would not be acceptable in terms of amenity by virtue of its potential adverse impact on residential amenity.

This is contrary to Hou 7 in terms of amenity.

Conservation area

This has been addressed above. The proposal complies with policy Env 6.

Conclusion in relation to the Development Plan

The proposal is not acceptable in principle and is likely to have an adverse impact on neighbouring residential amenity. It is, therefore, contrary to the Development Plan.

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 is contrary to Paragraph 29 of SPP, specifically principle 13.

Emerging policy context

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

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

Two letters of representation have been received, one objecting and one making neutral comments. A summary of the representations is provided below:

material considerations

- noise: this has been assessed in the amenity section;
 - extension and decking: this has been assessed in the scale, form and design section;
 - principle: this has been assessed in the section on principle;
 - potential signage: this would be assessed separately by way of an advert application.
- No changes to the front elevations were submitted as part of the application.

non-material considerations

- recycling

Conclusion in relation to identified material considerations

The proposal is not acceptable with regards to the above as it does not comply with Paragraph 29 of SPP.

Overall conclusion

The proposal does not comply with the relevant policies within the Edinburgh Local Development Plan and the relevant Guidance in that it would have an unacceptable impact on amenity. No material considerations would outweigh this decision.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reason for Refusal

1. The proposal is contrary to the Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as it would have a materially detrimental effect on the living conditions of nearby residents.
2. The proposal is contrary to the Local Development Plan Policy Ret 11 in respect of Food and Drink Establishments, as it would be likely to lead to an unacceptable increase in noise and disturbance to the detriment of living conditions for nearby residents.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 6 October 2021

Drawing Numbers/Scheme

01-08

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Murray Couston, Planning Officer
E-mail:murray.couston@edinburgh.gov.uk

Consultations

NAME: Environmental Protection

COMMENT: Environmental Protection is unable to support this application.

The current takeaway part of the proposed site is the ground floor of a two-storey building with residential property above. The application also includes a proposal to have decking and seating for patrons in the rear garden with folding doors at the rear of the ground floor premises to provide access. There are residential properties overlooking the garden.

Environmental Protection has significant concerns about the noise from outdoor activities affecting the amenity of nearby residents. Noise, in particular vocals, from outdoor eating and drinking areas are extremely difficult to modulate and control. There are no mitigation measures, beyond fully enclosing the area, which has not been suggested as part of this application. Nearby residents would likely be subjected to unacceptable levels of noise, and it would be detrimental to residential amenity. In addition, the Noise Impact Assessment (Sandy Brown Limited, ref: 22165-R01-B, dated 17 May 2022) submitted by the applicant relies on the sound insulation properties of glazing to the rear, including large folding doors to meet the expected sound insulation standards. It is highly likely these doors will be kept open for long periods to provide access to the rear seating area, thus no longer meeting the standards set to protect nearby residential amenity.

The Noise Impact Assessment advises that the intention is to operate the business between 10.00 - 01.00 hours. Our Planning colleagues have advised that conditions on hours of operation would not be accepted.

We also have concerns that the position of the extract flue termination point may be too low and cause odour issues in nearby residential properties. In addition, no detail has been provided about the sound levels from the extract flue.

Therefore, Environmental Protection cannot support the application and recommend refusal.

DATE:

The full consultation response can be viewed on the Planning & Building Standards Portal.

To: Murray Couston
From: Claire Devlin, Environmental Protection

Date: 27 May 2022

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

21/04749/FUL | Proposed alterations extension and use of a hot food takeaway and an office to form a restaurant. | 227 & 229 Portobello High Street Edinburgh EH15 2AN

Environmental Protection is unable to support this application.

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We also have concerns that the position of the extract flue termination point may be too low and cause odour issues in nearby residential properties. In addition, no detail has been provided about the sound levels from the extract flue.

Therefore, Environmental Protection cannot support the application and recommend refusal.

Should you wish to discuss the above please contact me on 0131 469 5685.

Comments for Planning Application 21/04749/FUL

Application Summary

Application Number: 21/04749/FUL

Address: 227 & 229 Portobello High Street Edinburgh EH15 2AN

Proposal: Proposed alterations extension and use of a hot food takeaway and an office to form a restaurant.

Case Officer: Local1 Team

Customer Details

Name: Mrs Lynn Houmdi

Address: TF1, 3 Mount Lodge Place Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: While I support the diversification of businesses on Portobello High St and the range of restaurants available, I would like to note that this proposed restaurant is surrounded by residential properties. Our garden backs on to the proposed extension at the back of Oscar's and we have heard work being conducted there since the start of the first lockdown.

I would like to strongly urge the Council to set and enforce noise limit levels around the use of the outside space which ensure that my family and I and our neighbours are not disturbed when using our own garden in good weather. I would also like to note that adjoining the property is elderly residential housing (where my mother is resident) and the residents there should not be disturbed with loud music either.

Comments for Planning Application 21/04749/FUL

Application Summary

Application Number: 21/04749/FUL

Address: 227 & 229 Portobello High Street Edinburgh EH15 2AN

Proposal: Proposed alterations extension and use of a hot food takeaway and an office to form a restaurant.

Case Officer: Murray Couston

Customer Details

Name: Org Portobello Amenity Society

Address: 4a Elcho Terrace Edinburgh

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Portobello Amenity Society wishes to object to this application for the following reasons:

The drawings are incomplete in that no proposed front elevation to the two premises is shown.

Whilst there may be no major changes proposed there will undoubtedly be an illuminated sign and this design for this should be included in this application. It is particularly important to do so as the applicant has on many occasions ignored the need for planning permission, notably at King's Place. As shown, work has already started on a rear extension that does not comply with consented approval.

Clarity of use of the raised decking area to the rear is required as it could be used as an outdoor seated area for serving drinks and food. If this is intended then it should be shown on the application and any possibility of noise nuisance, especially during the late evening and night time taken into account when assessing this proposal. There are domestic properties backing onto this open court yard that may be affected.

The agent states that waste storage and recycling storage will be provided on site but these areas are not indicated on the submitted plans. It is not conceivable that these areas could be accommodated in the cellars. Again, as there are residential properties adjacent, these facilities should be located so as not to cause a nuisance to existing residents.

In addition to these objections, the Society is concerned about the loss of another commercial/shop unit in Portobello High Street. Recent applications in close proximity for change of use to class 3 from class 1 have been granted or are under consideration. It is necessary for a vibrant town centre to have a mixture of uses.

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Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100599939-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Sorrell Associates		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Jim	Building Name:	The Green House
Last Name: *	Sorrell	Building Number:	41
Telephone Number: *	0131 343 3643	Address 1 (Street): *	St Bernard's Crescent
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH4 1NR
Email Address: *	jimsorrell@sorrellassociates.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Harem"/>	Building Number:	<input type="text" value="227"/>
Last Name: *	<input type="text" value="Murdochy"/>	Address 1 (Street): *	<input type="text" value="Portobello High Street"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH15 2AN"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="227-229 Portobello High Street Edinburgh EH15 2AN"/>
--

Northing	<input type="text"/>	Easting	<input type="text"/>
----------	----------------------	---------	----------------------

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Proposed alterations, extension and use of a hot-food takeaway and office to form a restaurant

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See Planning Statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Planning Statement plus 24 documents which are recorded in the contents page of the Statement

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/04749/FUL

What date was the application submitted to the planning authority? *

10/09/2021

What date was the decision issued by the planning authority? *

17/06/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Site visit is necessary to appreciate the context of the property within Portobello Town Centre and its relationship with residential neighbours

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Jim Sorrell

Declaration Date: 16/09/2022

**227 & 229 Portobello High Street
Edinburgh EH15 2AN**

**Proposed Alterations, Extension and Use of
Existing Hot-Food Takeaway and Office
Premises to form a Restaurant**

Planning Statement

**Request to Review the Decision
to Refuse Planning Permission,
Application Ref 21/04749/FUL**

**For consideration by the Local Review
Body of City of Edinburgh Council**

On behalf of:

Mr Harem Murdochy

16^h September 2022

Sorrell Associates
planning | development | consultancy

The Green House
41 St Bernard's Crescent
Edinburgh EH4 1NR
Tel: 0131 343 3643
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2	DEVELOPMENT PLAN POLICY CONTEXT	9
3	IMPACT ON LIVING CONDITIONS OF NEIGHBOURING RESIDENTS	13
4	CONCLUSIONS	23

SUPPORTING DOCUMENTATION

Documents from Application 19/00020/FUL (the 'approved scheme')

- a) Proposed Layout plan
- b) Proposed Elevations
- c) Report of Handling
- d) Decision Notice, 2 April 2019

Licensing Document

- e) Section 50 Certificate, 7 June 2019

Documents Submitted with Application 19/04204/FUL (the 'current scheme')

- | | |
|--|--------------------|
| f) Location Plan & Block Plan | Drawing 00 BLP |
| g) Existing Floor Plan | Drawing 01 |
| h) Existing Roof Plan | Drawing 02 |
| i) Existing Rear & Side Elevations | Drawing 03 |
| j) Existing & Proposed Basement Plan | Drawing 04 |
| k) Proposed Ground Floor Plan | Drawing 05 |
| l) Proposed Roof Plan, Elevation & Garden Section | Drawing 06 amended |
| m) Proposed Floor Plan & Rear Elevation | Drawing 07 amended |
| n) Photographs of Works in Rear Garden - Sept 2021 | Drawing 08 |
| o) Approved & Proposed Plans & Elevations | Drawing 09 |
| p) Site Progress Photographs - June 2022 | Drawing 10 |

Post-Submission Documents

- q) Consultation Response - Neighbour
- r) Consultation Response - Portobello Amenity Society
- s) Noise Impact Assessment by Sandy Brown Ltd, 17 May 2022
- t) Consultation Response - CEC Environmental Protection, 27 May 2022
- u) Email from John Tod to Murray Coulsen, 8 June 2022
- v) Planning Officers' Report of Handling
- w) Decision Notice, 17 June 2022

New Document Submitted with Appeal

- x) 19/04204/FUL Approved & Proposed Plans & Elevations Drawing 09 amended

SECTION 1 INTRODUCTION

Background to the Proposal

- 1.1 This Planning Statement is submitted on behalf of Mr Harem Murdochy ('the applicant') regarding his proposal to alter and extend the property at 227-229 Portobello High Street and for its use as a restaurant (application reference 19/04204/FUL).

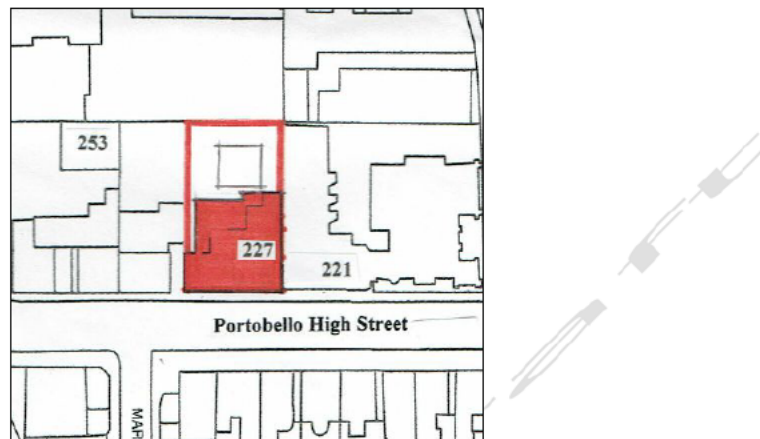


Fig 1 - Location of 227-229 Portobello High Street

- 1.2 The proposal was refused planning permission under delegated powers by planning officials of the City of Edinburgh Council ('the Council') on 17 June 2022 and Mr Murdochy is now seeking a review of that decision by the Council's Local Review Body ('LRB').
- 1.3 Under Section 43A of the Town & Country Planning (Scotland) Act the applicant has a period of three months following the refusal in which to request a review, in this case by 16 September 2022, and the review notice is being lodged within that timescale.
- 1.4 Mr Murdochy is an experienced and successful operator of restaurant, café and public house outlets in Portobello and Joppa. He wishes to extend his portfolio and his proposal is to develop the property for a new-concept high-quality restaurant which will operate as 'The Garden of Eden'.
- 1.5 He considers there is a particular opportunity for a high-end restaurant outlet in the area and believes it will be a positive addition to the existing Class 3 provision in Portobello High Street.

Former Use of the Property

- 1.6 Bluebell Inn Public House - The property was originally a public house known as the Bluebell Inn. It is purported to have been the first licensed premises in Portobello when it opened in the late 19th century and it remained a popular venue for both local people and a wider clientele until it closed in the mid-1990s.
- 1.7 The pub comprised two ground floor buildings. No227 on the west side comprised the main body of the pub including its principal entrance, with No229 on the east side having a smaller floor area and joined internally with No227 by an opening in the mutual wall.

- 1.8 There is a residential flat above No 227 on the west side, which was intended for occupation by the pub landlord. There are no buildings above No229.
- 1.9 There is a large external yard to the rear of the two buildings and news articles about the pub refer to this having been used as a beer garden:
<https://www.edinburghlive.co.uk/news/history/edinburgh-ghost-sign-uncovered-portobellos-23636693>



Fig 2 - Street view of the Bluebell Inn c1975 (source, Canmore). No 227 to the right, No229 to the left



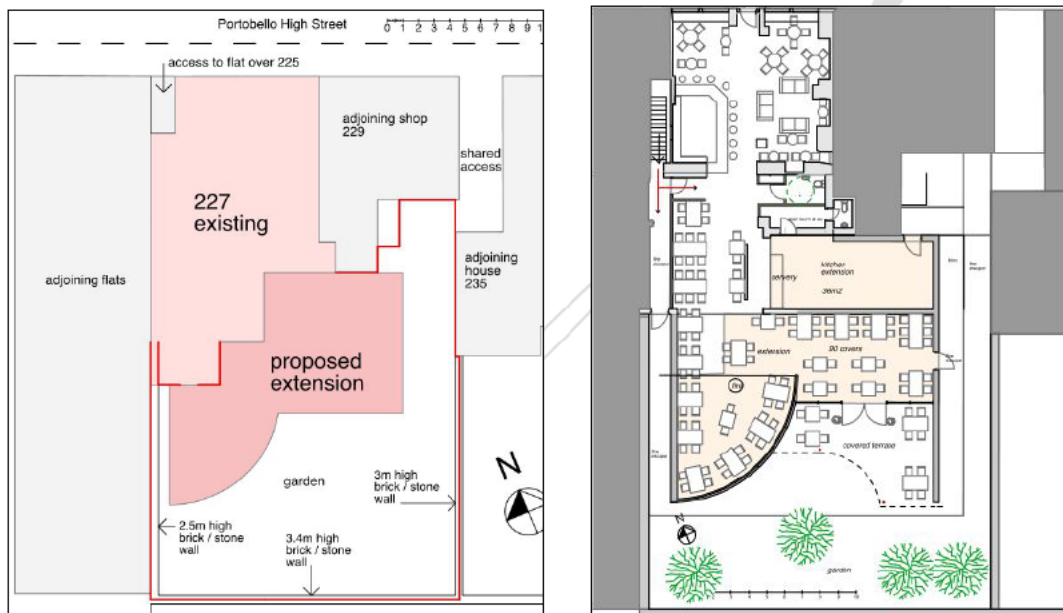
Fig 3 - Street view today

- 1.10 Hot Food Takeaway and Office Use - Following closure of the Bluebell Inn the property was split into separate ownerships.
- 1.11 No227 was converted to a hot food takeaway (planning approval ref 98/00179/FUL) and traded as Carlos fish & chip shop. The upstairs flat, accessed by a separate front door from the street, was acquired for private occupation.
- 1.12 No229 became a separate unit with the gap in the mutual wall closed up. It was initially used as a retail outlet and was then converted to Class 2 office use (planning approval 06/04793/FUL), being most recently occupied by Annan solicitors & estate agents.

The Applicant's Proposals

i) Initial Proposal 2019 - 'The Approved Scheme'

- 1.13 When no227 became available for sale it was purchased by Mr Murdochy in 2016, including ownership of the whole back garden area behind both outlets. Initially he continued operating a fish and chip shop, rebranded as Oscars. However he wished to develop it as a restaurant and he brought forward plans accordingly, submitting a planning application (ref 19/00020/FUL) in January 2019.
- 1.14 No229 was not in his ownership at that time and the proposal only related to no227. It comprised the conversion of the property, an extension to the rear and an outdoor terrace in the back garden with tables for serving meals to customers in addition to the tables inside.



Figs 4 & 5 - Existing and Proposed Floor plan layouts of the approved scheme

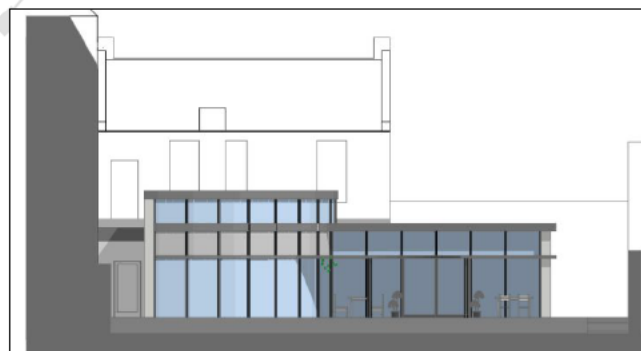


Fig 6 - Rear elevation of approved scheme

- 1.15 The appointed planning case officer determined that under Policy Ret11 of the Council's Local Development Plan (LDP) the proposed restaurant would be acceptable in terms of its impact on nearby residential neighbours.

- 1.16 This was because he considered the restaurant use would result in a **reduction** in any potential nuisance that might be caused by contrast with the previous use as a pub and a hot food takeaway, which he regarded as more onerous in terms of potential nuisance. He also considered the proposed use of the rear garden area would be appropriate given its relatively secluded situation with 'very few overlooking neighbours'.
- 1.17 Planning permission was accordingly granted by the Council, under officers' delegated powers, on 2 April 2019.
- 1.18 Mr Murdochy then commenced the approved building works for the restaurant conversion, which had the effect of formally implementing this consent.
- 1.19 The applicant also acquired the upstairs flat above no227 in 2020 and he now lives there as his principal residence.

ii) **The Current Proposal - 2021**

- 1.20 Having started the building works to no227, the adjacent property at no229 then became available for sale and Mr Murdochy secured its purchase.
- 1.21 This provided the opportunity for the proposed restaurant to incorporate both parts of the property. Mr Murdochy instructed his architect John Tod to bring forward a revised design and a fresh planning application was submitted in September 2021.

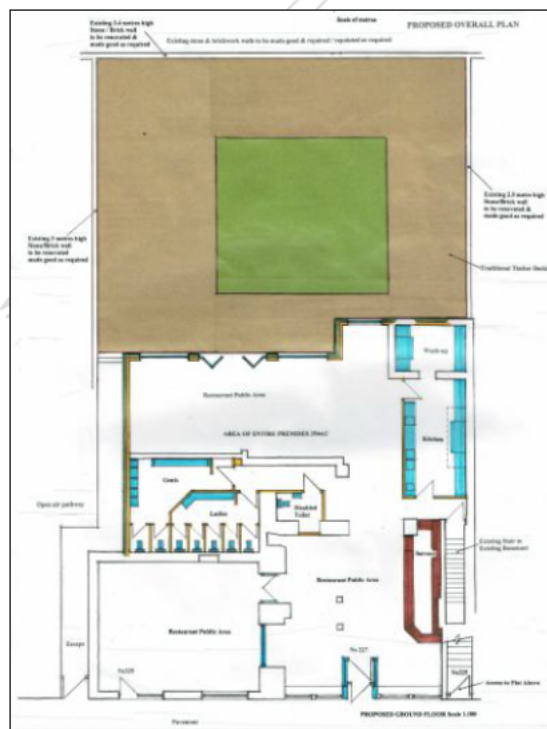


Fig 7 - Proposed Layout of Current Scheme

- 1.22 This includes the additional floor area of no229 at the front of the restaurant, reconfiguration of the internal layout, and a revised design at the rear with a smaller building extension than for the approved scheme.

- 1.23 The rear elevation of the new proposal has considerably less glazing than the approved scheme, but still includes folding doors giving access to the back garden which will be used for serving meals to customers. The proposal also includes works to upgrade the back garden by laying timber decking around a central sunken area, with a large amount of planting, shrubbery and trees throughout the garden.
- 1.24 Full details of the design are at para 50 below.

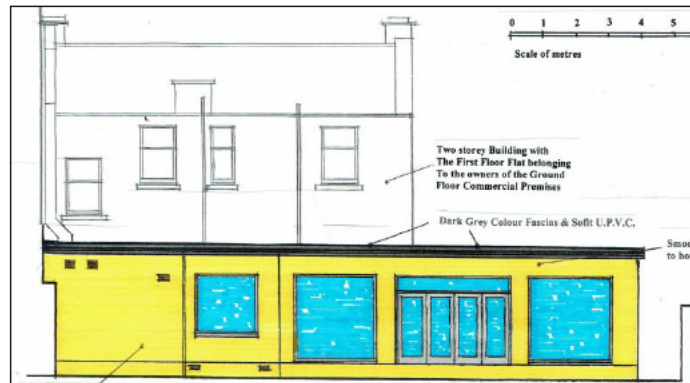
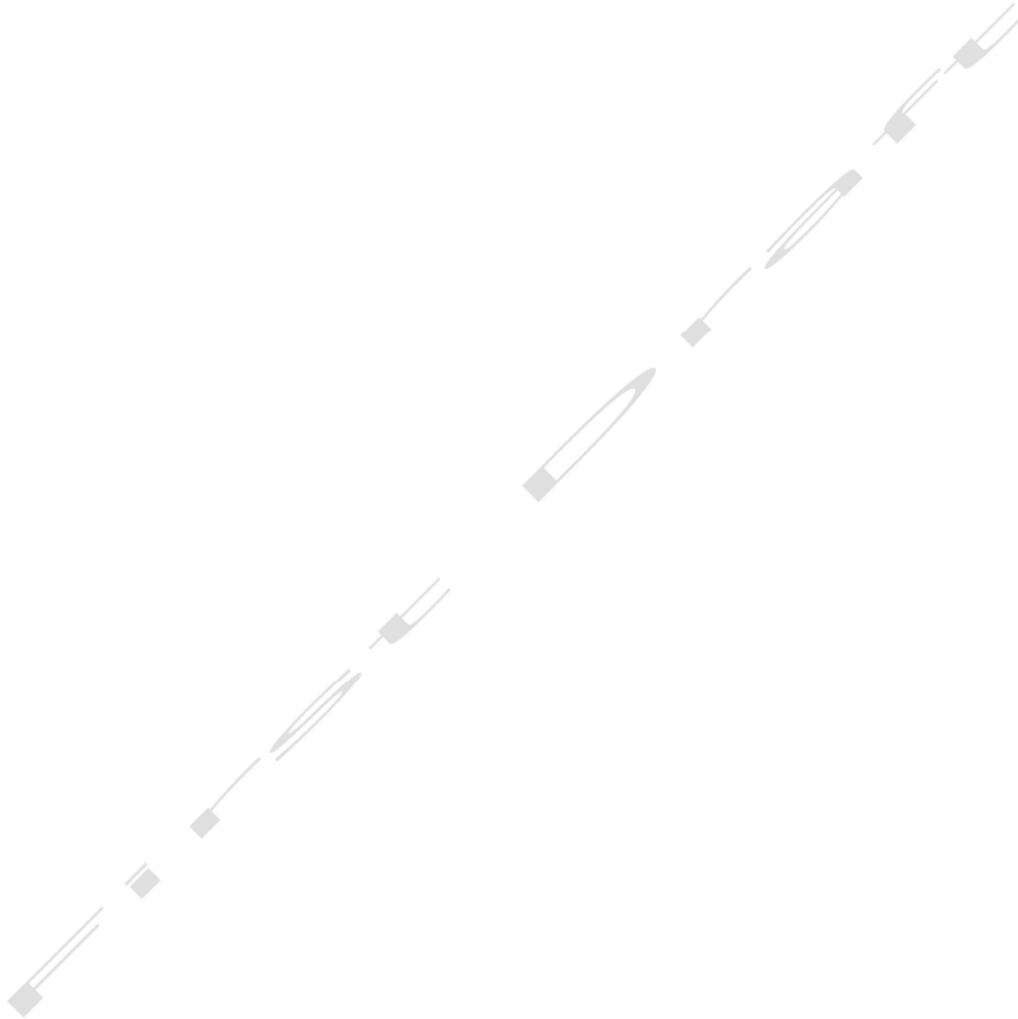


Fig 8 - Proposed rear elevation in the current scheme

- 1.25 **Planning Officer's Decision** - A different planning officer was appointed for the second application than for the first application and he took an entirely different approach. He ultimately formed the opinion that the restaurant would have an unacceptable impact on residential amenity and that planning permission should be refused.
- 1.26 The decision notice confirming the refusal was issued by the Council on 17 June 2022, under officers' delegated powers. Two reasons for refusal are stated in the decision notice:
- 1. The proposal is contrary to the Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as it would have a materially detrimental effect on the living conditions of nearby residents.***
 - 2. The proposal is contrary to the Local Development Plan Policy Ret 11 in respect of Food and Drink Establishments, as it would be likely to lead to an unacceptable increase in noise and disturbance to the detriment of living conditions for nearby residents.***
- 1.27 Both of these reasons refer to the planning official's conclusion that the proposed restaurant will result in unacceptable impact on the living conditions of nearby residents. Further explanation is given in the Report of Handling which accompanies the decision notice that this is based on: '*Concerns that have been raised regarding the breakout noise from the rear extension and the lack of information regarding the flue and ventilation*'.
- 1.28 These 'concerns' reflect several matters raised in a consultation response from the Council's Environmental Protection department which relate predominantly to noise that might emanate from the rear of the restaurant either by the glazed doors being left open, or from conversations of customers sat at the external tables.
- 1.29 **Basis of Appeal** - The applicant considers that the restaurant will not cause undue disturbance to residential neighbours and we consider each of the matters raised by

Environmental Protection later in this Statement.

- 1.30 However the over-riding justification for approval is that the aspects which are now considered unacceptable, which relate mainly to the use of the rear garden, have already been found acceptable for the approved scheme. It is therefore illogical and inconsistent to refuse the current scheme.
- 1.31 This is particularly as works had been carried out to implement the approved scheme and it could still be built-out to completion with effectively the same rear door arrangement and use of the garden for dining. We expand on this below.



SECTION 2 DEVELOPMENT PLAN POLICY CONTEXT

- 2.1 The well-known statutory process required by the Planning Act is for the planning application to be determined in accordance with the development plan unless material considerations indicate otherwise, and in this case the development plan principally comprises the Edinburgh Local Development Plan 2016 ('the LDP').
- 2.2 The property on Portobello High Street is within the designated Portobello Town Centre and is subject to relevant LDP policies relating to Shopping and Leisure. Policies relating to design and residential amenity are also relevant, and also regarding its location within the Portobello Conservation Area.

Policy Ret1 'Town Centre First Policy'

- 2.3 This states that '*planning permission will be granted for retail and other uses which generate a significant footfall.*' This follows a '*town centre first sequential approach*' in which location within a designated town centre is given the highest priority.
- 2.4 In our opinion the proposed restaurant falls within this definition of appropriate uses within a town centre and should be regarded as acceptable as a matter of principle. In this context it will introduce a vibrant commercial outlet that will generate interest and customer footfall and contribute to the overall vitality and viability of the town centre.

- 2.5 It will also provide a renewed purpose for the former Bluebell Inn premises which was a focal point in the street for so many years and has been sadly missed by so many since its closure.
- 2.6 Compliance with Ret1 was not disputed by either of the planning officers handling the current proposal or the approved scheme.

Policy Ret3 'Town Centres'

- 2.7 This refers to the high priority given by the Council to supporting retail uses within designated town centres.
- 2.8 The proposed restaurant is not a retail use. However it is relevant that the property has never been used as a shop, having been a pub, then a hot-food takeaway and a Class 2 estate agents office. Consequently the restaurant would not result in the loss of retail use and, in our opinion, should be regarded as being in compliance with Ret3.
- 2.9 This was specifically agreed by the planning officer in the Report of Handling for the current scheme.

Policy Ret11 'Food and Drink Establishments'

- 2.10 This states: '*The change of use to a restaurant will not be permitted:*

a) if likely to lead to an unacceptable increase in noise, disturbance, on-street activity or anti-social behaviour to the detriment of living conditions for nearby residents, or

b) in an area where there is considered to be an excessive concentration of such uses to the detriment of living conditions for nearby residents'

- 2.11 Regarding Criterion b), it is Mr Murdochy's intention that his restaurant will introduce a high-quality facility offering a product very different to anything else in Portobello.
- 2.12 The Garden of Eden will focus on Mediterranean cuisine including a number of meat dishes, meze, and several vegan and vegetarian choices. It will also provide a high-standard breakfast buffet with specialist cheese/egg dishes and of a style comparable to Dishoom in the city centre. The restaurant will be licensed to serve alcohol with meals but its focus will be very much on its food service, not a drinking establishment.
- 2.13 The current provision of food and drink outlets in Portobello High Street comprises a mix of cafes, pubs, hot food takeaways and some restaurants but the applicant expects his restaurant to cater for a new, different market. It will certainly not result in a concentration of such outlets in terms of the policy.
- 2.14 It is not disputed by the planning officials that the proposed restaurant accords with Criterion b)
- 2.15 Criterion a) is referenced in the second reason for refusal and is a key consideration in this appeal. We address this in more detail in Section 3.
- Policy Hou7 'Inappropriate Uses in Residential Areas'
- 2.16 This states:
'Developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents will not be permitted.'
- 2.17 This is referenced in the first reason for refusal and we address this in more detail below in parallel with Criterion a) of Ret11.
- Policy Des12 'Alterations and Extensions'
- 2.18 This confirms that *'Planning permission will be granted for proposals which:*
- a) comprise a design, form, materials and positioning that are compatible with the character of the building,*
 - b) do not result in unreasonable loss of privacy or natural light to neighbouring property,*
 - c) are not detrimental to neighbourhood amenity and character*
- 2.19 The proposal returns nos 227 and 229 into a single use for the first time since the Bluebell Inn closed and will achieve a vibrant and uplifting renewal of the property.
- 2.20 The frontage of the building will be returned to an appearance evoking the Bluebell. This includes removal of tile cladding to re-expose the original stonework and cast-iron columns. The frontage will then be re-painted a dark blue colour synonymous with the original Bluebell Inn facade.
- 2.21 The extension to the rear of the building will enable the interior to be reconfigured and opened-up to achieve an efficient layout for a modern restaurant purpose. The extension comprises 75sqm and will increase the existing 279sqm to a total floor area of 354sqm, representing a 26% increase.

- 2.22 In our opinion this will not be out of proportion with the original building. It is actually smaller than the previously approved scheme. Furthermore the original appearance of the building will still be apparent from the reinstated street elevation and the retention of internal walls.
- 2.23 The new rear elevation is to be clad with vertical timber lining boards made from natural larch, as shown on Drawings 7 & 9 (as amended). The timber provides a respectful contrast with the original building, whilst creating an ambiance for the substantial improvements to be carried out in the rear garden. The rear elevation is to be partially glazed comprising glazed dead panels and a folding door providing access to the garden. The east side elevation of the extension along the service passage accessing the street will be finished in white render. The flat roof of the extension will have a grey mineral felt finish.
- 2.24 The rear garden is to be landscaped in a manner that symbolises the owner's intention for an appearance and character synonymous with the Garden of Eden, as the restaurant will be known. The main feature of the garden is to be the significant provision of trees, plants and shrubs.
- 2.25 Timber decking is to be laid across the garden, around a large square sunken area providing a central feature which will be filled with plants. 'Planting walls' are to be installed along the garden's three boundary walls up to 2.2 metre height and several potted shrubs and plants will also be placed across the decking. Over time, these will provide a full enclosure of the garden in an established landscape.
- 2.26 As with the approved scheme there will be outdoor tables positioned on the decking so that in times of good weather customers can be served meals in the garden in the same manner as inside the building.
- 2.27 With all the above features the applicant considers the alterations and extension to the building and the use of the back garden will be fully compliant with Des12. It will be compatible with the character of the property and will make a positive improvement to the condition of the site and the character of the locality.
- 2.28 The building extension will have no impact on the privacy or natural daylight of neighbouring property which is already protected by the existing high boundary walls.
- 2.29 The planning officer agrees in the Report of Handling that the proposed scale, form and design comply with Des12.

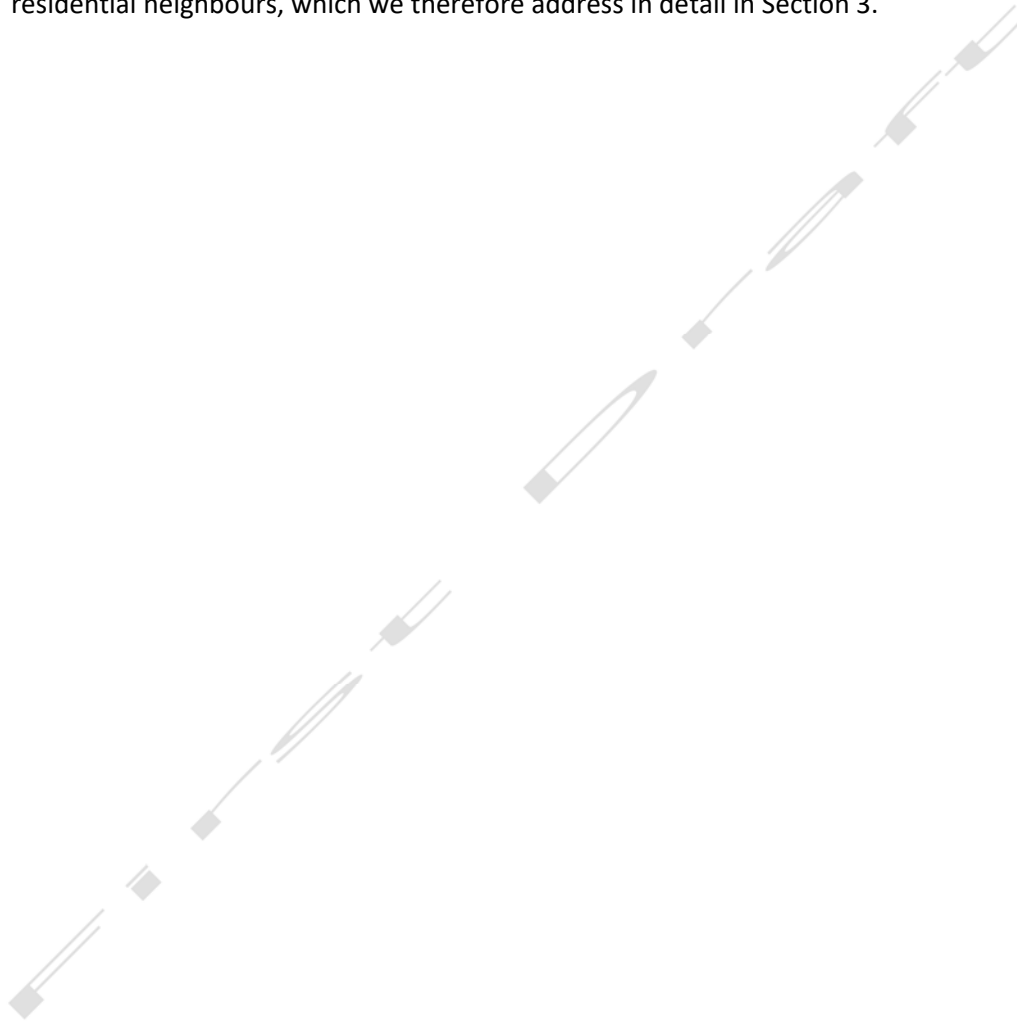
Policy Env6 'Conservation Areas - Development'

- 2.30 This requires proposals to preserve or enhance the character of the conservation area, with particular regard to any features that contribute to its character, and to use appropriate high standards of design and materials. This policy is relevant due to the site's location within the Portobello Conservation Area.
- 2.31 The proposal will provide a full upgrade of the property which will echo the character of its former use as the Bluebell Inn including the restorative treatment of the building façade. The rear extension and landscaping of the back garden are also considered to be improvements that will enhance the character and appearance of the conservation area.

- 2.32 The planning officer agrees in the Report of Handling that the proposals represent only minor building alterations and would not have a detrimental impact on the conservation area, compliant with Env6.

Overview of Planning Policy Compliance

- 2.33 There is broad agreement that the proposals satisfy the large majority of relevant policies from the Council's Local Development Plan. The proposed restaurant use and the intended building works and landscaping would bring about positive benefits and we invite the LRB to place considerable weight on these matters.
- 2.34 The only aspect disputed by the planning officer regards the impact on amenity of residential neighbours, which we therefore address in detail in Section 3.



SECTION 3 IMPACT ON LIVING CONDITIONS OF NEIGHBOURING RESIDENTS

- 3.1 Policies Ret11 and Hou7 are almost identical in requiring demonstration that the restaurant proposed under the current application:

'is unlikely to result in an unacceptable increase in noise, disturbance, on-street activity or anti-social behaviour to the detriment of living conditions for nearby residents.'

- 3.2 As detailed in Section 1, the Council officials consider the amenity of residential neighbours is likely to be unacceptably disturbed by the operation of the restaurant due to *the breakout noise from the rear extension and the lack of information regarding the flue and ventilation*'.
- 3.3 The matters regarding the flue and ventilation require a technical solution and are addressed in the following section.
- 3.4 The matters regarding potential breakout noise relate to noise that might emanate from the rear of the restaurant either by the glazed doors being left open, or from conversations of customers sat at the external tables. However before considering these in detail, the applicant considers it is unreasonable that this should be taken into account as a matter of principle.

Planning Justification - Matters of Principle

- 3.5 The principle justification for the applicant's case, and which the LRB is asked to take into account, relates to the following two points:
- i) ***it is inconsistent and illogical to refuse planning permission for the current proposal based on matters which have already been found acceptable in the approved scheme***
- 3.6 The similarity between the approved scheme and the current scheme is demonstrated by the respective floor plans in Fig 9.
- 3.7 Both include the provision of restaurant tables in the outside back garden area, at which customers would be served meals in the same way as if they were inside. Both schemes also include a folding glazed door in the rear elevation of the extended building to provide access to the back garden for both customers and restaurant staff. The current scheme has a smaller rear extension of the building which results in a slightly larger back garden area, but both proposals are quoted as providing a total of 90 covers in the restaurant as a whole.
- 3.8 We have explained in Section 1 that these matters were taken into account for the approved scheme by the case officer and the proposal was found to be acceptable.
- 3.9 He considered the restaurant use would result in a **reduction** in any potential nuisance that might be caused by contrast with the previous use as a pub and a hot food takeaway, which he regarded as more onerous in terms of potential nuisance. This is a fundamental and legitimate consideration under Policy Ret11.

- 3.10 He also considered the proposed use of the rear garden area would be appropriate given its relatively secluded situation with 'very few overlooking neighbours'.

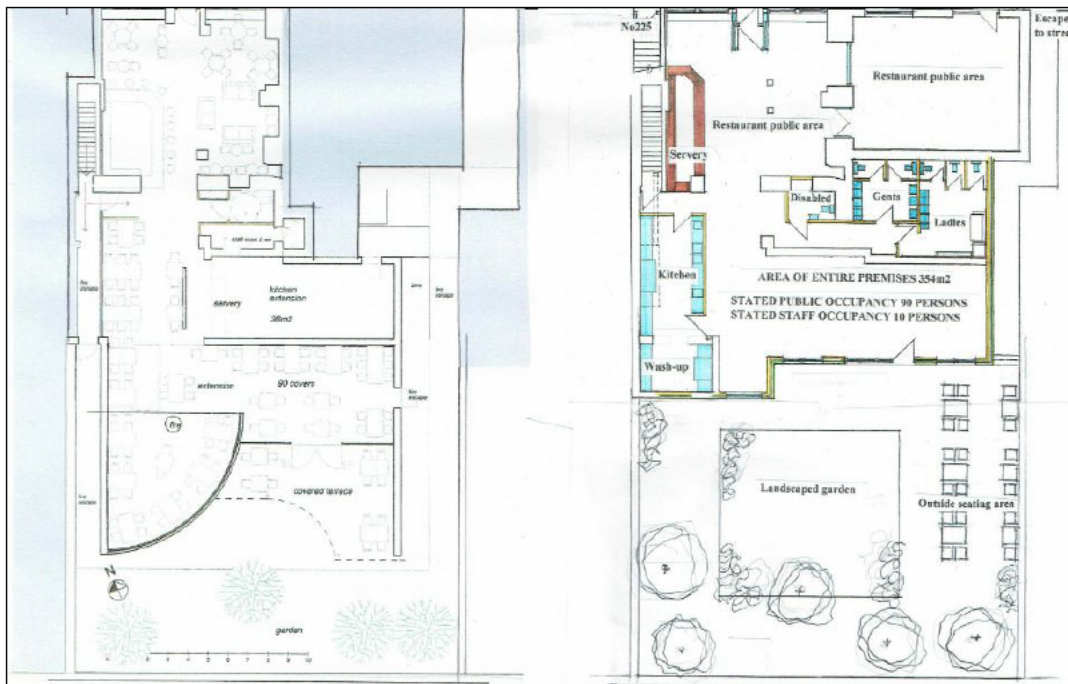


Fig 9 - floor layouts of the approved scheme (left) and the current scheme (right).
External tables shown are illustrative

- 3.11 As these matters have already been found acceptable with a directly similar arrangement, the applicant finds it remarkable, and procedurally deficient, that the current scheme can now be found unacceptable.
- ii) the planning consent for the approved scheme remains extant and could still be completed, including use of the back garden area.*
- 3.12 Following the granting of consent for the approved scheme on 2 April 2019 Mr Murdochy started work on the restaurant conversion of no227.
- 3.13 The construction programme was then interrupted, particularly due to the Covid lockdown, and had not been completed by the time he submitted the current planning application for nos227-229.
- 3.14 As the two schemes are broadly comparable, he anticipated that achieving planning permission for the new proposal would be uncontroversial, and so he decided to continue the construction with the plans for the new scheme for nos227/229, even though this was before the current application had been determined.
- 3.15 In retrospect he knows that this was a risk. However he would ask the LRB to accept that he did not intend to flout planning regulations and, honestly anticipating a second approval, simply believed this approach would save time in delivering the new restaurant.
- 3.16 There is evidence from two sources that the approved scheme was implemented. The first is the issuing of an alcohol licence by the Council to Mr Murdochy for no227 through the

approval of a Section 50 Certificate on 7 June 2019, and which makes reference to the planning consent (19/00020/FUL) having been 'lawfully taken up'. The Certificate is being submitted with this appeal for inspection by the LRB.

- 3.17 The second source is by visual inspection of the interior of no227 when the LRB members carry out a site visit. In the front section of no227 the following will be noted:
- the west gable wall has been exposed back to the original brickwork;
 - the suspended ceiling has been stripped out to reinstate the original ceiling height';
 - 'sound block' plasterboard with sound proofing insulation has been installed on the ceiling;
 - reconstituted cornicing has been installed around the edge of the ceiling.
 - the east wall has been plaster-boarded and sealed. This is particularly relevant because the securing of this wall was only proposed in the approved scheme whereas under the current proposals this wall will again be removed to create a 'through room' between 227 and 229.
 - The front part of no227 presently comprises a shell ready for fitting out.
- 3.18 By contrast the rear part of no227 has been extended as proposed under the current scheme, comprising a smaller footprint than the approved scheme. The walls and ceiling are structurally complete including all windows and the folding door in the rear elevation, although the interior remains a shell and is not yet fitted out. Externally the timber lining has been completed on the rear elevation and the timber decking in the back garden has also been constructed as per the current scheme.
- 3.19 To fully implement the approved scheme would require taking down much of the rear extension already constructed and re-building according to the plans for the approved scheme, with a larger rear extension, different elevational design, and smaller back garden.
- 3.20 Mr Murdochy does not wish to do this and it would be very costly. However if the LRB upholds the planning refusal, he would have no choice but to revert to the approved scheme and complete it as initially proposed. Of course, this would still include the back garden being operated as part of the restaurant and the folding doors occasionally being opened to enable access for customers.
- 3.21 The applicant considers it must be preferable for the improved restaurant scheme to be completed rather than for him to revert to the approved scheme, particularly as there would be no discernible difference in the impact on amenity of neighbours. The current scheme includes significant improvements to the layout of the property and to its operation as a restaurant and it would be a more attractive facility for the Portobello community.
- 3.22 For all these reasons Mr Murdochy considers it makes no sense to refuse the current scheme. He does not understand why the status of the approved scheme was not taken into account or given due weight by the planning officials. He considers this was an error, and the LRB is asked to correct the position.
- 3.23 If the LRB agrees with these matters of principle, there is limited need to consider the detailed issues raised by Environmental Protection. However to the extent the LRB considers these matters remain of relevance, we would respond to their concerns as follows.

Planning Justification - Response to Matters Raised by Environmental Protection

iii) Noise Impact – The need for planning judgement

- 3.24 Environmental Protection raised similar comments with regard to both the approved scheme (see appendix of the report of handling for 19/00020/FUL) and the current scheme (the EP response is included in our submission). In both cases they raised concern that a restaurant with external seating is likely to cause unacceptable levels of noise, resulting in detriment to amenity of neighbours and they recommended a noise impact assessment was carried out to demonstrate that any noise would be inaudible (ie not breaching NR15).
- 3.25 To put this in context, we understand from the applicant's acoustic consultant that NR15 would require any noise from the restaurant to be inaudible in nearby houses, assuming those residents have their windows open ie a worst-case scenario. This sets the bar extremely high as even two people having a normal conversation in the open air, such as the restaurant garden, are likely to be audible nearby.
- 3.26 It seems bizarre that the same two people having a conversation in the back garden of a house would not be regarded as intrusive to neighbours in determining a planning application proposing a new dwelling. It also seems inconsistent that other sources of noise such as car engines, ambulance sirens, lorries, or motorbikes passing by on Portobello High Street, or even trains on the nearby railway line, are not taken into account as existing background noise in calculating NR15 for a commercial restaurant.
- 3.27 For the approved scheme the planning officer realised that the previous use of the property as a public house, including a beer garden, and its existing use as a fish and chip shop, had already created an environment where disturbance and loss of amenity for neighbours had become established. He therefore used his planning judgement to conclude that a well-managed restaurant would result in reduced impacts and actually **improve** the relationship with neighbours.
- 3.28 On this basis he did not require a noise impact assessment from the applicant, as Env Protection had requested, as he presumably realised that the alternative of reinstating a pub or hot-food takeaway would be undesirable, while the introduction of a restaurant would be preferred. It is likely he realised that all of these uses cause an element of noise, and that requiring total silence, as NR15 seems to expect, is unrealistic. He therefore appears to have taken a pragmatic approach to the response from Env Protection, and applied his planning judgement to consider the best outcome, on balance, in the wider public interest.
- 3.29 It is accepted that the Council's Environmental Protection team are required to strictly consider every proposal against relevant standards, and Mr Murdochy makes no criticism of them. However their role does not seem to give them leeway to consider a bigger picture, or other material factors which are of relevance. That is the role of the planning officer.
- 3.30 For the current scheme, the appointed planning officer does not appear to have exercised any balanced judgement whatsoever. He requested a noise impact assessment (NIA) by the applicant who commissioned this from Sandy Brown Ltd. The NIA showed that the upstairs flat could achieve NR15 by including sound proofing in the restaurant ceiling.

- 3.31 However Env Protection were critical of the NIA in that it was restricted to calculating internal noise breakout in assessing impact on the upstairs flat and did not assess the situation outdoors. They noted that any voices in *'outdoor eating and drinking areas are extremely difficult to modulate and control'*, and then also assumed that the rear folding doors *'will be kept open for long periods'* in concluding that this would fail to meet the standards required to meet residential amenity. The planning officer did not question this conclusion, he did not engage with the applicant and proceeded to refuse consent.
- 3.32 We consider the balanced approach taken by the first planning officer must be the correct way, in this instance, of addressing the otherwise stringent constraints imposed by noise regulations. We submit there are some circumstances where it is unreasonable to impose these noise regulations inflexibly, and the situation of the proposed restaurant is a justified case.
- 3.33 Above all, the same noise impacts have been found acceptable in the previous granting of planning permission for a scheme that can still be built-out. This must presume in favour of again granting consent.
- 3.34 Furthermore there are several management protocols which are part of the proposal yet which appear to have been overlooked by the planning official, or by Env Protection, or both. The applicant trusts these will ameliorate any lingering concerns.

iv) Management Protocols

- 3.35 The applicant considers there are several factors by which noise from the restaurant would be moderated:
- The outdoor seating area would only be used when the weather allows which will limit its use to a relatively small number of days each year
 - There will be no canopy or roof above the tables, further reducing the periods of use
 - The garden will be used for restaurant table service only. It will not be a beer garden and people will not be allowed to take drinks into the garden before or after meals. It will not be an 'outdoor drinking area' as presumed by Env Protection.
 - The only source of noise will be customers' voices or conversations and this will be considerably moderated by the above measures, reducing the likelihood of disturbance.
 - There will only be a limited number of customer tables in the garden. Precise numbers are not yet determined and can be moderated through the licensing application. But the total capacity of the restaurant is declared as 90 customers and sufficient tables to accommodate this number will be provided inside.
 - The drawings submitted with the application did not show a table layout for the garden. The approved scheme includes a plan with four tables on the back terrace which provides context. By way of example, an illustrative revision to drawing no9 is submitted with this appeal (see Fig 9 above) which shows a layout of six tables on the east side of the decking and also an illustration of the space to be taken by the

considerable landscaping and planting proposed.

- The Garden of Eden concept will include heavy landscaping with numerous trees, plants, shrubs across the garden and 'planting walls' along each boundary. This will help absorb the sound of people's voices.
- There will be no music played in the garden, either live or recorded. The only music will be gentle background music played inside the restaurant to create a pleasant ambience.
- The rear doors will not be 'kept open for long periods of time' as stated by Env Protection. They assume a worst-case scenario but the restaurant will apply principles of good management to ensure the doors are only open when people require access or egress.
- The current scheme has considerably less glazing in the rear elevations than the approved scheme which will further reduce noise breakout.
- The applicant is willing to install noise-monitoring equipment inside the restaurant and in the garden so that noise levels can be identified and moderated.
- Ultimately the success of the restaurant depends on attracting customers and achieving a good reputation. Neighbour relations is critical to this success and Mr Murdochy is committed to achieving this by regular engagement.

3.36 The applicant is committed to managing and operating the Garden of Eden restaurant in a responsible manner and he places high importance on community engagement and respect for neighbours.

3.37 Against this background, and with planning permission already granted for a similar scheme which can still be implemented, he considers that many of the concerns raised seem exaggerated, and regard aspects which have already been found acceptable with the approved scheme. He urges the LRB to take a flexible approach to achieve the best planning outcome and improving Portobello as a place.

v) Neighbouring Houses

3.38 The planning officials say that neighbours will suffer loss of amenity but do not specify which houses will be detrimentally affected or give any consideration to the setting or character of the neighbouring properties.

3.39 To the west of the garden is a large block of 4-5 storey height comprising an old folks home. The elevation facing the garden is a blank brick wall with only two large obscure-glazed windows which we understand provide light onto internal stairwells. On the top attic floor there are three velux windows within the sloping roof, but we understand these are from corridors rather than habitable rooms.



Fig 10 - old folks home abutting the site to the west

- 3.40 The consideration by Env Protection and also in the NIA has focused on the flat above no227 as it is nearest to the restaurant. The NIA confirms it will achieve acceptable standards of amenity by installation of soundproofing in fitting out the restaurant. The flat is owned by the applicant Mr Murdochy who uses it as his main residence. He evidently has no objection to the restaurant continuing and he can guarantee that the flat will be retained for occupation by restaurant staff. He is willing to enter a legal arrangement with the Council to ensure this.
- 3.41 The occupiers of the neighbouring house to the east (no235) did not object to either application. There is mature planting in their garden including tall trees and a high stone wall provides enclosure along the mutual boundary.



Fig 11 - neighbouring house on east side, no235

- 3.42 There are houses to the rear (south) of the restaurant which are set back a considerable distance from the boundary and separated by long gardens. The gardens have tall, mature trees, and a high stone wall along the mutual boundary with 227/229 also acts as a buffer for noise.
- 3.43 It is understood that one of the residents submitted a representation to the Council. This was recorded as a 'neutral' comment and not an objection. They wish noise limits to be imposed on the restaurant garden so there is no disturbance when using their own garden. Mr Murdochy would agree to a regular monitoring of the situation with all neighbouring residents and to introduce a management protocol to ensure amenity is respected.
- 3.44 The objection from the Portobello Amenity Society includes reference to possible noise from the decking area in the back garden in the late evening or night time to the possible detriment of the houses backing onto this 'open courtyard'. The applicant agrees that amelioration of noise is important and he trusts the above measures provide assurance that

this will be given high importance. He believes the landscaping and planting proposed for the back garden will give assurance both of the quality of his proposed operation and that the garden will not be an open courtyard.

- 3.45 Mr Murdochy also notes that the Amenity Society object to the loss of class 1 retail shops by his proposal but this is clearly incorrect and dilutes the wider effect of their observations. The former uses of the property were actually the Bluebell Inn, hot food takeaway and class 2 office which were all established commercial uses of which the pub and takeaway generated greater noise and intrusion to neighbours than the Garden of Eden.
- 3.46 As the planning officer concluded for the approved scheme, the proposal will result in reduced noise, not an increase.

vi) Opening Hours

- 3.47 Env Protection refer to the intention of the applicant to operate the restaurant from 10am until 1am and consider this would not be acceptable.
- 3.48 Mr Murdochy agrees that remaining open until 1am would not be appropriate and wishes to point out that the reference to this in the noise impact assessment was a misunderstanding.
- 3.49 He does not anticipate the restaurant trading beyond 12 midnight as there is no identified demand for later hours in the Portobello area, and he would accept 12 o'clock as a restriction for the restaurant as a whole.
- 3.50 For the back garden, the LRB is asked to recognise that outdoor areas of restaurants have become increasingly popular as a consequence of the Covid 19 period and many customers now prefer sitting outside whenever possible.
- 3.51 We understand the Council has a general restriction across Edinburgh for pub beer gardens or similar external areas with residential neighbours to close by 10pm, and the applicant would accept the same requirement by restrictive condition.
- 3.52 Regarding opening times, it is intended that the restaurant would offer a high-quality hotel-style buffet breakfast in the mornings whether for casual or business customers, of a style similar to Dishoom in the city centre. An opening time is therefore requested of 8am. All timings would be subject to verification by the Licensing Committee but we trust that the above times are acceptable for planning purposes.

vii) Extract Flue Termination Point

- 3.53 Environmental Protection's response was: *'We have concerns that the position of the extract flue termination point may be too low and cause odour issues in nearby residential properties.'*
- 3.54 When the application was submitted, Drawing No6 indicated that the flue duct from the kitchen would extract through grills within the east-facing side elevation of the proposed rear extension at ground floor level. This would extract into the external passageway between the restaurant and the neighbouring residential house at no235.

- 3.55 While there are no windows in the side elevation of the house, the applicant's architect took steps to redesign the extraction arrangements and submitted an amendment to Drawing no6 on 8 June 2022, together with an explanatory email to Murray Couston the planning officer.

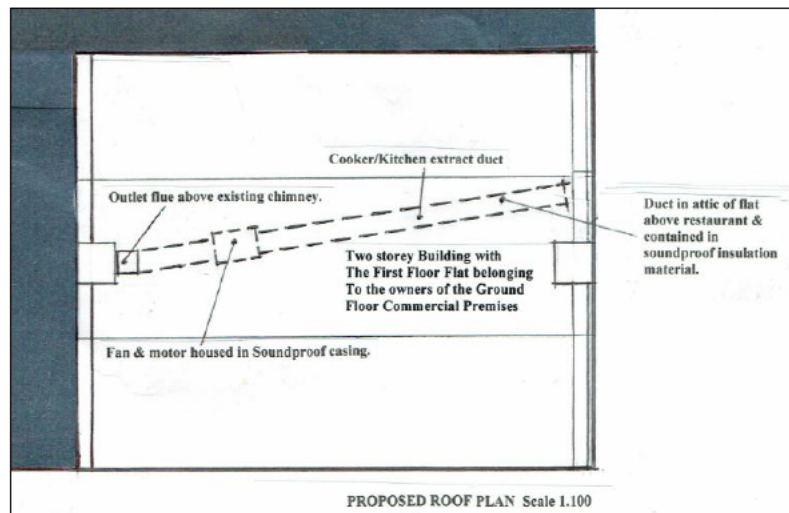


Fig 12 - route of extract duct through loft of flat at no227

- 3.56 The amended drawing shows an extract duct rising from the kitchen in the west part of the building and extending up inside the west wall to the upper floor, using the existing arrangement for the hot food takeaway. It will then run into the attic space of the residential flat, extending to the opposite (east) wall, passing into the chimney stack on that elevation and then continuing up through the chimney and extracting at rooftop level. No external ducting will be required.



Fig 13 - view from rear garden showing the upstairs residential flat with a chimney stack on its gable elevation through which the kitchen flue will extract

- 3.57 The flue termination point will therefore be at the top of the chimney. This is above the height of the pitched roof, and above the height of any windows in the neighbouring old folks home, the flat at no227 and the house at no235 to the east. The flue extraction is also located in the centre of the roof space of 227/229, which maximises the distance away from these neighbours.

- 3.58 There was no further comment on these amended proposals recorded from Environmental Protection before planning permission was refused by the planning officials, and it is unclear if they were consulted.
- 3.59 The applicant submits that the amended scheme constitutes an acceptable solution that will result in kitchen fume extraction at sufficient height and distance away from neighbours to allow odours to disperse without causing disturbance. This directly addresses the concerns raised by Environmental Protection.

viii) Noise Caused by the Extract Flue Equipment

- 3.60 Environmental Protection noted that the location of the extraction fan had not been identified in the initial drawings and that the means of ameliorating any noise it would generate had not been declared.
- 3.61 The amended drawing No6 (Fig 9 above) and the associated email from Mr Tod submitted on 8 June 2022 also address this matter. The amended drawing shows a *'fan and motor housed in a casing'* affixed to the extract duct within the attic of the residential flat and close to the point where it passes into the chimney stack. It also states that the entire duct within the attic will be *'contained in soundproof insulation material'*.
- 3.62 The sound insulation is designed to ensure no noise disturbance is caused to the occupants of the flat at no227, and it will be insulated not to exceed the required noise threshold of 25dba.
- 3.63 There was no further comment on these amended proposals from Environmental Protection before planning permission was refused by the planning officials, and it is unclear if they were consulted. The applicant submits that the amended scheme constitutes a solution that meets relevant standards.

SECTION 4 CONCLUSIONS

- 4.1 The Local Review Body is respectfully requested to overturn the decision by planning officials to refuse application 21/04749/FUL, and to grant planning permission for the proposals by Harem Murdochy for the conversion, extension and use of 227-229 Portobello High Street as a Class 3 restaurant.
- 4.2 This is justified on the following grounds:
- 1) It is inconsistent and illogical to refuse planning permission for the current proposal based on concerns at noise generation at the rear of the restaurant, when planning permission has been granted by the Council for a similar scheme and the same characteristics were found to be acceptable.
 - 2) The approved scheme has been lawfully implemented, remains extant and could be built-out to completion with the same use of the back garden and rear door arrangement, even if planning permission for the current scheme is refused.
 - 3) It is preferable to deliver the current scheme than the approved scheme as it will achieve a better restaurant, a more beneficial use of the building and the optimum facility for the benefit of Portobello.
 - 4) The restaurant use will be less intrusive to residential neighbours than continuation of the previous uses as a public house or hot food takeaway.
 - 5) The requirement for a commercial use to achieve 'inaudibility' in nearby properties from any noise generated in external areas as required by NR15 is virtually unachievable and assumes a worst case scenario. Yet there is a desire in society for outdoor dining and activities, particularly after Covid 19. The property has a history of the back garden being used as a public house, and permission has already been granted for an alternative restaurant scheme.
 - 6) A pragmatic judgement would recognise that the planning balance lies in favour of granting consent, and to require effective management protocols..
 - 7) The development will return the property to a single commercial use as it was when operated as the Bluebell Inn and the building frontage will be restored to evoke the appearance of the Bluebell.
 - 8) The property will have a high standard décor both within the building and in the garden.
 - 9) The restaurant will operate as a high-quality new-concept Mediterranean style outlet, trading as the Garden of Eden. Its focus will be in providing an innovative and creative food menu for all age groups. Its focus will not be as a drinking establishment.
 - 10) It will provide a new restaurant offer within the town centre and will complement existing cafes, restaurants, pubs.
 - 11) The applicant is a well-known and successful operator of food and drink establishments in Portobello. He is committed to integrating the restaurant as a community facility and

liaising with neighbours and local people in all regards.

- 12) The back garden will be used for table service only, not as a beer garden. It will only be used when the weather allows. Its use will be carefully monitored by management to ensure neighbours' amenity is respected.
- 13) The property and its back garden have very few overlooking neighbours. The old folks home to the west has no windows facing the garden. The houses to the south are set back a considerable distance. The house to the east no 235 has closest proximity and a view into the garden from upstairs windows but is separated by a high wall and mature trees/shrubs. The owner has not objected.
- 14) The flat above no227 is owned and occupied by the applicant and he is willing to tie its occupation to the business by legal agreement. It will achieve necessary noise standards by sound proof panelling installed in the restaurant ceiling.
- 15) Hours of opening are proposed 8am to 12 midnight and 10pm for the garden.
- 16) Kitchen extraction is achieved via the chimney of the upstairs flat and will extract at a point above roof level and away from residential windows.
- 17) The extract fan will be within the attic of the upper flat and will be sound-proofed to achieve the appropriate NR25 standard.

4.3 For all the above reasons the proposal accords with LDP policies Ret1, Ret3, Ret11, Hou7 and Des12.

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Mr Harem Murdochy
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Scotland
EH15 2AN

Decision date: 2 April 2019

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013

Alterations, extension & change of use of existing hot food takeaway to form class 3 restaurant.
At 227 Portobello High Street Edinburgh EH15 2AN

Application No: 19/00020/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 4 January 2019, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Granted** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Informatives:-

It should be noted that:

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

2. 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. 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.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

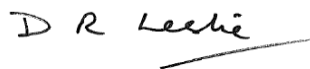
Drawings 1-5, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposed use complies with policy on food and drink establishments and the extension would preserve the character and appearance of the conservation area by enhancing a dead and functionless space. The size of the new use has the potential to cause amenity issues. However there are few properties directly overlooking the site and the owner of the flat above supports the proposals. The development complies with local development plan policies and non-statutory guidelines.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Stephen Dickson directly on 0131 529 3529.



Chief Planning Officer
PLACE
The City of Edinburgh Council

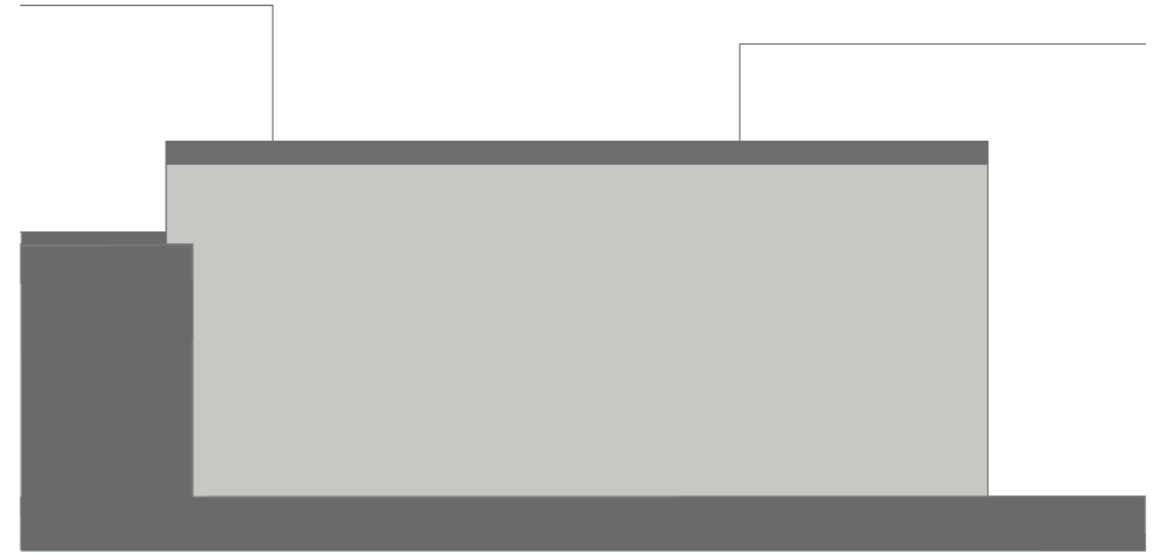
NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

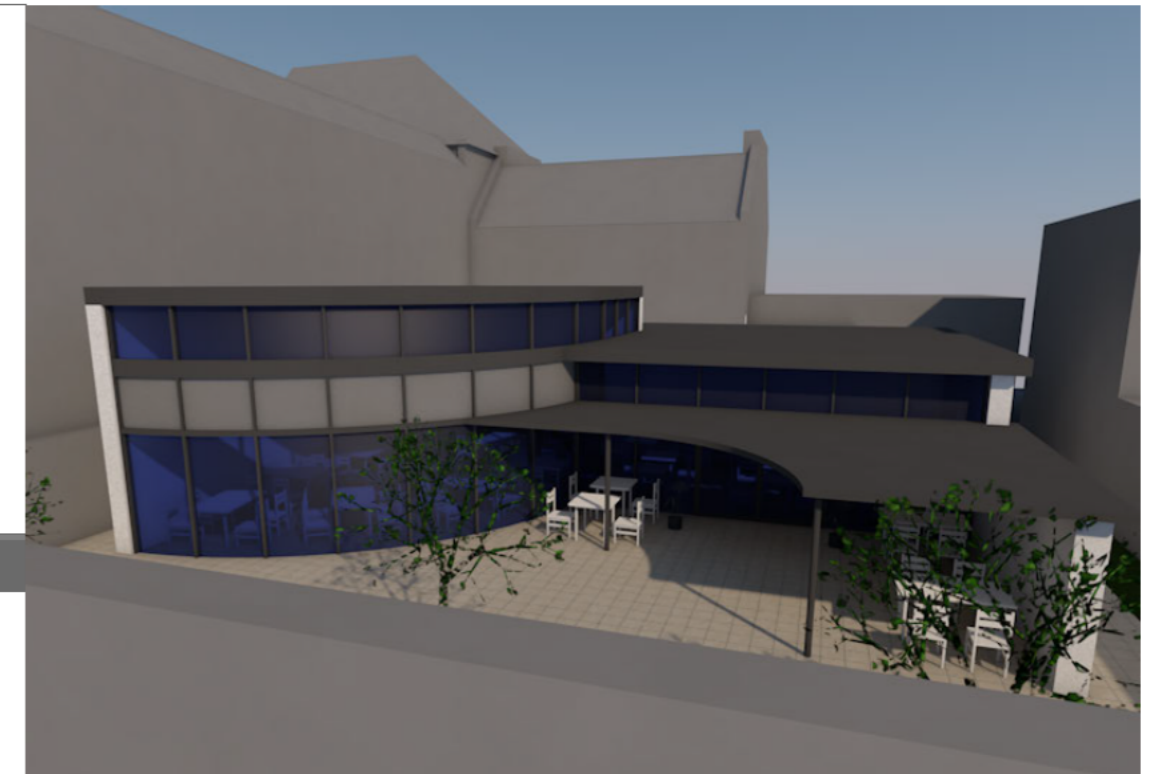
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



south to gardens



west gable



*grey membrane flat roof
 white rendered walls
 dark grey aluminium faced timber
 composite windows & screens*

*alterations, extension & change of use of existing hot
 food takeaway to form class 3 restaurant*

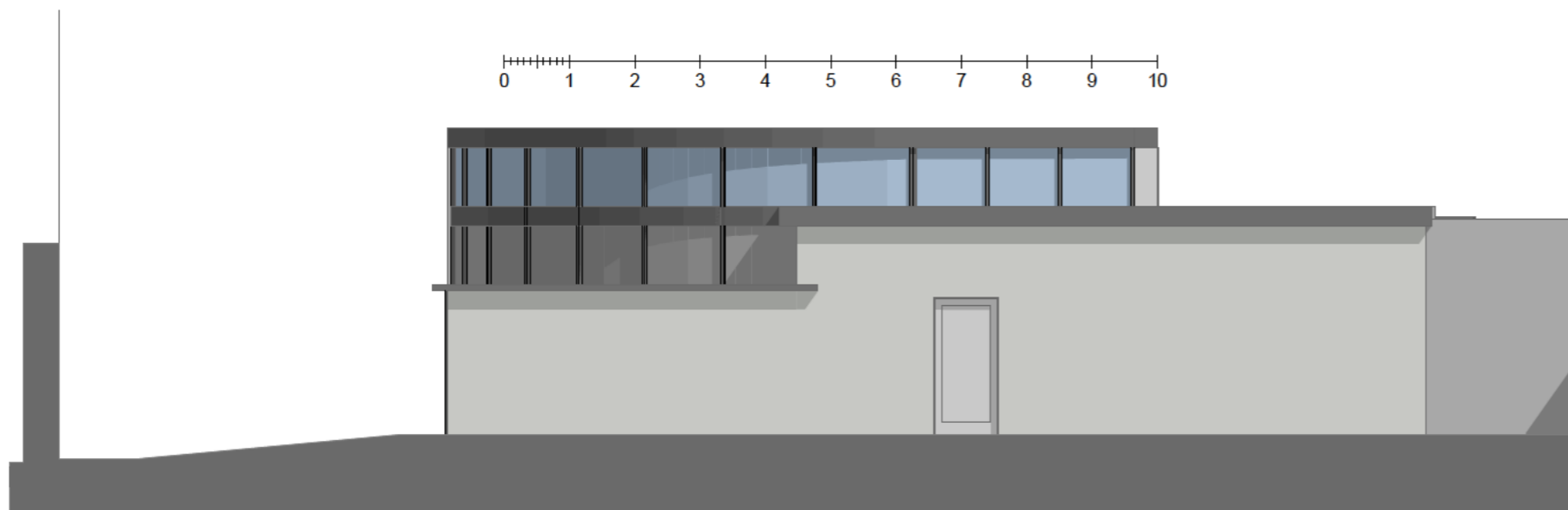
**227 PORTOBELLO HIGH STREET
 EDINBURGH, EH15 2AN**

elevations

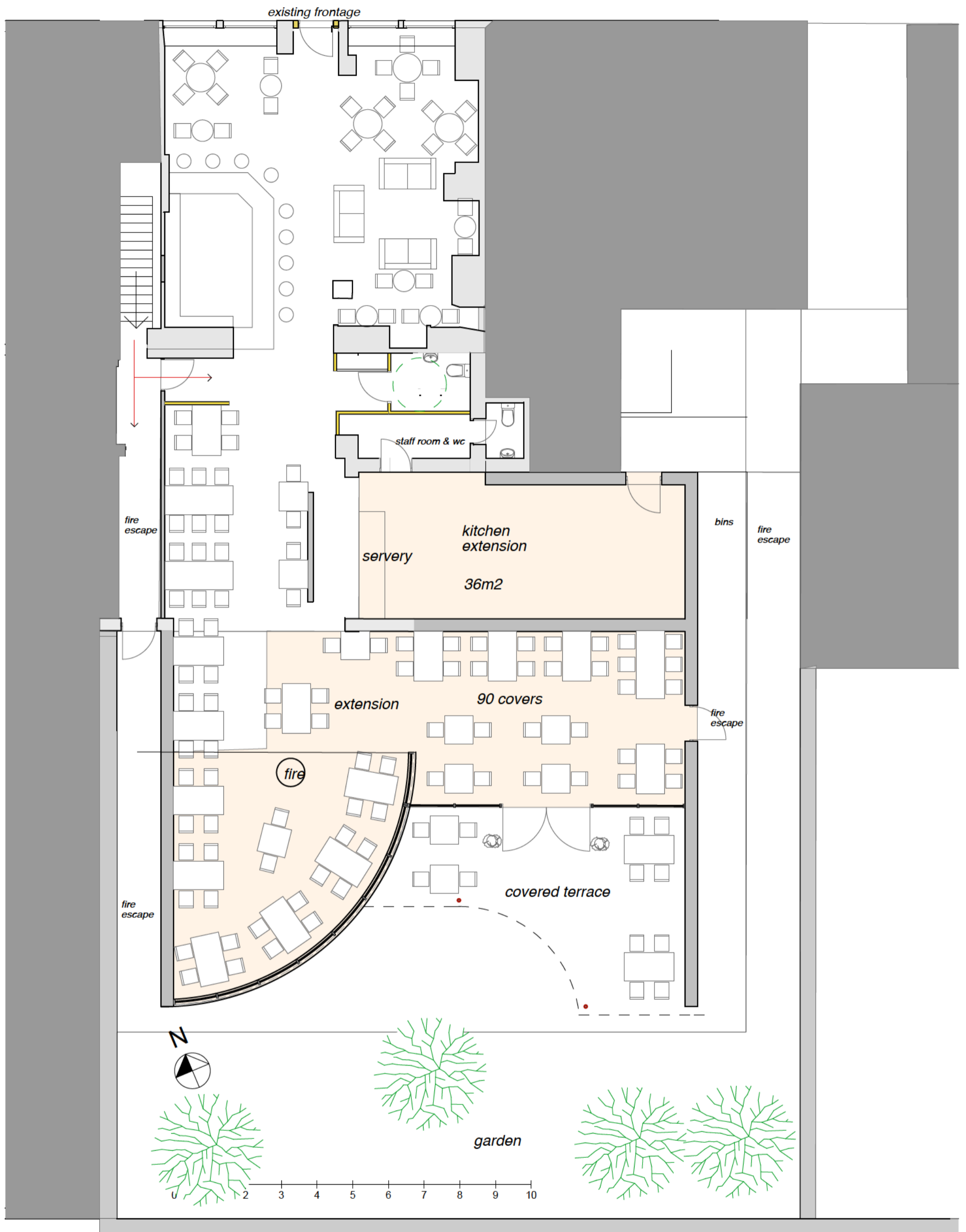
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Jan. 2019

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east gable



Note : area of extension shown tinted
new roofs drained to soakaway

alterations, extension & change of use of existing hot
food takeaway to form class 3 restaurant
227 PORTOBELLO HIGH STREET
EDINBURGH, EH15 2AN
proposed plan

Report of Handling

Application for Planning Permission 19/00020/FUL At 227 Portobello High Street, Edinburgh, EH15 2AN Alterations, extension & change of use of existing hot food takeaway to form class 3 restaurant.

Item	Local Delegated Decision
Application number	19/00020/FUL
Wards	B17 - Portobello/Craigmillar

Summary

The proposed use complies with policy on food and drink establishments and the extension would preserve the character and appearance of the conservation area by enhancing a dead and functionless space. The size of the new use has the potential to cause amenity issues. However there are few properties directly overlooking the site and the owner of the flat above supports the proposals. The development complies with local development plan policies and non-statutory guidelines.

Links

<u>Policies and guidance for this application</u>	LDPP, LRET11, LDES12, LEN06, LTRA02, LHOU07, NSG, NSLBCA, OTH, CRPPOR,
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Report of handling

Recommendations

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

Background

2.1 Site description

The property is an existing hot food take-away (fish and chip shop) within the existing retail area in the centre of Portobello. It has one flat above (in independent ownership). It is noted that the unit was previously a public house (see History).

To the east form drops to single storey, the closest unit being an estate agent. A modern old folks home stands to the immediate west, but this specifically turns its back on the site, with a blank three storey wall facing the rear courtyard. The church beyond has a nursery at ground floor.

To the rear, the courtyard is highly enclosed on three sides but looks south over allotments. The Portobello GPO Sorting Office backs onto the site to the south-west. The closest housing to the south is some 50m distant, beyond the allotments.

To the east a backland house presents a two-storey blank gable to the site.

This application site is located within the Portobello Conservation Area.

2.2 Site History

6.5.1998 - change of use from public house to hot food takeaway (98/00179/FUL)

11.8.2017 - refusal of part change of use to create a residence within part of the existing floor area (17/02368/FUL)

7.8.2018 - refusal of two houses in the rear courtyard (17/02373/FUL)

Main report

3.1 Description Of The Proposal

The application proposes change of use from hot food take-away to class 3 restaurant plus a glazed extension to the rear looking into an enclosed courtyard (proposed for outdoor seating).

3.2 Determining Issues

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

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the use is acceptable
- b) the works impact on the character or appearance of the conservation area
- c) the proposal impacts on the amenity of neighbours
- d) parking issues

a) LDP policy Ret 11 considers location of food and drink establishments.

No shop unit is lost due to the change. The existing use is as a hot food take-away, i.e already a food and drink establishment.

A class 3 use is generally seen as less onerous than a hot food take-away in terms of potential nuisance. Although the property is expanded to the rear to create seating, this is in an area with very few overlooking neighbours. The only person directly affected (the flat above) has written in support of the application.

Although Environmental Protection requested a Noise Impact Assessment this is not considered appropriate due to the existing use and the fact that ventilation routes will remain as is.

Potential noise within the rear courtyard is possible. However, the sole neighbour on the High Street (over this courtyard) specifically supports the proposal.

It is also noted that the previous use as a public house may have used this area, as part of their ownership.

In the circumstances the "nuisance" value is seen as potentially reduced both in relation to the current take-away and the former public house.

Given this, and the lack of restaurants within the wider area, policy Ret 11 is met.

b) LDP policy Env 6 considers impact on the character and appearance of the conservation area and policy Des 12 considers extensions to property.

The Portobello Conservation Area Character Appraisal recognises the importance of a vibrant High Street.

No alterations are proposed to the frontage and the appearance of the conservation area is unchanged.

The existing courtyard is a dead and functionless space. Extensions are common along the High Street as a whole. The quality of the design is acceptable and (although unseen) will improve the character of the area as a whole.

c) LDP policy Hou 7 considers inappropriate uses and their impact on residents.

As stated above, the use is seen as potentially less nuisance than the existing use.

The person most likely to suffer disturbance (the owner of the only flat overlooking the rear courtyard) wrote to support the application.

Policy Hou 7 is met.

d) LDP policy Tra 2 considers parking issues.

Council objectives now seek to minimise car generation in the city as a whole.

Car parking on site is not possible, but a car-free scheme now fits with these Council objectives. The property lies on a bus route linking to both Leith and the City Centre.

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

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

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

2. 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. 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.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

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

Consultation and engagement

6.1 Pre-Application Process

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

The application was advertised on 1 February 2019. Three representations were received.

Two objections were received. One Portobello resident objected on grounds of overdevelopment and suggested a building further along the High should be used instead. Portobello Amenity Society also stated the proposal was overdevelopment, and stated the courtyard would get little sun, and the pavement was too narrow outside the unit. Parking was also said to be an issue.

In support, the owner of the flat over the unit (the only flat viewing onto the area in question from the High Street) wrote to specifically clarify that he had no objections to the proposal.

Background reading / external references

- [To view details of the application go to](#)
- [Planning and Building Standards online services](#)

Statutory Development

Plan Provision	The property lies just outside the defined Portobello Town Centre as shown in the LDP.
Date registered	4 January 2019
Drawing numbers/Scheme	1-5 Scheme 1

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

Contact: Stephen Dickson, Senior planning officer
E-mail:stephen.dickson@edinburgh.gov.uk Tel:0131 529 3529

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Ret 11 (Food and Drink Establishments) sets criteria for assessing the change of use to a food and drink establishment.

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

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

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

Relevant Non-Statutory Guidelines

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

Other Relevant policy guidance

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

Appendix 1

Consultations

Environmental Protection

The rear garden of the premises has several residential properties overlooking it and / or in close proximity.

Noise from outdoor areas such as that proposed, in particular vocals, are extremely difficult to modulate and control. There are no mitigation measures, beyond fully enclosing the area, which has not been suggested as part of this application. Nearby residents would likely be subjected to unacceptable levels of noise, and it would be detrimental to residential amenity.

Environmental Protection therefore cannot support this application and would be likely to recommend refusal.

Should the applicant wish to remove the proposed outdoor seating area, then there still some concerns which the applicant would need to address before we could consider supporting the proposal.

We would need a Noise Impact Assessment to ensure that all operational noise be inaudible (i.e. not breaching NR15) within the flat above the existing premises. Noise sources should include, but are not limited to: kitchen noise, music, raised voices. A worst-case scenario should be assumed. Please note we would not accept noise-limiting devices in relation to the control of music noise. Plant equipment should not breach NR25 at any noise-sensitive receptor with windows open for ventilation.

I have visited the site and can't determine where their kitchen ventilation vents to - is it an internal flue? We would need details of where the ventilation exhausts at to ensure there is no potential for odour complaints.

END

To: Murray Couston
From: Claire Devlin, Environmental Protection

Date: 27 May 2022

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

21/04749/FUL | Proposed alterations extension and use of a hot food takeaway and an office to form a restaurant. | 227 & 229 Portobello High Street Edinburgh EH15 2AN

Environmental Protection is unable to support this application.

The current takeaway part of the proposed site is the ground floor of a two-storey building with residential property above. The application also includes a proposal to have decking and seating for patrons in the rear garden with folding doors at the rear of the ground floor premises to provide access. There are residential properties overlooking the garden.

Environmental Protection has significant concerns about the noise from outdoor activities affecting the amenity of nearby residents. Noise, in particular vocals, from outdoor eating and drinking areas are extremely difficult to modulate and control. There are no mitigation measures, beyond fully enclosing the area, which has not been suggested as part of this application. Nearby residents would likely be subjected to unacceptable levels of noise, and it would be detrimental to residential amenity. In addition, the Noise Impact Assessment (Sandy Brown Limited, ref: 22165-R01-B, dated 17 May 2022) submitted by the applicant relies on the sound insulation properties of glazing to the rear, including large folding doors to meet the expected sound insulation standards. It is highly likely these doors will be kept open for long periods to provide access to the rear seating area, thus no longer meeting the standards set to protect nearby residential amenity.

The Noise Impact Assessment advises that the intention is to operate the business between 10.00 – 01.00 hours. Our Planning colleagues have advised that conditions on hours of operation would not be accepted.

We also have concerns that the position of the extract flue termination point may be too low and cause odour issues in nearby residential properties. In addition, no detail has been provided about the sound levels from the extract flue.

Therefore, Environmental Protection cannot support the application and recommend refusal.

Should you wish to discuss the above please contact me on 0131 469 5685.

John Tod Associates.
59 Edinburgh Road
Musselburgh
EH21 6EE

Mr Murdochy
227 Portobello High Street
Edinburgh
EH15 2AN

Decision date: 17 June 2022

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Proposed alterations extension and use of a hot food takeaway and an office to form a restaurant.

At 227 & 229 Portobello High Street Edinburgh EH15 2AN

Application No: 21/04749/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 6 October 2021, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reason for Refusal:-

1. The proposal is contrary to the Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as it would have a materially detrimental effect on the living conditions of nearby residents.
2. The proposal is contrary to the Local Development Plan Policy Ret 11 in respect of Food and Drink Establishments, as it would be likely to lead to an unacceptable increase in noise and disturbance to the detriment of living conditions for nearby residents.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-08, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposal does not comply with the relevant policies within the Edinburgh Local Development Plan and the relevant Guidance in that it would have an unacceptable impact on amenity. No material considerations would outweigh this decision.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Murray Couston directly at murray.couston@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

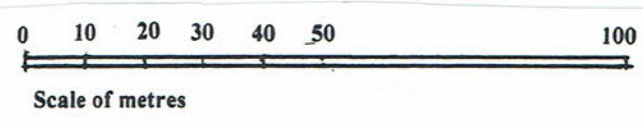
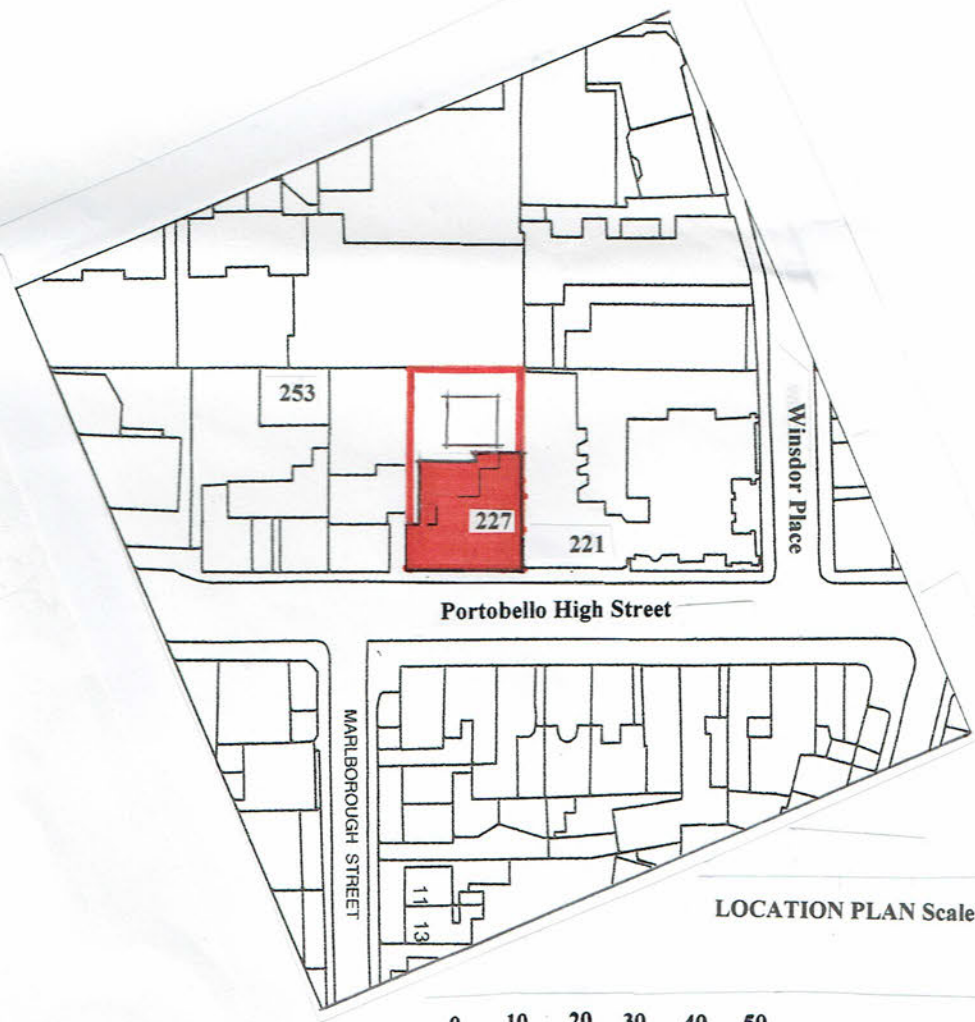
BLOCK PLAN & LOCATION PLAN

DRAWING REGISTER

DRG B.L.P	BLOCK PLAN & LOCATION PLAN
DRG No1	EXISTING GROUND FLOOR PLAN
DRG No2	EXISTING ROOF PLAN
DRG No3	EXISTING ELEVATIONS
DRG No4	EXISTING & PROPOSED BASEMENT PLANS
DRG No5	PROPOSED OVERALL PLAN
DRG No6	PROPOSED ROOF PLAN, ELEVATIONS & GARDEN SECTION
DRG No7	PROPOSED PLAN & ELEVATION
DRG No8	PHOTOGRAPHS OF WORKS IN REAR & GARDEN PROGRESSING



Two storey Building with
The First Floor Flat belonging
To the owners of the Ground
Floor Commercial Premises

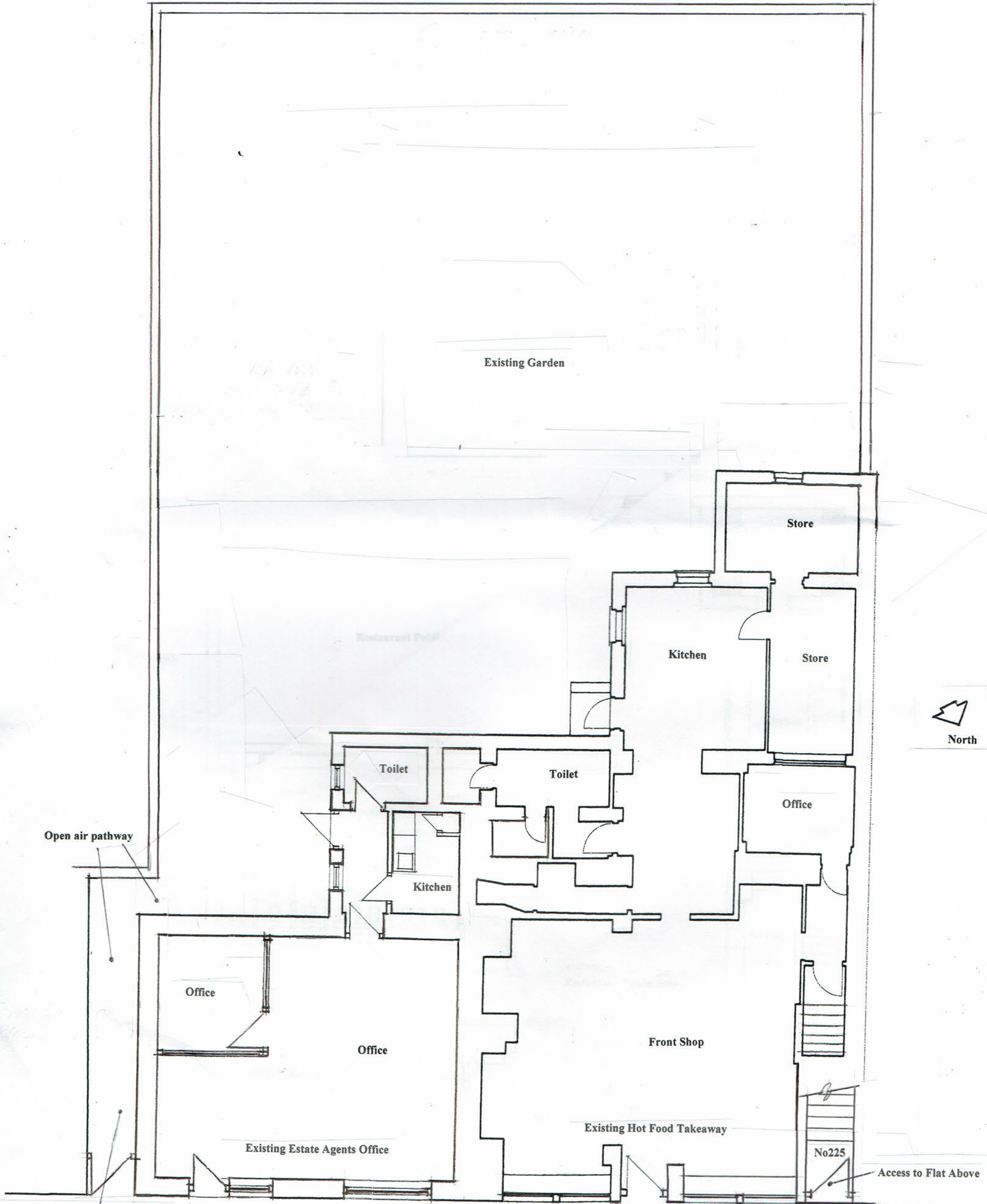


PROPOSED ALTERATIONS EXTENSION & CHANGE OF USE OF A HOT FOOD TAKEAWAY & AN OFFICE TO FORM A RESTAURANT AT No227 & 229 POROTBELLO HIGH STREET EDINBURGH.EH15 2AN. FOR HAREM MURDOCHY



Existing stone & brickwork walls to be made good & repaired / repointed as required

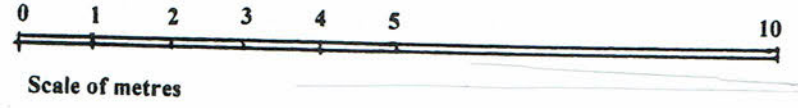
EXISTING PLAN



Common Escape and Access Lane to Garden

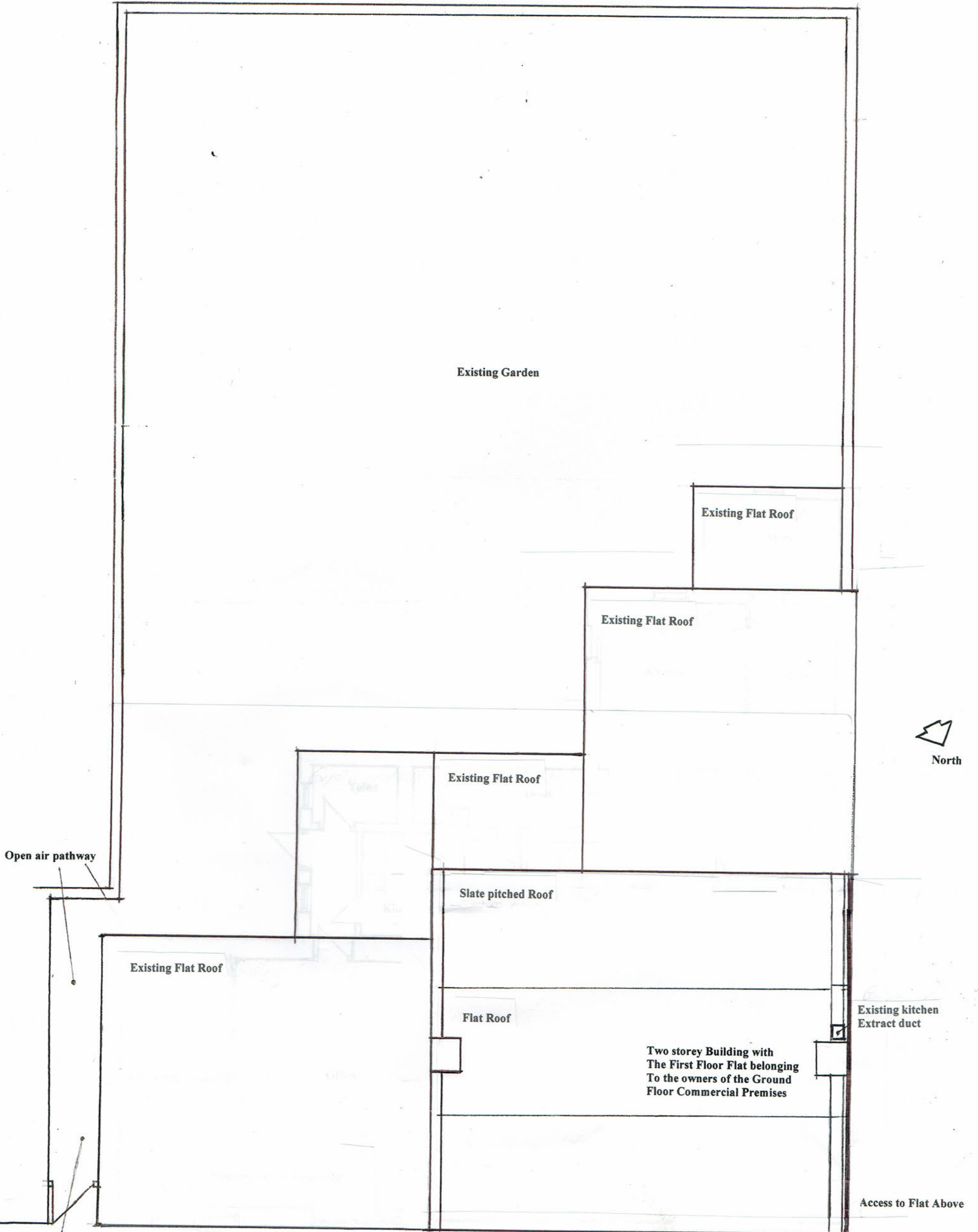
Pavement

**PROPOSED ALTERATIONS EXTENSION & CHANGE OF USE
 OF A HOT FOOD TAKEAWAY & AN OFFICE TO FORM A RESTAURANT
 AT No227 & 229 POROTBELLO HIGH STREET
 EDINBURGH.EH15 2AN. FOR HAREM MURDOCHY**



Existing stone & brickwork walls to be made good & repaired / repointed as required

EXISTING ROOF PLAN

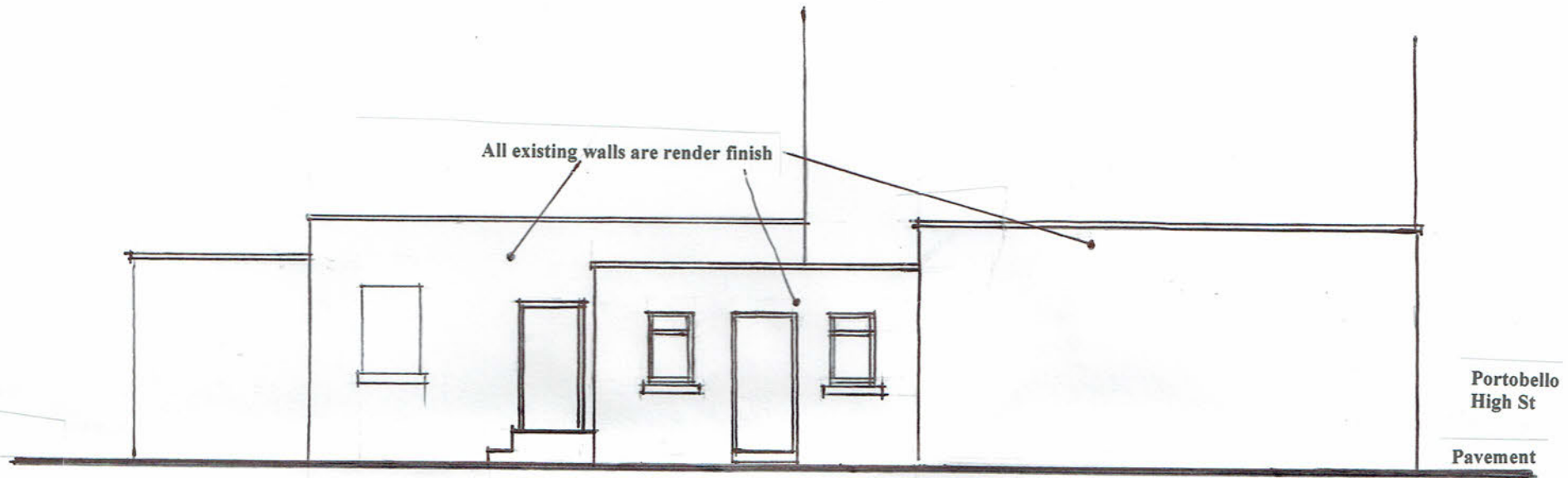
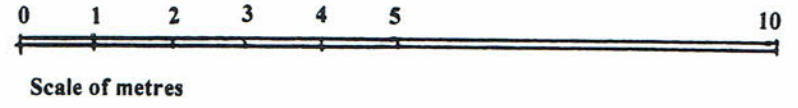


Common Escape and
 Access Lane to Garden

Pavement

**PROPOSED ALTERATIONS EXTENSION & CHANGE OF USE
OF A HOT FOOD TAKEAWAY & AN OFFICE TO FORM A RESTAURANT
AT No227 & 229 PORTOBELLO HIGH STREET
EDINBURGH.EH15 2AN. FOR HAREM MURDOCHY**

EXISTING ELEVATIONS

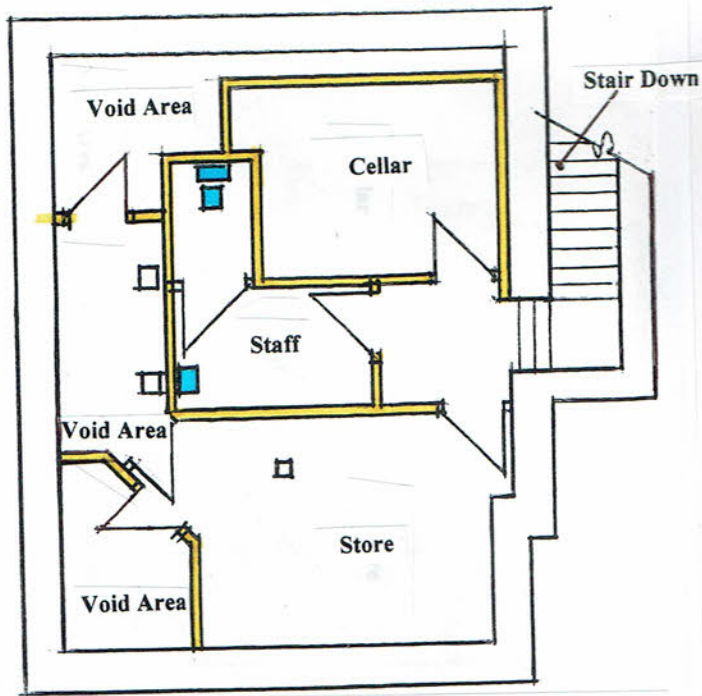


EXISTING SIDE ELEVATION Scale 1.100
EAST ELEVATION

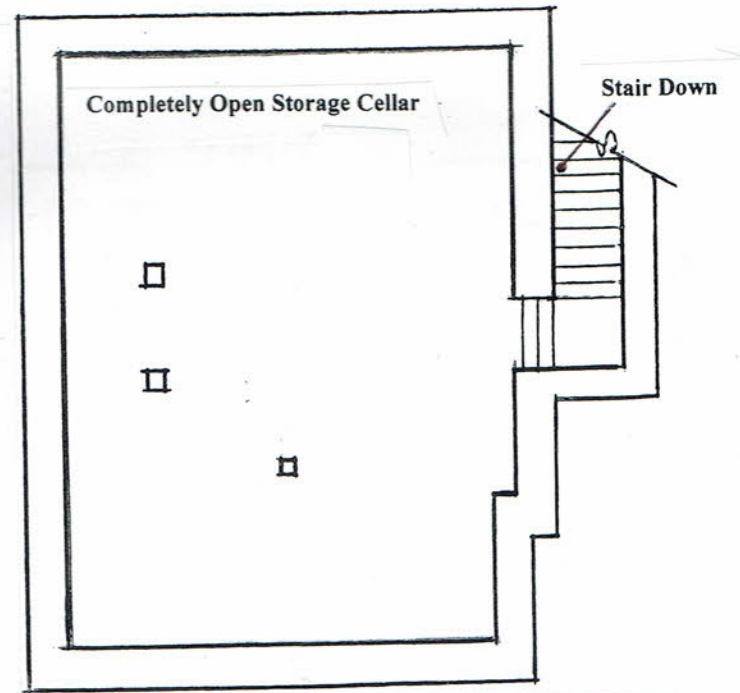


EXISTING REAR ELEVATION Scale 1.00
SOUTH ELEVATION

EXISTING & PROPOSED BASEMENT PLANS



PROPOSED BASEMENT PLAN Scale 1.100



EXISTING BASEMENT PLAN Scale 1.100

**PROPOSED ALTERATIONS EXTENSION & CHANGE OF USE
 OF A HOT FOOD TAKEAWAY & AN OFFICE TO FORM A RESTAURANT
 AT No227 & 229 POROTBELLO HIGH STREET
 EDINBURGH.EH15 2AN. FOR HAREM MURDOCHY**



Scale of metres

PROPOSED OVERALL PLAN

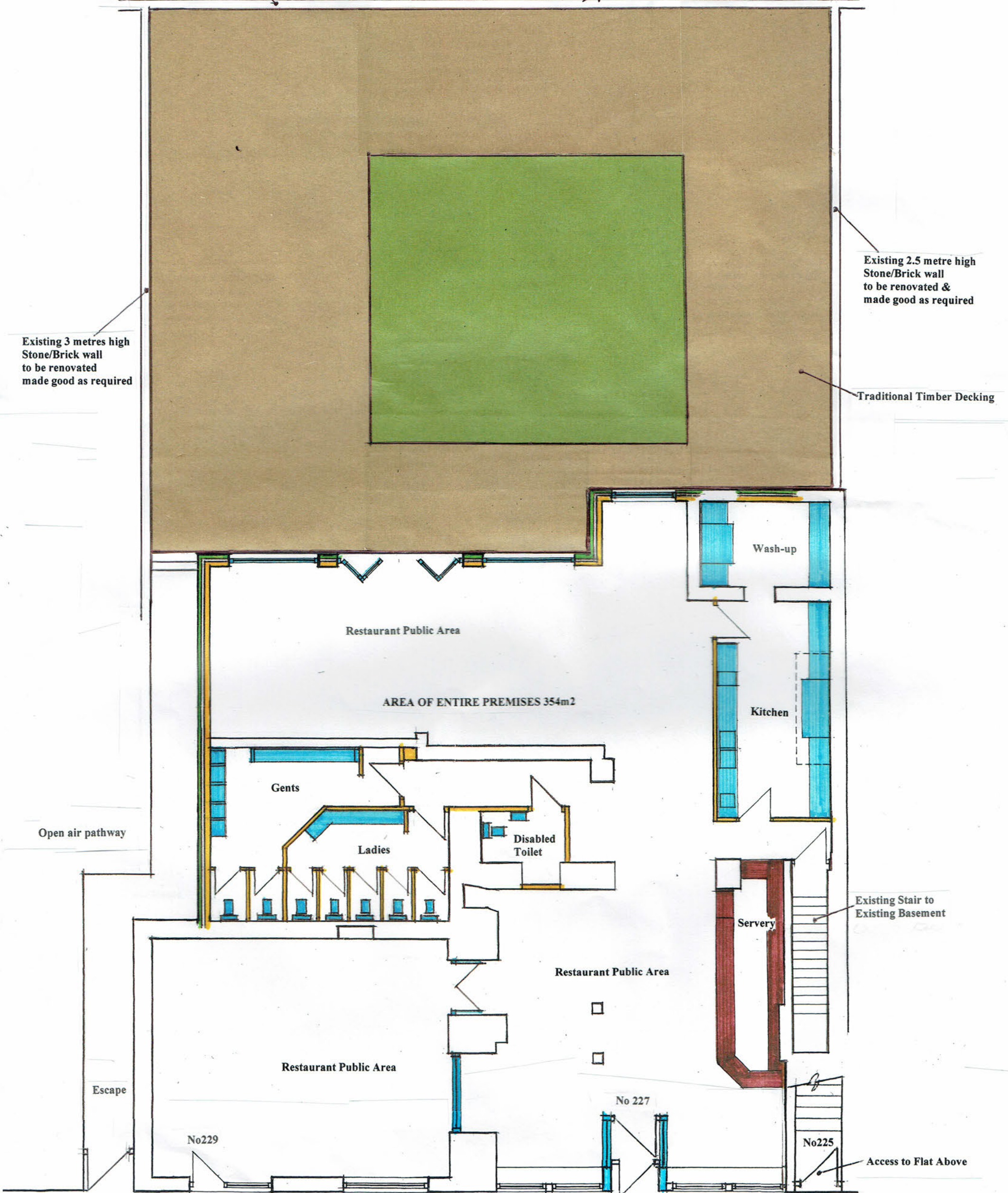
Existing 3.4 metres high
 Stone / Brick wall
 to be renovated &
 made good as required

Existing stone & brickwork walls to be made good & repaired / repointed as required

Existing 3 metres high
 Stone/Brick wall
 to be renovated
 made good as required

Existing 2.5 metre high
 Stone/Brick wall
 to be renovated &
 made good as required

Traditional Timber Decking



AREA OF ENTIRE PREMISES 354m²

Restaurant Public Area

Wash-up

Kitchen

Gents

Ladies

Disabled Toilet

Servery

Existing Stair to Existing Basement

Restaurant Public Area

Restaurant Public Area

Escape

No229

No 227

No225

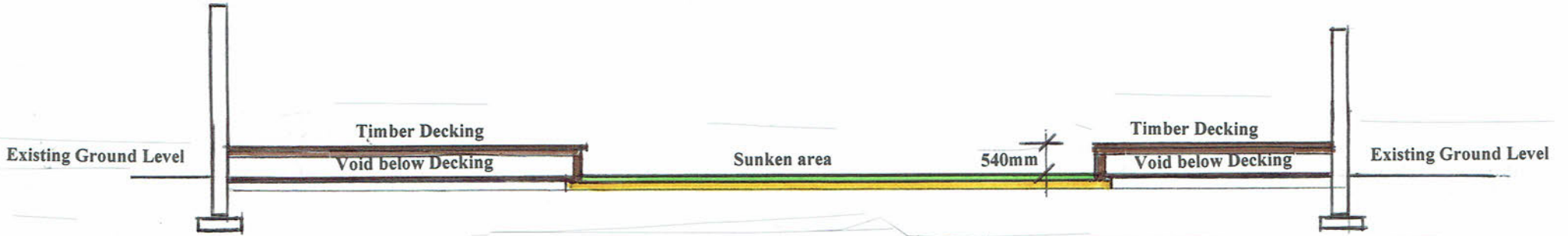
Access to Flat Above

Pavement

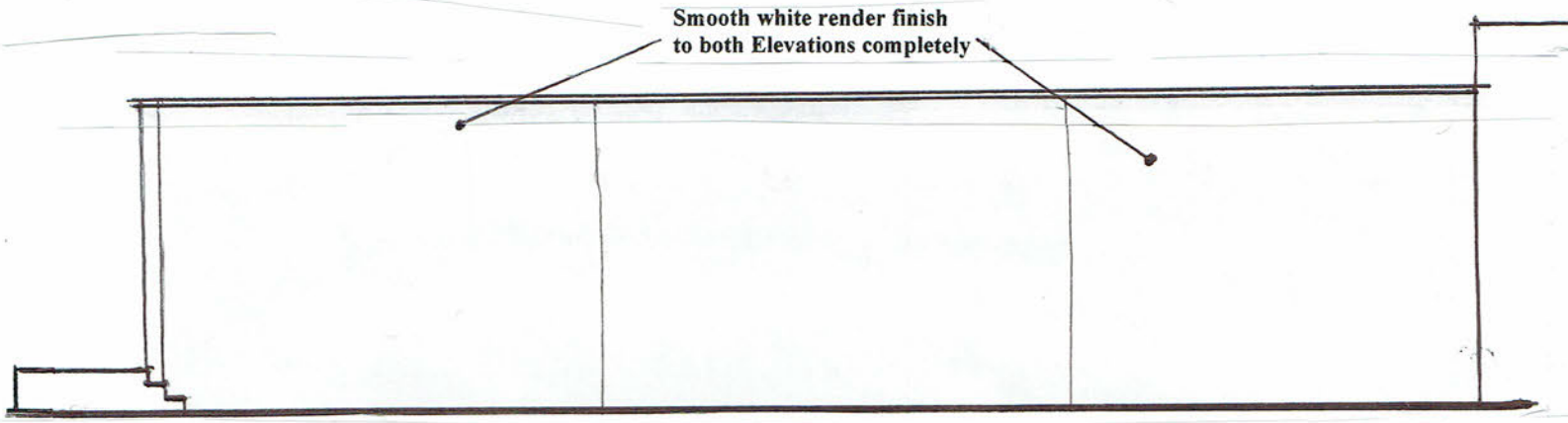
**PROPOSED ALTERATIONS EXTENSION & CHANGE OF USE
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AT No227 & 229 POROTBELLO HIGH STREET
EDINBURGH.EH15 2AN. FOR HAREM MURDOCHY**



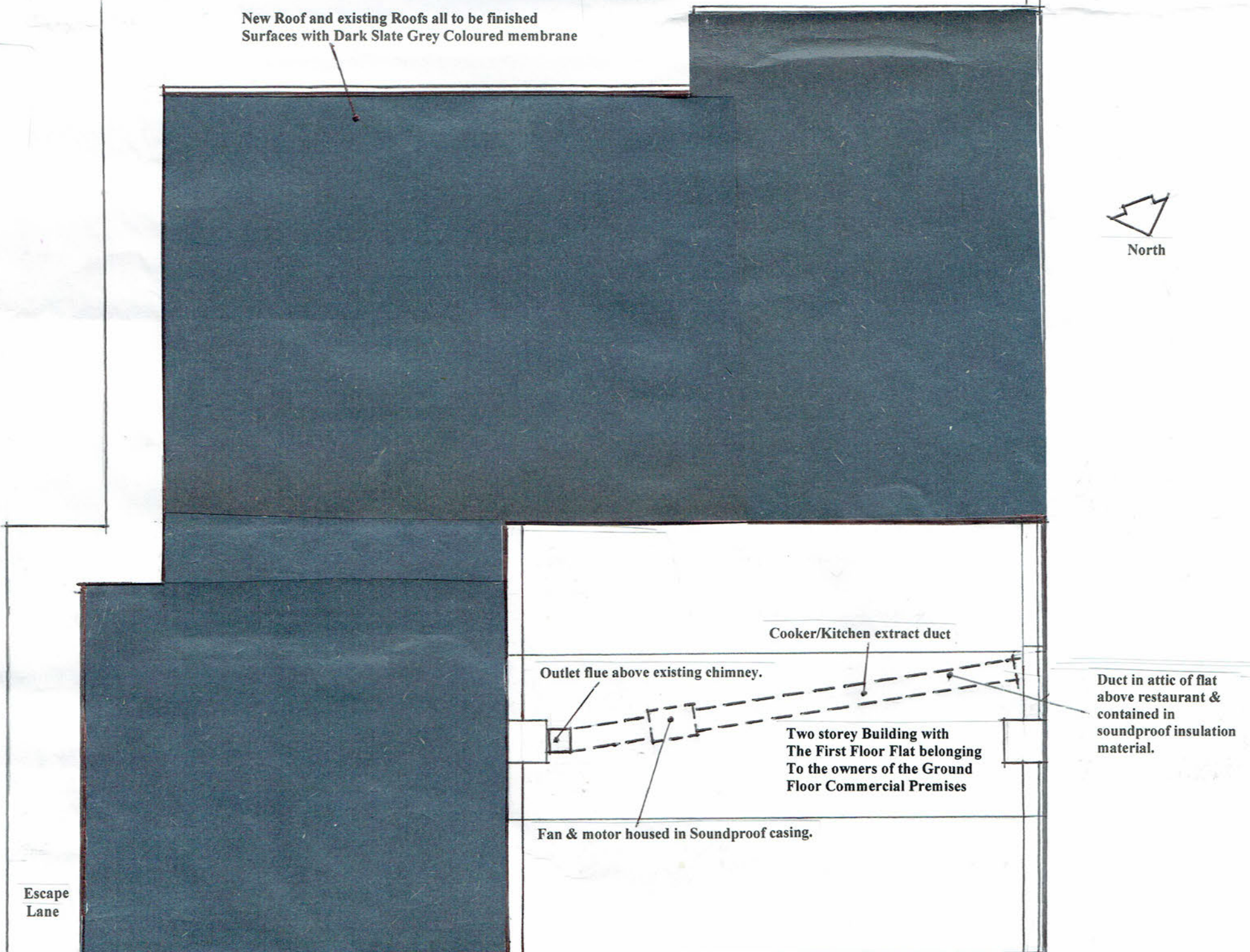
PROPOSED ROOF PLAN, ELEVATION & GARDEN SECTION



SECTION THROUGH REAR GARDEN EAST TO WEST Scale 1.100



PROPOSED SIDE ELEVATION Scale 1.100
EAST ELEVATION



From: John Tod
Sent: 08 June 2022 15:37
To: ~~harem@murdoch~~
Subject: FW: 227-229 Portobello High Street REF 21/04749/FUL

FYI

Sent from [Mail](#) for Windows

From: ~~John Tod~~
Sent: 08 June 2022 14:51
To: murray.couston@edinburgh.gov.uk
Subject: 227-229 Portobello High Street REF 21/04749/FUL

Murray Couston

08 June 2022

Hi Murray

I have added to and adjusted the drawings for this project and the set now consists of drawing No.BLP and drawing No.1 to 10 inclusive.

Drawing No.9 shows the approved and proposed plans and elevation.
Drawing No.10 some more site progress photographs.

Drawing No.9 I think shows that the proposed application now with you takes up much less of the garden space and is a much more an appropriate scheme having a great deal less glazing, which obviously will reduce noise breakout and will have a much better performance in noise containment.

I have sent our revised drawings to Sandy Browns our Acoustic Consultants for their updated comments which I will pass to you as soon as they come to hand.

My client is prepared to install acoustic monitoring equipment in the premises and the garden to allow him to record noise generation in order to be able to at all times keep within agreed noise level limit.

The extract fan and ducts will all be contained within the flat above the proposed restaurant which is now in the same ownership, and the flue will terminate through the chimney stack flues to the east side of the above flat which is where the existing flues from the previous take away are located.

My client informs me that as far as he is aware the flue termination in this location has caused no problems in the past.

My client is of the opinion as I am that very little noise will be generated from this proposed restaurant premises with its proposed opening hours being 12 noon till 10pm at night.

I am still of the opinion that a face-to-face meeting possibly onsite would be of a great benefit to all parties concerned.

My phone number is ~~XXXXXXXXXX~~ and would welcome a phone discussion.
The E-Planning.Scot online Ref is 100469672-007

I am sure that between us we can come up with a satisfactory solution to this proposal and avoid the problems that will undoubtedly arise if my client has to revert to construction the approval, he has Ref: 19/00020/FUL.

I can email the drawings to you directly and individually if that would be of assistance to you.

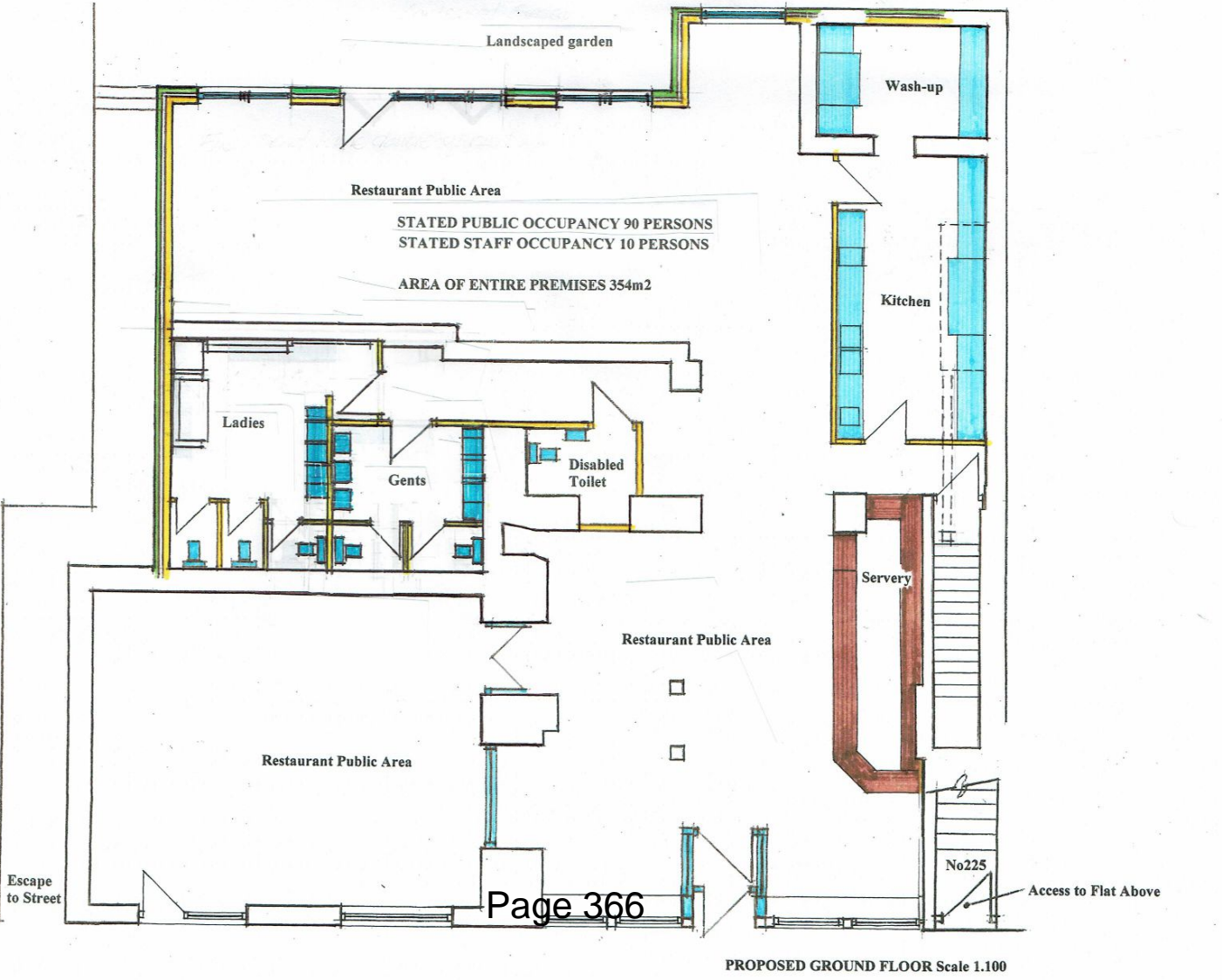
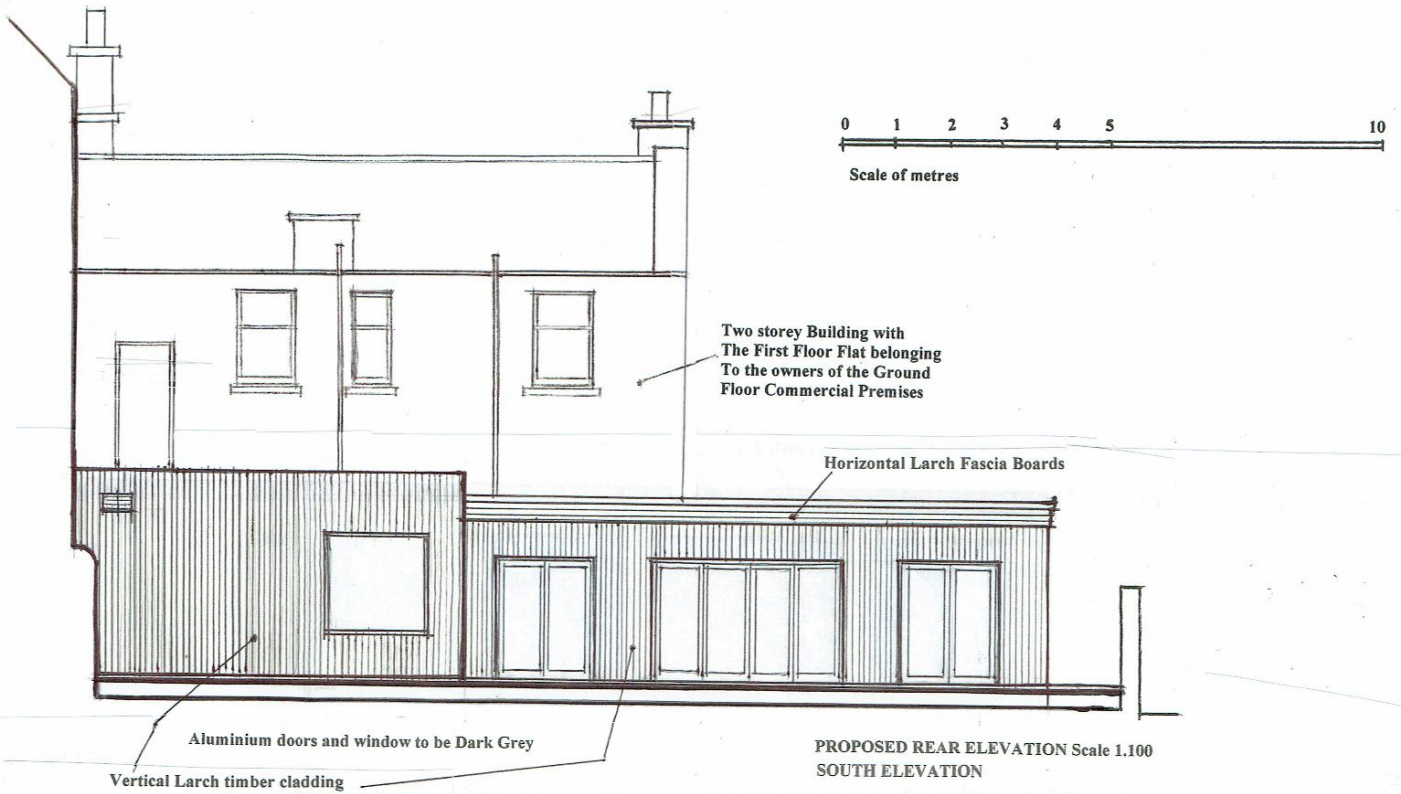
Thanks and Regards,
John

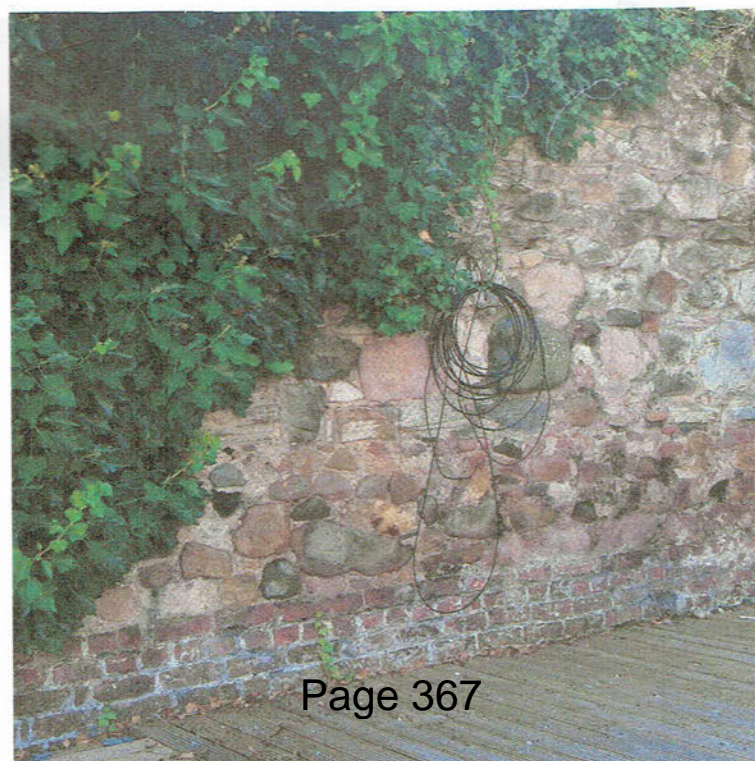
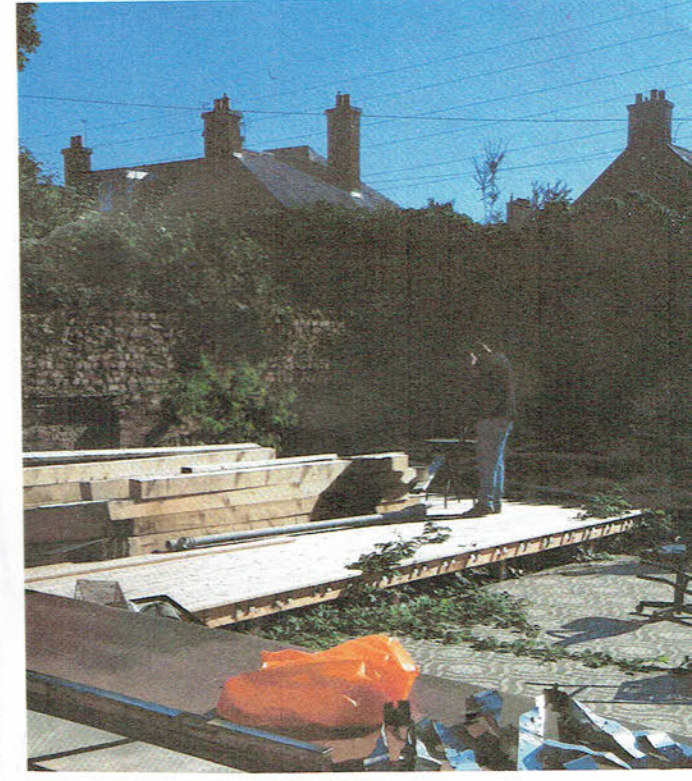
John Tod Associates

Sent from ~~John Tod~~ for Windows

PROPOSED ALTERATIONS EXTENSION & CHANGE OF USE OF A HOT FOOD TAKEAWAY & AN OFFICE TO FORM A RESTAURANT AT No227 & 229 POROTBELLO HIGH STREET EDINBURGH.EH15 2AN. FOR HAREM MURDOCHY TO BE CALLED THE GARDEN OF EDEN

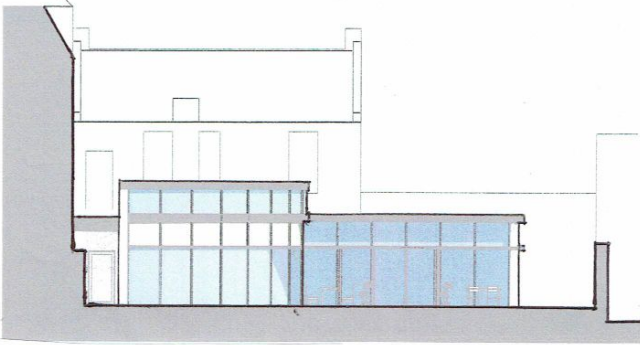
PROPOSED PLAN & ELEVATION





**PROPOSED ALTERATIONS EXTENSION & CHANGE OF USE
 OF A HOT FOOD TAKEAWAY & AN OFFICE TO FORM A RESTAURANT
 AT No227 & 229 PORTOBELLO HIGH STREET
 EDINBURGH EH15 2AN, FOR HAREM MURDOCHY
 TO BE CALLED THE GARDEN OF EDEN**

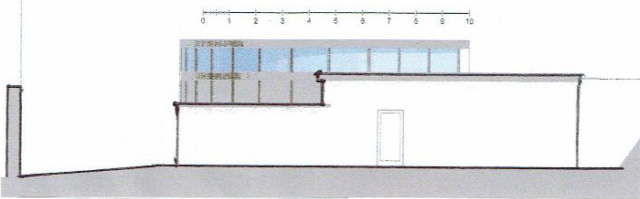
APPROVED & PROPOSED PLANS & ELEVATIONS



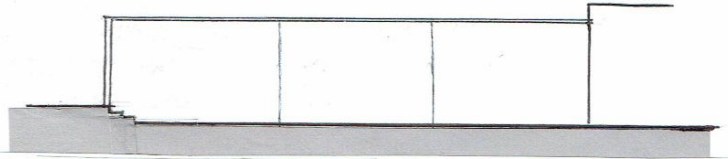
APPROVED SOUTH ELEVATION



PROPOSED SOUTH ELEVATION



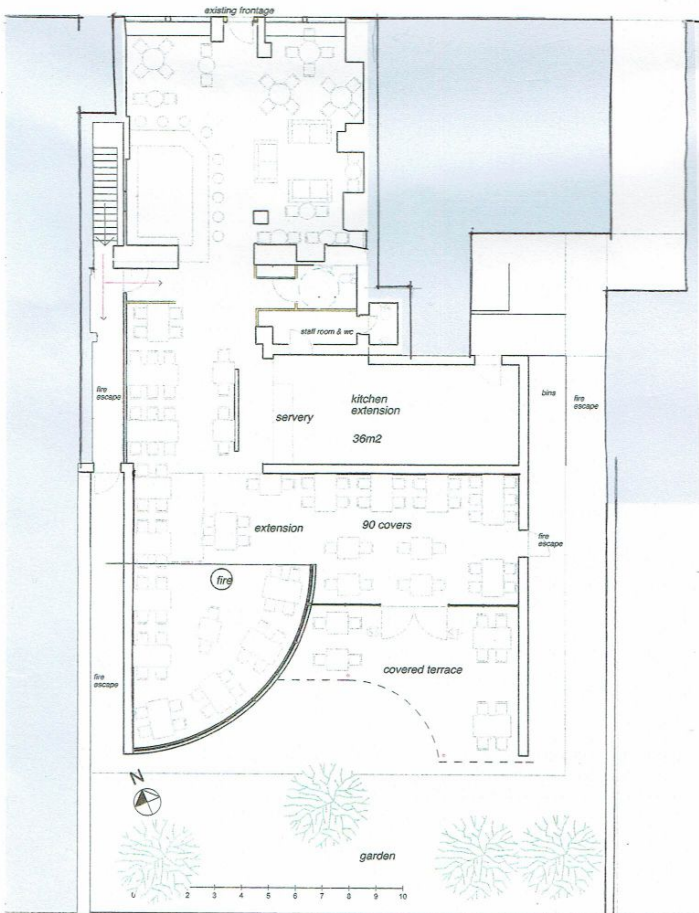
APPROVED EAST ELEVATION



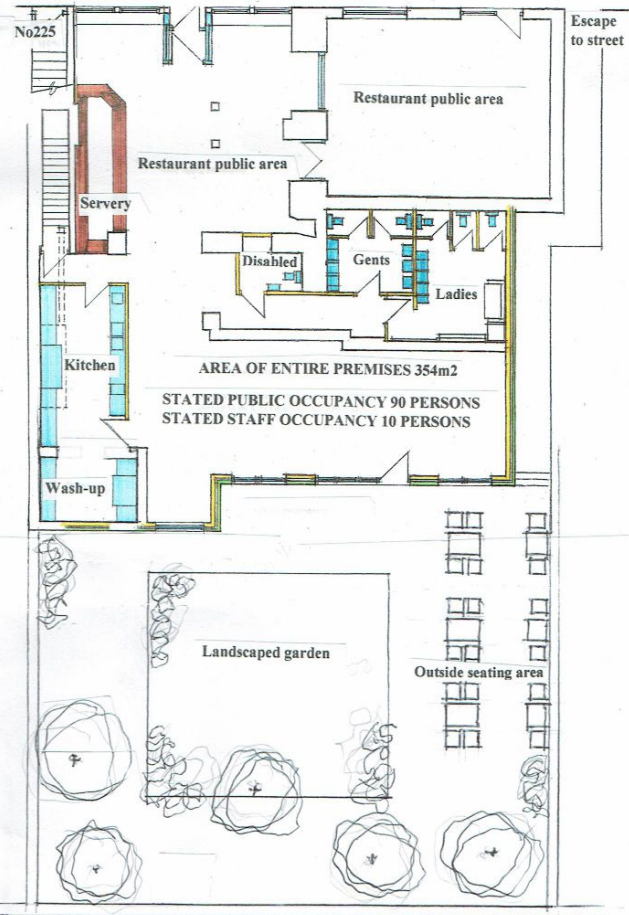
PROPOSED EAST ELEVATION

Portobello High Street

Portobello High Street



APPROVED PLAN Scale 1.200



PROPOSED PLAN Scale 1.200

NOTE: THE ONLY ACCESS TO THIS PROPERTY IS A SINGLE FLAT WHICH IS NOW IN THE SAME OWNERSHIP AS THE APPLICATION PROPERTY AND WILL BE USED AS A MANAGER FLAT & FOR STAFF ACCOMMODATION AND THE TWO PROPERTIES CAN BE LEGALLY TIED TOGETHER SO THAT THEY CAN NEVER BE SOLD AS SEPARATE UNITS

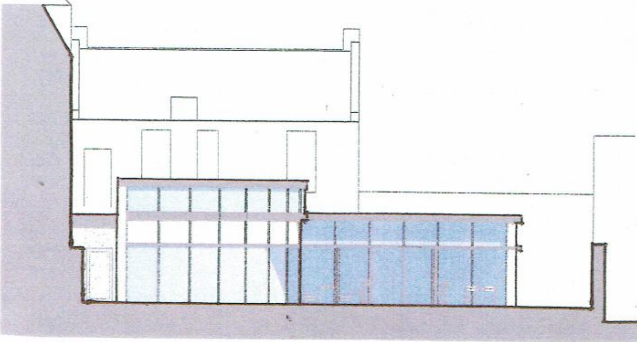
PROPOSED ALTERATIONS EXTENSION & CHANGE OF USE OF A HOT FOOD TAKEAWAY & AN OFFICE TO FORM A RESTAURANT AT No227 & 229 POROTBELLO HIGH STREET EDINBURGH, EH15 2AN. FOR HAREM MURDOCHY TO BE CALLED THE GARDEN OF EDEN

JOHN A. TOD Dip Archt
Registered Architect

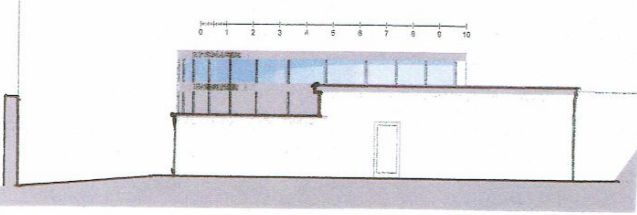
69 Edinburgh Road
Musselburgh
East Lothian
Scotland EH21 6EE

Tel: 0131-665 8147
Email: todyoung61@btinternet.com

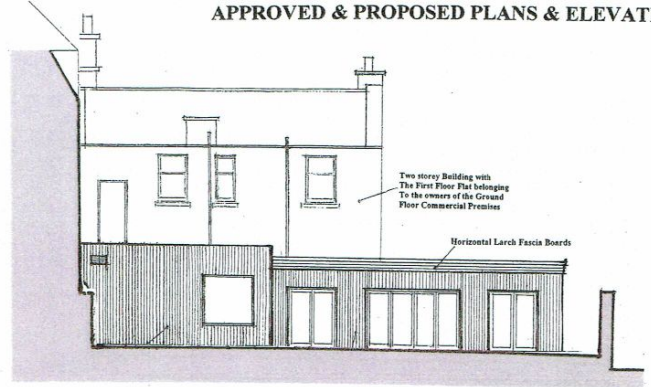
APPROVED & PROPOSED PLANS & ELEVATIONS



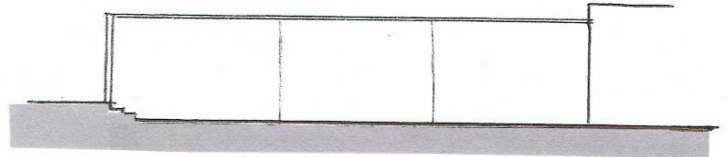
APPROVED SOUTH ELEVATION



APPROVED EAST ELEVATION



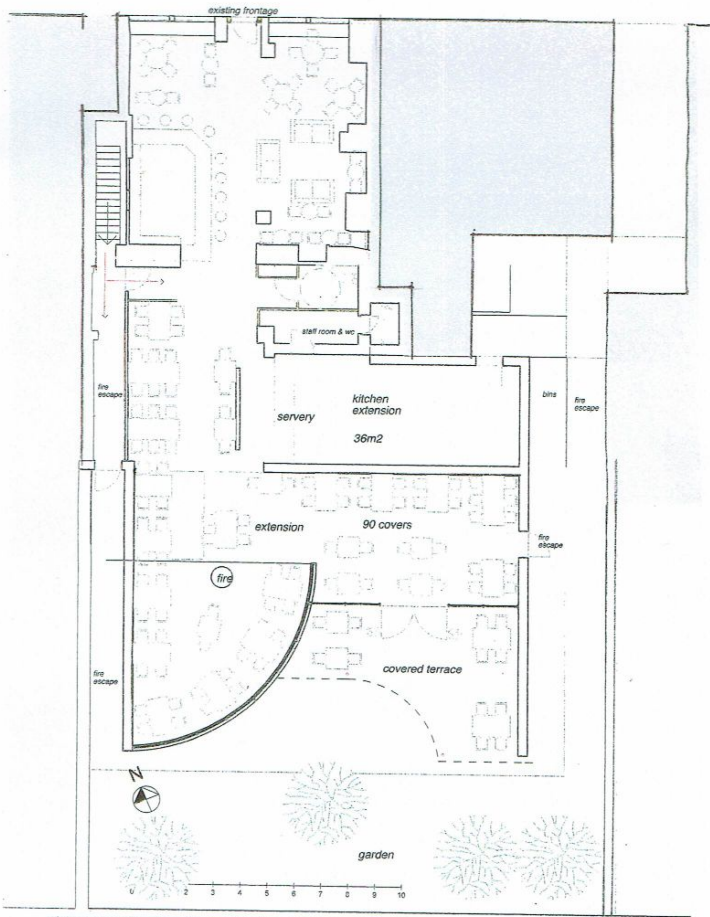
PROPOSED SOUTH ELEVATION



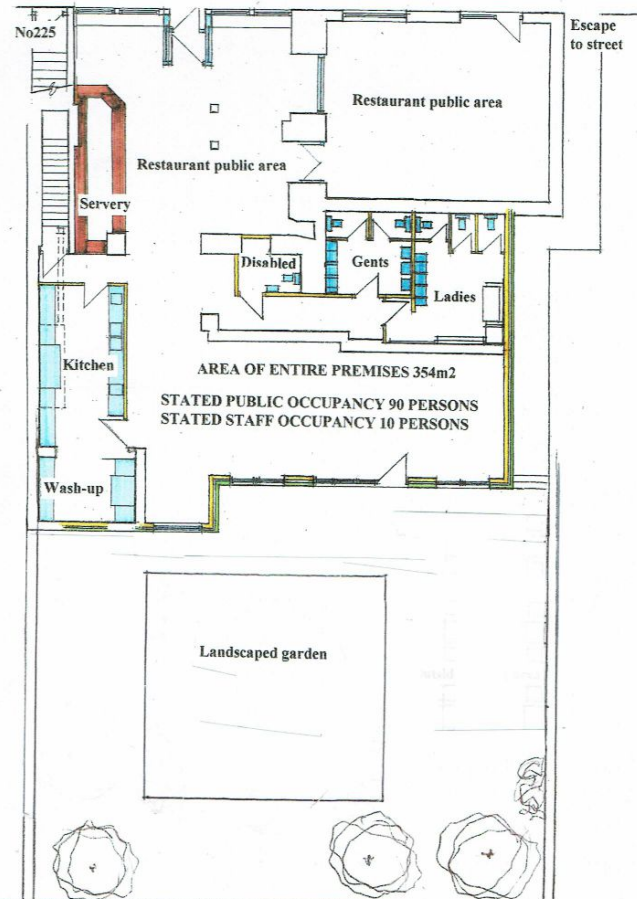
PROPOSED EAST ELEVATION

Portobello High Street

Portobello High Street



APPROVED PLAN Scale 1.200



PROPOSED PLAN Scale 1.200

NOTE: THE ONLY ACCOMMODATION PROPERTY IS A SINGLE FLAT WHICH IS NOW IN THE SAME OWNERSHIP AS THE APPLICATION PROPERTY AND WILL BE USED AS A MANAGER FLAT & FOR STAFF ACCOMMODATION AND THE TWO PROPERTIES CAN BE LEGALLY TIED TOGETHER SO THAT THEY CAN NEVER BE SOLD AS SEPARATE UNITS

SITE PROGRESS PHOTOGRAPHS



PHOTOGRAPH OF REAR ELEVATION & GARDEN UNDER CONSTRUCTION



PHOTOGRAPH OF GABLE OF BUILDING TO THE EAST



PHOTOGRAPH OF GARDEN UNDER CONSTRUCTION & SOUTH GARDEN WALL

Comments for Planning Application 21/04749/FUL

Application Summary

Application Number: 21/04749/FUL

Address: 227 & 229 Portobello High Street Edinburgh EH15 2AN

Proposal: Proposed alterations extension and use of a hot food takeaway and an office to form a restaurant.

Case Officer: Local1 Team

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: While I support the diversification of businesses on Portobello High St and the range of restaurants available, I would like to note that this proposed restaurant is surrounded by residential properties. Our garden backs on to the proposed extension at the back of Oscar's and we have heard work being conducted there since the start of the first lockdown.

I would like to strongly urge the Council to set and enforce noise limit levels around the use of the outside space which ensure that my family and I and our neighbours are not disturbed when using our own garden in good weather. I would also like to note that adjoining the property is elderly residential housing (where my mother is resident) and the residents there should not be disturbed with loud music either.

SANDY BROWN

Consultants in Acoustics, Noise & Vibration

22165-R01-B

17 May 2022

227-229 Portobello High Street

Noise impact assessment report

London, Manchester, Edinburgh, Birmingham, Belfast, Leeds

post@sandybrown.com

www.sandybrown.com

Sandy Brown Ltd

Registered in England & Wales

No. 13227735

Registered Office: 55 Charterhouse Street, London EC1M 6HA

SANDY BROWN

Consultants in Acoustics, Noise & Vibration

Version	Date	Comments	Author	Reviewer
A	13 Apr 22	Initial issue	Zanyar Abdalrahman	Craig Simpson
B	17 May 22	Appendix B added, which provides tables of calculations	Zanyar Abdalrahman	Craig Simpson

Disclaimer

This report has been prepared for the sole benefit and use of our client based on their instructions and requirements. Sandy Brown Ltd extends no liability in respect of the information contained in the report to any third party.

Summary

Sandy Brown has been appointed to provide an assessment of noise in relation to the proposed development at 227-229 Portobello High Street, Edinburgh.

The project is the extension and change of use of an existing hot food takeaway and an office to form a single-storey restaurant. There is an existing apartment on the first floor of plot number 227 which is to be retained.

As part of the planning application, a noise impact assessment is required to assess the impact of the development on the noise sensitive receptors around the site.

The potential noise sources associated with the scheme can be broadly divided into two categories:

- Building services plant
- Internal activities in the restaurant such as background music.

The City of Edinburgh Council (CEC) has set absolute noise limits (NR15 from internal activities and NR25 from building services plant) without reference to the existing background sound level at and around the site. A background noise survey has therefore not been carried out.

We visited the site on 2 April 2022 to measure the airborne sound insulation of the existing separating floor between the residential apartment and the restaurant.

The measured sound insulation of the existing floor is $D_{nT,w}$ 57 dB.

To meet the CEC building services plant noise requirement, noise from the extract grilles must be controlled so that a sound pressure level of 55 dBA is not exceeded at 1 m in front of each grille. This is an onerous requirement and might require the installation of suitable attenuators on the extract ducts, and/or using extract fans that are relatively quiet in operation.

To control activities noise breakout, the following minimum sound insulation must be achieved:

- External windows must have a minimum sound insulation performance of $R_w+C_{tr} \geq 33$ dB. This is also applicable to the external folding door open to the back garden. Example glazing configuration is provided in the report
- The roof of the extension to the rear should have a sound insulation performance of $R_w+C_{tr} \geq 45$ dB. The newly built roof is capable of meeting this requirement
- Each doorset of the lobbied external front doors leading to the restaurant should have a minimum sound insulation of R_w 27 dB
- The separating floor must have a minimum sound insulation performance of $D_{nT,w}$ 60 dB. The measured performance is 3 dB short of this requirement, however, remedial works to the edges of the floor can improve the performance to meet the requirement.

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1 Introduction

Sandy Brown has been appointed to provide an assessment of noise in relation to the proposed development at 227-229 Portobello High Street, Edinburgh.

The project is the extension and change of use of an existing hot food takeaway and an office to form a single-storey restaurant. There is an existing apartment on the first floor of plot number 227 which is to be retained.

As part of the planning application, a noise impact assessment is required to assess the impact of the development on the noise sensitive receptors around the site.

We have visited the site and carried out necessary acoustic measurements to allow us to assess the noise impact of the proposals.

This report provides details of the acoustic measurements, including measurement results, and provides recommendations.

2 Site and development description

2.1 The site and its surroundings

The site location in relation to its surroundings is shown in Figure 1. The existing and proposed floor plans are shown in Figure 2 and Figure 3, respectively.



Figure 1 Site location. The proposed site is highlighted in red. The nearest noise sensitive receptors are highlighted in blue

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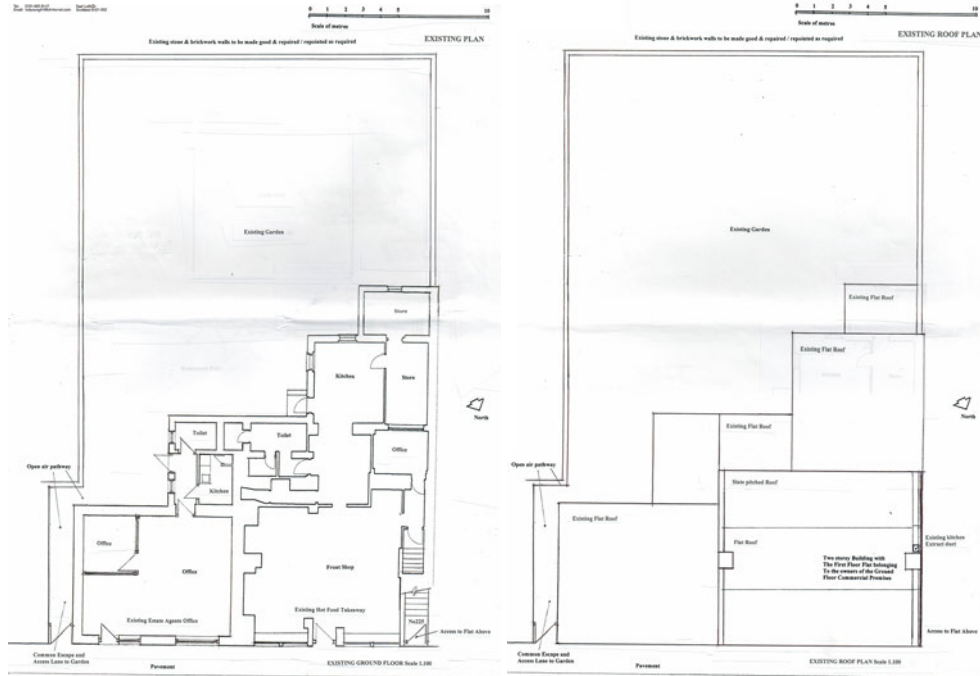


Figure 2 Existing ground floor plan (left) and first-floor plan (right)

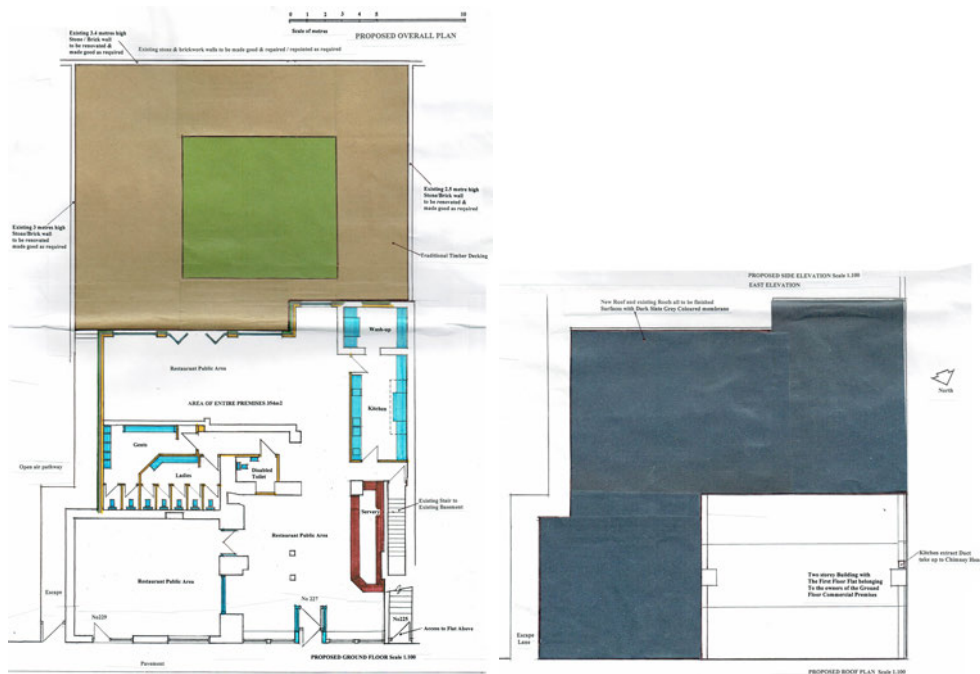


Figure 3 Proposed ground floor plan (left) and first-floor plan (right)

2.2 Nearest noise sensitive receptors

The nearest noise sensitive receptor from the development is the existing first-floor apartment at 227 Portobello High Street directly above the restaurant, followed by a dwelling to the south of the site. These receptors are highlighted in blue in

Figure 1.

3 Development proposals

3.1 The development

The ground floor of plot number 227 has, until recently, been used as a takeaway shop. Plot number 229 is an existing single-storey premises which is proposed to be merged with the ground floor of plot number 227 to form a restaurant. The existing first-floor apartment above the restaurant remains unchanged.

3.2 Hours of operation

The commercial uses proposed as part of the development would likely to operate between 10:00 am and 01:00 am from Monday to Saturday.

3.3 Potential noise sources

The potential noise sources associated with the scheme can be broadly divided into two categories:

- Building services plant
- Internal activities in the restaurant such as background music.

The potential impact of these sources has been assessed and mitigation measures have been proposed to minimise the impact on the existing noise sensitive premises around the development.

4 The City of Edinburgh Council criteria

Planning Application 21/04749/FUL makes reference to the following conditions, which need to be addressed in the noise impact assessment:

- *'Noise from all proposed mechanical plant cumulatively meets NR25 within the living apartments of any nearby noise-sensitive receptors, with windows partially open for ventilation.'*
- *'NR15 is met within the nearest noise-sensitive premises for all commercial noise (such as vocals, music, impact, kitchen noise etc.). A worst-case scenario should be assumed.'*

5 Acoustic measurements

The City of Edinburgh Council (CEC) has set absolute noise limits (NR15 and NR25) without reference to the existing background sound level at and around the site. A noise survey is therefore not required. The main issue is noise transfer from the restaurant to the apartment above through the restaurant's facades, roof and separating floor.

Zanyar Abdalrahman of Sandy Brown visited the site on 2 April 2022 to measure the airborne sound insulation of the existing separating floor between the residential flat and the restaurant. Details of the equipment used are given in Appendix A.

No sound insulation tests of the existing glazed front door and windows have been carried out as they are to be replaced.

6 Results

The separating floor between the restaurant and the residential flat is a traditional ash-deafened timber floor with T&G floorboards above the timber joists and lathe and plaster underneath. Two layers of additional plasterboard linings have also been installed below the lath and plaster ceiling.

The measured sound insulation of the floor is $D_{nT,w}$ 57 dB. This is a good standard for a traditional building and meets the Scottish building regulations' minimum requirement of $D_{nT,w}$ 53 dB by 4 dB.

7 Noise egress assessment and recommendations

7.1 Noise egress from building services plant

At this stage, plant selections have not been made, however, two extract fan grilles are proposed on the east facade as illustrated in Figure 4. The nearest noise sensitive receptor from these grilles is a dwelling to the south. The location of the grilles in relation to the dwelling is shown in Figure 5.

To meet the CEC requirement, noise from the extract grilles must not exceed NR 25 inside the dwelling, with windows open for ventilation. NR25 is approximately equivalent to L_{Aeq} 30 dB.

An open window for ventilation can typically provide 10-15 dB noise reduction from outside to inside.

Taking into account the distance of the dwelling (approximately 7 m), and assuming a 12 dB reduction provided by an open window, to meet the CEC requirement, noise emission from the extract grilles must be controlled so that a sound pressure level of 55 dBA is not exceeded at 1 m in front of each grille. This is an onerous requirement and might require the installation

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of suitable atmospheric side attenuators on the extract ducts, and/or using extract fans that are relatively quiet in operation.

Details of the calculations are provided in Appendix B.

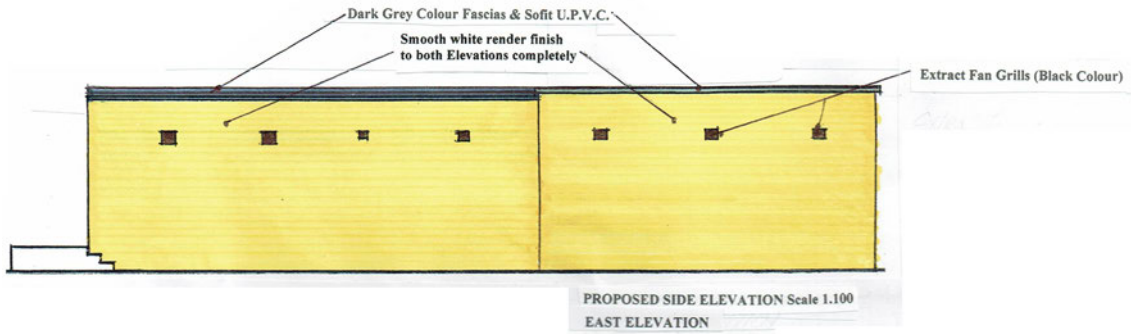


Figure 4 East facade showing the location of the extract grilles



Figure 5 Aerial view of the site showing the location of the extract grilles (denoted as 1 and 2) and the nearest noise sensitive receptor (highlighted in blue) (courtesy of Goggle Earth Pro)

7.2 Noise egress from activities within the restaurant

We understand no live music will be played in the restaurant, and noise is mainly limited to moderate levels of background music along with typical noise made by staff and customers.

7.2.1 Typical noise levels from a restaurant with background music

We have carried out noise measurements in similar restaurants and the typical worst-case (ie Friday night) noise levels are as follows

- L_{Aeq} 77 dB
- L_{AFmax} 83 dB

The octave-band noise levels used in the assessment are given in Appendix B.

7.2.2 Guidance on envelope construction and glazing

The existing external masonry wall is expected to provide a high level of sound insulation. The weakest element of the facade is the glazed windows and doors.

Based on a noise level of $L_{Aeq} \leq 77$ dB, and to meet the City of Edinburgh Council's requirements, all external windows must have a minimum sound insulation performance of $R_w + C_{tr} \geq 33$ dB. This is also applicable to the external folding door open to the back garden.

An example glazed configuration that would achieve this performance is:

- 6.4 mm acoustic laminated glass / 16 mm air gap / 6 mm float glass.

The roof of the extension to the rear should have a sound insulation performance of $R_w + C_{tr} \geq 45$ dB. The roof build-up consists of 3 layers of felt on 200 mm rigid board insulation on 18 mm OSB decking on 250 × 50 mm timber joists at 400 mm centres with two layers of 15 mm SoundBloc plasterboard underneath and 50 mm mineral fibre insulation in the roof cavity between the joists. This roof build-up is capable of meeting the sound insulation requirement.

For the external front door leading to the restaurant, a lobbied door is proposed which is advantageous in minimising egress when patron enter and leave the premises. The sound insulation performance of each doorset should be at least R_w 27 dB.

Details of the calculations are provided in Appendix B.

7.3 Noise breakout to the accommodation above

Noise from the restaurant can break into the first-floor bedrooms of the apartment above through the separating floor. To meet the City of Edinburgh Council criterion of NR15, the separating floor must have a minimum sound insulation performance of $D_{nT,w}$ 60 dB.

The measured sound insulation performance of the floor is $D_{nT,w}$ 57 dB, which is 3 dB short of meeting the requirement. At the time of our test, there were obvious weaknesses at the edges

of the floor (from within the restaurant), where the plasterboard ceiling had been removed and the ceiling cavity exposed as shown in Figure 6.

When the ceiling cavity is filled with mineral fibre insulation and the plasterboard ceiling is reinstated such that there are no gaps in the ceiling, and between the plasterboard and the perimeter walls, we estimate the sound insulation performance of the floor will improve to around $D_{nT,w}$ 60-65 dB and this would be capable of controlling noise breakout to meet the CEC requirement.

Details of the calculations are given in Appendix B.



Figure 6 Unsealed gaps at the edge of the separating floor (from within the restaurant)

Appendix A

Equipment list

Equipment description	Type/serial number	Manufacturer	Calibration expiry	Calibration certification number
2250				
Sound level meter	2250/3010038	Brüel & Kjær	29 Nov 23	UCRT21/2456, UCRT21/2457
Microphone	4189/3036540	Brüel & Kjær	29 Nov 23	UCRT21/2456, UCRT21/2457
Pre-amp	ZC-0032/31255	Brüel & Kjær	29 Nov 23	UCRT21/2456, UCRT21/2457
Calibrator	4231/3016410	Brüel & Kjær	29 Nov 23	UCRT21/2451
Loudspeaker	K12.2	QSC	N/A	N/A
Noise source	MR2	NTI Audio	N/A	N/A

Appendix B

Calculation details

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Table B1 Calculation details of noise transfer between the restaurant and the accommodation above through the separating floor

Comments	Octave band centre frequency (Hz)							Rating 1	Rating 2		
	63	125	250	500	1k	2k	4k				
Assumed reverberant noise level in the restaurant (dB)	78	73	72	73	72	70	65	L_{Aeq}	77	-	-
Measured sound insulation, D (dB)	38	40	45	53	61	63	65	D_w	57	-	-
Improvement in sound insulation after remedial work (dB)	3	3	3	3	3	3	3	-	-	-	-
Reverberant noise level in the rooms above the restaurant (dB)	37	29	24	17	8	4	-3	L_{Aeq}	20	NR	14

Table B2 Calculation details of noise transfer between the restaurant and the accommodation above through the glazed windows

Comments	Octave band centre frequency (Hz)							Rating 1	Rating 2		
	63	125	250	500	1k	2k	4k				
Assumed reverberant noise level in the restaurant (dB)	78	73	72	73	72	70	65	L_{Aeq}	77	-	-
Reduction provided by recommended glazing specifications (dB)	20	26	26	34	43	46	57	R_w+C_{tr}	33	-	-
Reduction due to distance and directivity correction (dB)	14	14	14	14	14	14	14	-	-	-	-
Open-window reduction (dB)	12	12	12	12	12	12	12	-	-	-	-
Reverberant noise level in the rooms above the restaurant (dB)	32	21	20	13	3	-2	-18	L_{Aeq}	15	NR	9

Table B3 Cumulative reverberant noise level through the floor and glazed windows in the rooms above

Comments	Octave band centre frequency (Hz)							Rating 1	Rating 2		
	63	125	250	500	1k	2k	4k				
Reverberant noise level in the rooms above through floor (dB)	37	29	24	17	8	4	-3	L_A	20	NR	14
Reverberant noise level in the rooms above through windows (dB)	32	21	20	13	3	-2	-18	L_A	15	NR	9
Cumulative reverberant noise level through windows and floor (dB)	38	30	26	18	9	5	-3	L_A	21	NR	15

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Table B4 Plant noise level inside the nearest noise sensitive receptor from the proposed plant

Comments	Octave band centre frequency (Hz)							Rating 1		Rating 2	
	63	125	250	500	1k	2k	4k				
Sound pressure level of plant at 1 m (assumed, dB)	66	60	59	51	46	43	40	L_A	55	NR	51
Unit correction (2 units, dB)	3	3	3	3	3	3	3	-	-	-	-
Reduction due to distance and directivity correction (dB)	17	17	17	17	17	17	17	-	-	-	-
Open window reduction	12	12	12	12	12	12	12	-	-	-	-
Resultant noise level inside (dB)	40	34	33	25	20	17	14	L_A	29	NR	23

Comments for Planning Application 21/04749/FUL

Application Summary

Application Number: 21/04749/FUL

Address: 227 & 229 Portobello High Street Edinburgh EH15 2AN

Proposal: Proposed alterations extension and use of a hot food takeaway and an office to form a restaurant.

Case Officer: Murray Couston

Customer Details

Name: Org Portobello Amenity Society

Address: 4a Elcho Terrace Edinburgh

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Portobello Amenity Society wishes to object to this application for the following reasons:

The drawings are incomplete in that no proposed front elevation to the two premises is shown.

Whilst there may be no major changes proposed there will undoubtedly be an illuminated sign and this design for this should be included in this application. It is particularly important to do so as the applicant has on many occasions ignored the need for planning permission, notably at King's Place. As shown, work has already started on a rear extension that does not comply with consented approval.

Clarity of use of the raised decking area to the rear is required as it could be used as an outdoor seated area for serving drinks and food. If this is intended then it should be shown on the application and any possibility of noise nuisance, especially during the late evening and night time taken into account when assessing this proposal. There are domestic properties backing onto this open court yard that may be affected.

The agent states that waste storage and recycling storage will be provided on site but these areas are not indicated on the submitted plans. It is not conceivable that these areas could be accommodated in the cellars. Again, as there are residential properties adjacent, these facilities should be located so as not to cause a nuisance to existing residents.

In addition to these objections, the Society is concerned about the loss of another commercial/shop unit in Portobello High Street. Recent applications in close proximity for change of use to class 3 from class 1 have been granted or are under consideration. It is necessary for a vibrant town centre to have a mixture of uses.

Report of Handling

Application for Planning Permission

227 & 229 Portobello High Street, Edinburgh, EH15 2AN

Proposal: Proposed alterations extension and use of a hot food takeaway and an office to form a restaurant.

Item – Local Delegated Decision

Application Number – 21/04749/FUL

Ward – B17 - Portobello/Craigmillar

Recommendation

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

Summary

The proposal does not comply with the relevant policies within the Edinburgh Local Development Plan and the relevant Guidance in that it would have an unacceptable impact on amenity. No material considerations would outweigh this decision.

SECTION A – Application Background

Site Description

The application site is a two storey building with the existing takeaway at ground floor and a flat above. The site also takes in the neighbouring single storey office.

Description Of The Proposal

Planning permission is sought for a change of use from hot food takeaway and office to a restaurant including a rear extension.

Supporting Information

A noise impact assessment has been submitted.

Relevant Site History

19/00020/FUL
227 Portobello High Street
Edinburgh

EH15 2AN

Alterations, extension & change of use of existing hot food takeaway to form class 3 restaurant.

Granted

2 April 2019

17/02368/FUL

227 Portobello High Street

Edinburgh

EH15 2AN

Sub-divide existing shop to form shop and 2 bedroom flat

Refused

11 August 2017

Other Relevant Site History

Consultation Engagement

Environmental Protection

Publicity and Public Engagement

Date of Neighbour Notification: 17 June 2022

Date of Advertisement: 15 October 2021

Date of Site Notice: 15 October 2021

Number of Contributors: 2

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 proposed changes represent minor alterations to the building. By virtue of their size, location and suitable materials, the works would not have a detrimental impact on the character and appearance of the conservation area.

Conclusion in relation to the conservation area

The proposal has regard to the desirability of preserving or enhancing the character or appearance of the conservation area. The proposal is acceptable with regards to Section 64 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997.

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 Retail policies Ret 3 and Ret 11
- LDP Housing policy Hou 7
- LDP Design policy Des 12

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering policy Env 6. The non-statutory Guidance for Businesses is a material consideration that is relevant when considering policies Ret 3 and Ret 11.

Principle

The site is located within Portobello Town Centre. The existing uses are a hot food takeaway and office. The proposal would not result in the loss of a retail unit and therefore complies with policy Ret 3.

Policy Ret 11 states that if a proposal is likely to lead to an unacceptable increase in noise to the detriment of living conditions for nearby residents then it will not be supported. Although it is acknowledged that the current use is that of a hot food takeaway, the extension to the rear would intensify the use of the premises and potentially impact on surrounding properties. Furthermore, consent was granted for a similar proposal in 2019 (19/00020/FUL), however, this was assessed with no noise impact assessment and on the basis that the flat above did not object.

Environmental Protection have objected to the proposal. This is discussed further in the section on amenity below. The proposal does not comply with policy Ret 11 and is therefore not acceptable in principle.

Scale, form and design

The proposed external works would represent suitable additions that would be acceptable in this location. The proposed materials are also acceptable in that they would be congruous to the application site and the surrounding area.

This would comply with Des 12 in terms of design.

Amenity

Following submission of a noise impact assessment, Environmental Protection have objected to the proposal. Concerns have been raised regarding breakout noise from the rear extension and the lack of information regarding the flue and ventilation. As noted above, permission for a similar scheme was granted in 2019 without the benefit of a noise impact assessment. Furthermore, regardless of the ownership or stance on the scheme of the property above the proposed restaurant, this is not something that can be controlled in perpetuity by the Council and any future tenants may find the restaurant a nuisance.

Taking this into consideration, the proposal would not be acceptable in terms of amenity by virtue of its potential adverse impact on residential amenity.

This is contrary to Hou 7 in terms of amenity.

Conservation area

This has been addressed above. The proposal complies with policy Env 6.

Conclusion in relation to the Development Plan

The proposal is not acceptable in principle and is likely to have an adverse impact on neighbouring residential amenity. It is, therefore, contrary to the Development Plan.

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 is contrary to Paragraph 29 of SPP, specifically principle 13.

Emerging policy context

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

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

Two letters of representation have been received, one objecting and one making neutral comments. A summary of the representations is provided below:

material considerations

- noise: this has been assessed in the amenity section;
 - extension and decking: this has been assessed in the scale, form and design section;
 - principle: this has been assessed in the section on principle;
 - potential signage: this would be assessed separately by way of an advert application.
- No changes to the front elevations were submitted as part of the application.

non-material considerations

- recycling

Conclusion in relation to identified material considerations

The proposal is not acceptable with regards to the above as it does not comply with Paragraph 29 of SPP.

Overall conclusion

The proposal does not comply with the relevant policies within the Edinburgh Local Development Plan and the relevant Guidance in that it would have an unacceptable impact on amenity. No material considerations would outweigh this decision.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reason for Refusal

1. The proposal is contrary to the Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as it would have a materially detrimental effect on the living conditions of nearby residents.
2. The proposal is contrary to the Local Development Plan Policy Ret 11 in respect of Food and Drink Establishments, as it would be likely to lead to an unacceptable increase in noise and disturbance to the detriment of living conditions for nearby residents.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 6 October 2021

Drawing Numbers/Scheme

01-08

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Murray Couston, Planning Officer
E-mail:murray.couston@edinburgh.gov.uk

Consultations

NAME: Environmental Protection

COMMENT: Environmental Protection is unable to support this application.

The current takeaway part of the proposed site is the ground floor of a two-storey building with residential property above. The application also includes a proposal to have decking and seating for patrons in the rear garden with folding doors at the rear of the ground floor premises to provide access. There are residential properties overlooking the garden.

Environmental Protection has significant concerns about the noise from outdoor activities affecting the amenity of nearby residents. Noise, in particular vocals, from outdoor eating and drinking areas are extremely difficult to modulate and control. There are no mitigation measures, beyond fully enclosing the area, which has not been suggested as part of this application. Nearby residents would likely be subjected to unacceptable levels of noise, and it would be detrimental to residential amenity. In addition, the Noise Impact Assessment (Sandy Brown Limited, ref: 22165-R01-B, dated 17 May 2022) submitted by the applicant relies on the sound insulation properties of glazing to the rear, including large folding doors to meet the expected sound insulation standards. It is highly likely these doors will be kept open for long periods to provide access to the rear seating area, thus no longer meeting the standards set to protect nearby residential amenity.

The Noise Impact Assessment advises that the intention is to operate the business between 10.00 - 01.00 hours. Our Planning colleagues have advised that conditions on hours of operation would not be accepted.

We also have concerns that the position of the extract flue termination point may be too low and cause odour issues in nearby residential properties. In addition, no detail has been provided about the sound levels from the extract flue.

Therefore, Environmental Protection cannot support the application and recommend refusal.

DATE:

The full consultation response can be viewed on the Planning & Building Standards Portal.

MacDonald Licensing.
21A Rutland Square
Edinburgh
EH1 2BB

Mr Harem Murdochy
16/12 Brunswick Road
Edinburgh
EH7 5NQ

Decision date: 7 June 2019

LICENSING (SCOTLAND) ACT 2005
CERTIFICATE BY PLANNING AUTHORITY Reference 19/02640/S50

Request for Section 50 Certificate.

Planning Section 50 Certificate

I certify that for the premises situated, or to be situated at:

Address: 227 Portobello High Street Edinburgh EH15 2AN

Planning permission was granted for a change of use of the premises from a 'hot food takeaway' use to a class 3 cafe or restaurant use on 2 April 2019 (Ref 19/00020/FUL).

The applicant has confirmed that the consent has been lawfully taken up and that there has been no further change of use of the premises since that implementation.

Therefore, it is acceptable in planning terms for the premises to operate with a liquor licence as requested.

It is acceptable in planning terms for the premises at the above address to operate with an alcohol licence, based on the certified information provided with your application.

Should you have a specific enquiry regarding this decision please email planning.licensing@edinburgh.gov.uk including the above reference.

Stewart Humphreys

Customer support assistant

From: John Tod
Sent: 08 June 2022 15:37
To: harem murdochy
Subject: FW: 227-229 Portobello High Street REF 21/04749/FUL

FYI

Sent from [Mail](#) for Windows

From: [REDACTED]
Sent: 08 June 2022 14:51
To: murray.couston@edinburgh.gov.uk
Subject: 227-229 Portobello High Street REF 21/04749/FUL

Murray Couston

08 June 2022

Hi Murray

I have added to and adjusted the drawings for this project and the set now consists of drawing No.BLP and drawing No.1 to 10 inclusive.

Drawing No.9 shows the approved and proposed plans and elevation.
Drawing No.10 some more site progress photographs.

Drawing No.9 I think shows that the proposed application now with you takes up much less of the garden space and is a much more appropriate scheme having a great deal less glazing, which obviously will reduce noise breakout and will have a much better performance in noise containment.

I have sent our revised drawings to Sandy Browns our Acoustic Consultants for their updated comments which I will pass to you as soon as they come to hand.

My client is prepared to install acoustic monitoring equipment in the premises and the garden to allow him to record noise generation in order to be able to at all times keep within agreed noise level limit.

The extract fan and ducts will all be contained within the flat above the proposed restaurant which is now in the same ownership, and the flue will terminate through the chimney stack flues to the east side of the above flat which is where the existing flues from the previous take away are located.

My client informs me that as far as he is aware the flue termination in this location has caused no problems in the past.

My client is of the opinion as I am that very little noise will be generated from this proposed restaurant premises with its proposed opening hours being 12 noon till 10pm at night.

I am still of the opinion that a face-to-face meeting possibly onsite would be of a great benefit to all parties concerned.

My phone number is 0[REDACTED] and would welcome a phone discussion.
The E-Planning.Scot online Ref is 100469672-007

I am sure that between us we can come up with a satisfactory solution to this proposal and avoid the problems that will undoubtedly arise if my client has to revert to construction the approval, he has Ref: 19/00020/FUL.

I can email the drawings to you directly and individually if that would be of assistance to you.

Thanks and Regards,
John

John Tod Associates

Sent from [REDACTED] for Windows

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56three Architects.
Fao. Gordon Beaton.
14 Alva Street
Edinburgh
EH2 4QG

Mr & Mrs F Dey.
39 Ravelston Dykes Road
Edinburgh
EH3 7DX

Decision date: 14 June 2022

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Form new opening with glazed door and screens, plus new external timber frame and glass canopy.

At 39 Ravelston Dykes Road Edinburgh EH4 3PA

Application No: 22/01619/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 30 March 2022, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as it would have a detrimental impact on the architectural merits of the building.
2. The proposal is contrary to the Local Development Plan Policy Env 3 in respect of Listed Buildings - Setting, as it would have a detrimental impact on the setting of the listed building.
3. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would have an unacceptable impact on the design of the host property.

4. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it would have a detrimental impact on the character and appearance of the host property.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-14, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The application for development is not acceptable in terms of the relevant policies contained within the Edinburgh Local Development Plan, Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the relevant non-statutory Guidance. It would not be compatible with or have special regard to the desirability of preserving the building and its setting. There are no material considerations which outweigh this conclusion.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Conor MacGreevy directly at conor.macgreevy@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

Application for Planning Permission
39 Ravelston Dykes Road, Edinburgh, EH4 3PA

Proposal: Form new opening with glazed door and screens, plus new external timber frame and glass canopy.

Item – Local Delegated Decision
Application Number – 22/01619/FUL
Ward – B06 - Corstorphine/Murrayfield

Recommendation

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

Summary

The application for development is not acceptable in terms of the relevant policies contained within the Edinburgh Local Development Plan, Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the relevant non-statutory Guidance. It would not be compatible with or have special regard to the desirability of preserving the building and its setting. There are no material considerations which outweigh this conclusion.

SECTION A – Application Background

Site Description

The property is a two storey residential dwelling.

The property is a Statutory C Listed Building (2002).

Description Of The Proposal

The proposal is for the creation of a larger opening and the erection of a canopy.

Relevant Site History

No relevant site history.

Other Relevant Site History

Consultation Engagement

No consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 8 April 2022

Date of Advertisement: 22 April 2022

Date of Site Notice: 22 April 2022

Number of Contributors: 0

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 Conservation Areas
- Managing Change Windows

In terms of the proposed creation of an enlarged opening to the rear elevation, this would represent a disruptive introduction that would also remove a significant degree of external fabric. In addition, this introduction would create an imbalance by upsetting the symmetry of the fenestration on that elevation. This element would represent an unacceptable introduction that would harm the architectural merits of the property.

The remaining proposed works would represent congruous additions that would not have a detrimental impact on the architectural merits of the host property.

Conclusion in relation to the listed building

The proposed changes are unacceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) The proposals impact on the character or appearance of the conservation area?

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

The proposed changes are almost wholly obscured from the public realm. By virtue of this lack of visibility to the public realm, the proposal would have a neutral impact on 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.

c) The proposals comply with the development plan?

The development plan comprises the Strategic and Local Development Plans. The relevant policies to be considered are:

- LDP Environment policies Env 3, Env 4 and Env 6.
- LDP Design policies Des 1 and Des 12

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

Size, Scale and Design

The proposal is unacceptable in terms of the creation of an enlarged opening to the rear elevation, specifically at ground floor level. This would create a discordance with the existing symmetry on that elevation while removing a significant degree of fabric. As

mentioned in section a), the introduction of a fenestration design of this aesthetic would represent a disruptive introduction which would also create a visual imbalance when looking upon that elevation.

This has also been addressed in sections a) and b).

The proposal is contrary to LDP Policies Des 1, Des 12, Env 3 and Env 4.

Amenity

The application was assessed in terms of its impact on amenity in relation to the criterion in the non-statutory Guidance for Householders.

No impacts were identified and the proposal would comply with LDP Policy Des 12 in terms of amenity.

Conclusion in relation to the Development Plan

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

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 is contrary to Paragraph 29 of SPP, specifically Principle 3.

Emerging policy context

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

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

No comments were received.

Conclusion in relation to identified material considerations

These have been addressed.

e) Overall conclusion

The application for development is not acceptable in terms of the relevant policies contained within the Edinburgh Local Development Plan, Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the relevant non-statutory Guidance. It would not be compatible with or have special regard to the desirability of preserving the building and its setting. There are no material considerations which outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as it would have a detrimental impact on the architectural merits of the building.
2. The proposal is contrary to the Local Development Plan Policy Env 3 in respect of Listed Buildings - Setting, as it would have a detrimental impact on the setting of the listed building.
3. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would have an unacceptable impact on the design of the host property.
4. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it would have a detrimental impact on the character and appearance of the host property.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 30 March 2022

Drawing Numbers/Scheme

01-14

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

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

Appendix 1

Consultations

No consultations undertaken.

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100596860-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Scott Hobbs Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Julia	Building Name:	24a
Last Name: *	Frost	Building Number:	
Telephone Number: *	01312267225	Address 1 (Street): *	Stafford Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH3 7BD
Email Address: *	jf@scotthobbsplanning.com		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr & Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="F"/>	Building Number:	<input type="text" value="39"/>
Last Name: *	<input type="text" value="Dey"/>	Address 1 (Street): *	<input type="text" value="Ravelston Dykes Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH4 3PA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="jf@scotthobbsplanning.com"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="39 RAVELSTON DYKES ROAD"/>
Address 2:	<input type="text" value="RAVELSTON"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH4 3PA"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="673994"/>	Easting	<input type="text" value="321677"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Form new opening with glazed door and screens, plus new external timber frame and glass canopy.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to the Appeal Statement submitted with this appeal.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Please refer to the Appeal Document List submitted with this appeal.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/01619/FUL

What date was the application submitted to the planning authority? *

29/03/2022

What date was the decision issued by the planning authority? *

14/06/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Site visit will need to be accompanied so that access can be provided through the property.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

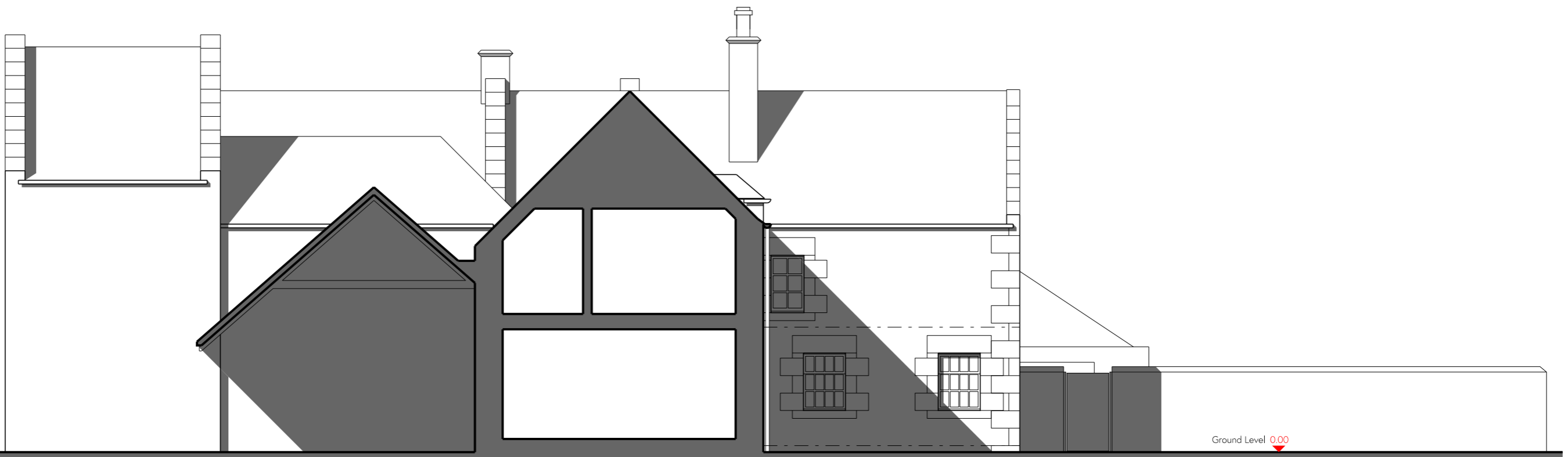
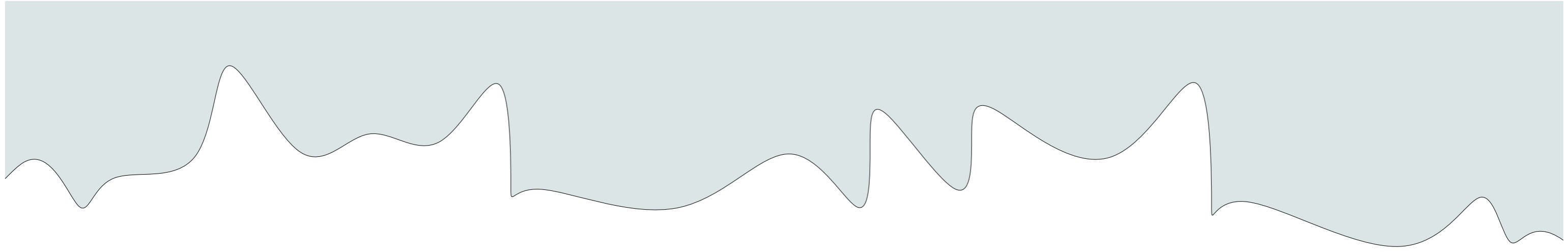
Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ms Sheila Hobbs

Declaration Date: 02/09/2022



Application Site

Ref: 22018_EX(20)01

Title: East Elevation Existing
Project: 39 Ravelston Dykes Road
Client: Fiona Dey

Date: 23.02.2022 Drawn: GB Status: Feasibility
Scale: 1:100 @ A3 Rev:

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Application Site

Ref: 22018_EX(20)02

Title: North Elevation Existing
Project: 39 Ravelston Dykes Road
Client: Fiona Dey

Date: 23.02.2022 Drawn: GB Status: Feasibility
Scale: 1:100 @ A3 Rev:

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Ground Level 0.00



Application Site

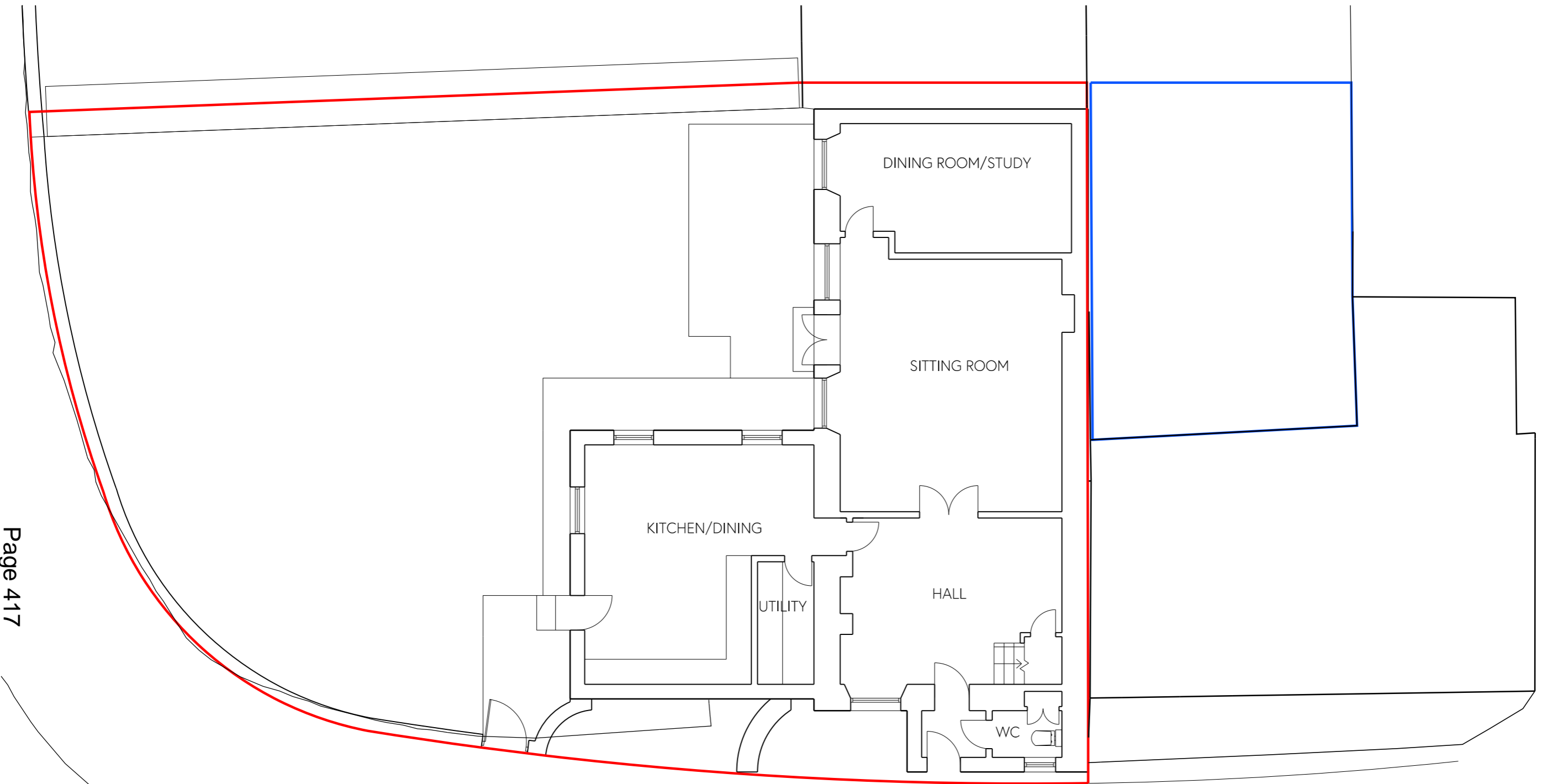
Ref: 22018_EX(20)03

Title: West Elevation Existing
 Project: 39 Ravelston Dykes Road
 Client: Fiona Dey

Date: 23.02.2022 Drawn: GB Status: Feasibility
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RAVELSTON DYKES ROAD

Ref: 22018_EX(23)01

Title: Ground Floor Plan Existing
 Project: 39 Ravelston Dykes Road
 Client: Fiona Dey

Date: 23.02.2022 Drawn: GB Status: Feasibility
 Scale: 1:100 @ A3 Rev:

Application Site Boundary

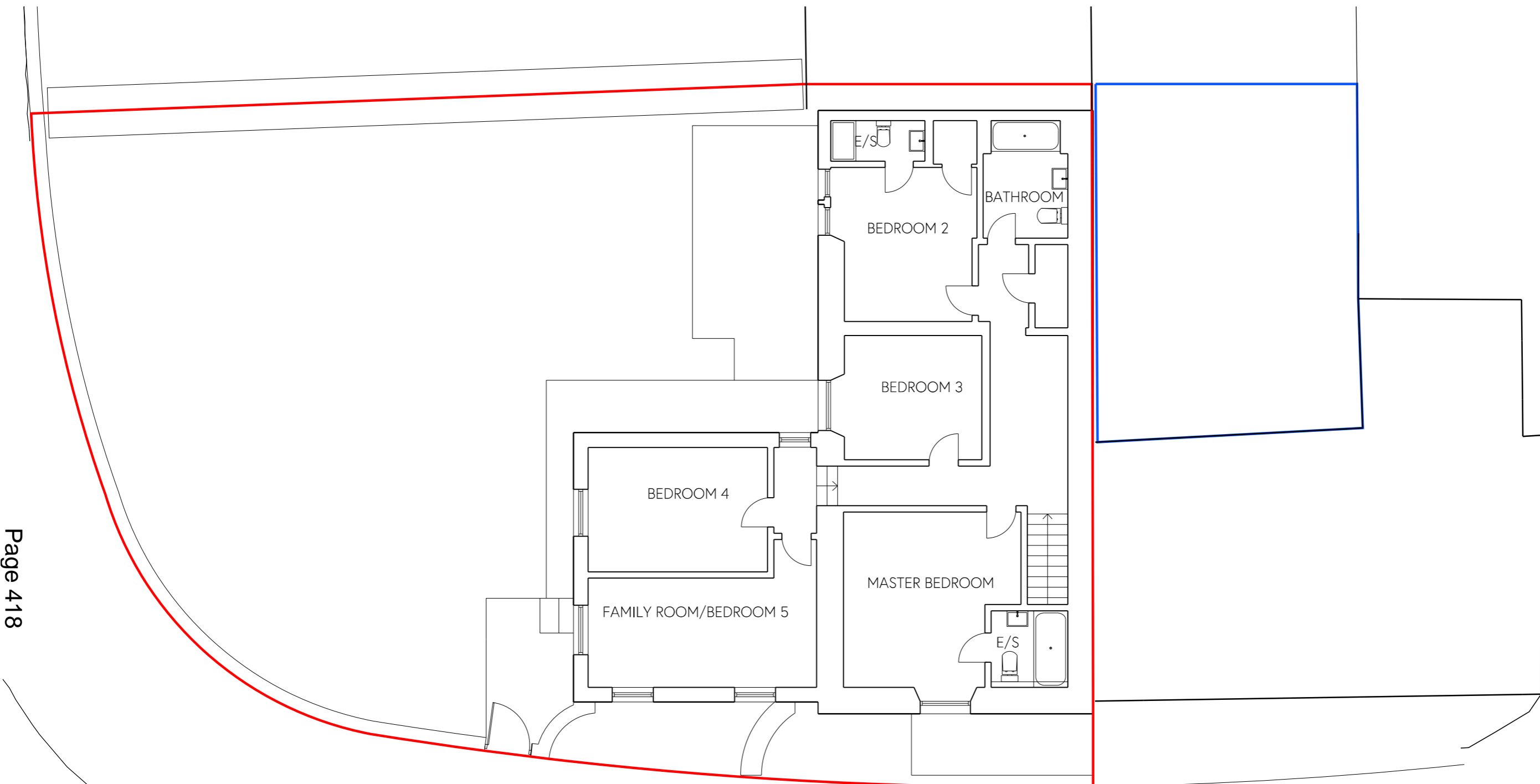


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RAVELSTON DYKES ROAD



Application Site Boundary



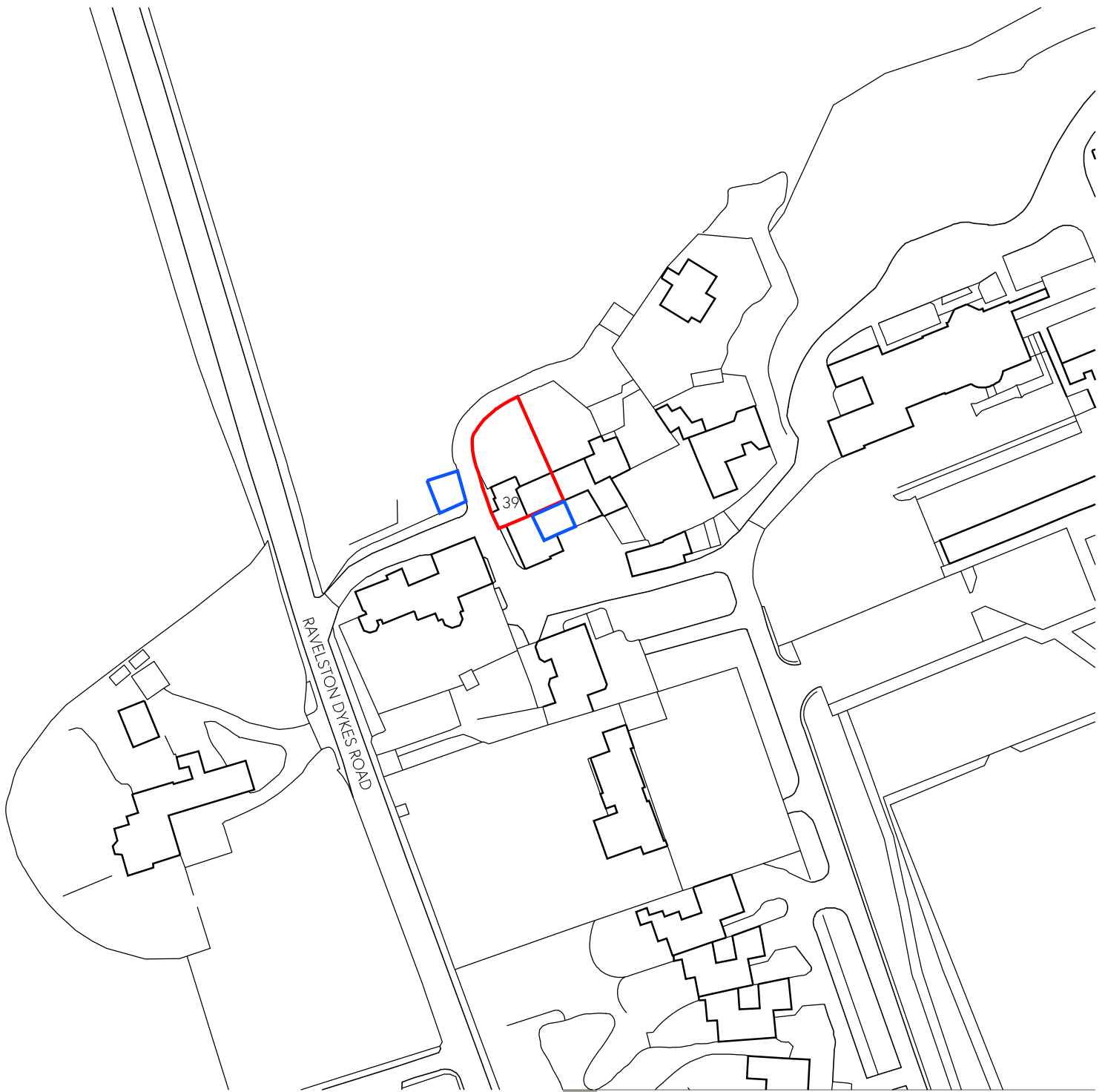
Ref: 22018_EX(23)02

Title: Upper Floor Plan Existing
 Project: 39 Ravelston Dykes Road
 Client: Fiona Dey

Date: 23.02.2022 Drawn: GB Status: Feasibility
 Scale: 1:100 @ A3 Rev:

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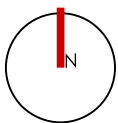


rev

Ref: 22018_ex(--)-01

Title: Location Plan
 Project: 39 Ravelston Dykes Road
 Client: Fiona Dey

Date: 23.02.2022 Drawn: KM Status: Planning
 Scale: 1:1250 @ A4 Rev:



— Site Boundary
 — Land in client's ownership



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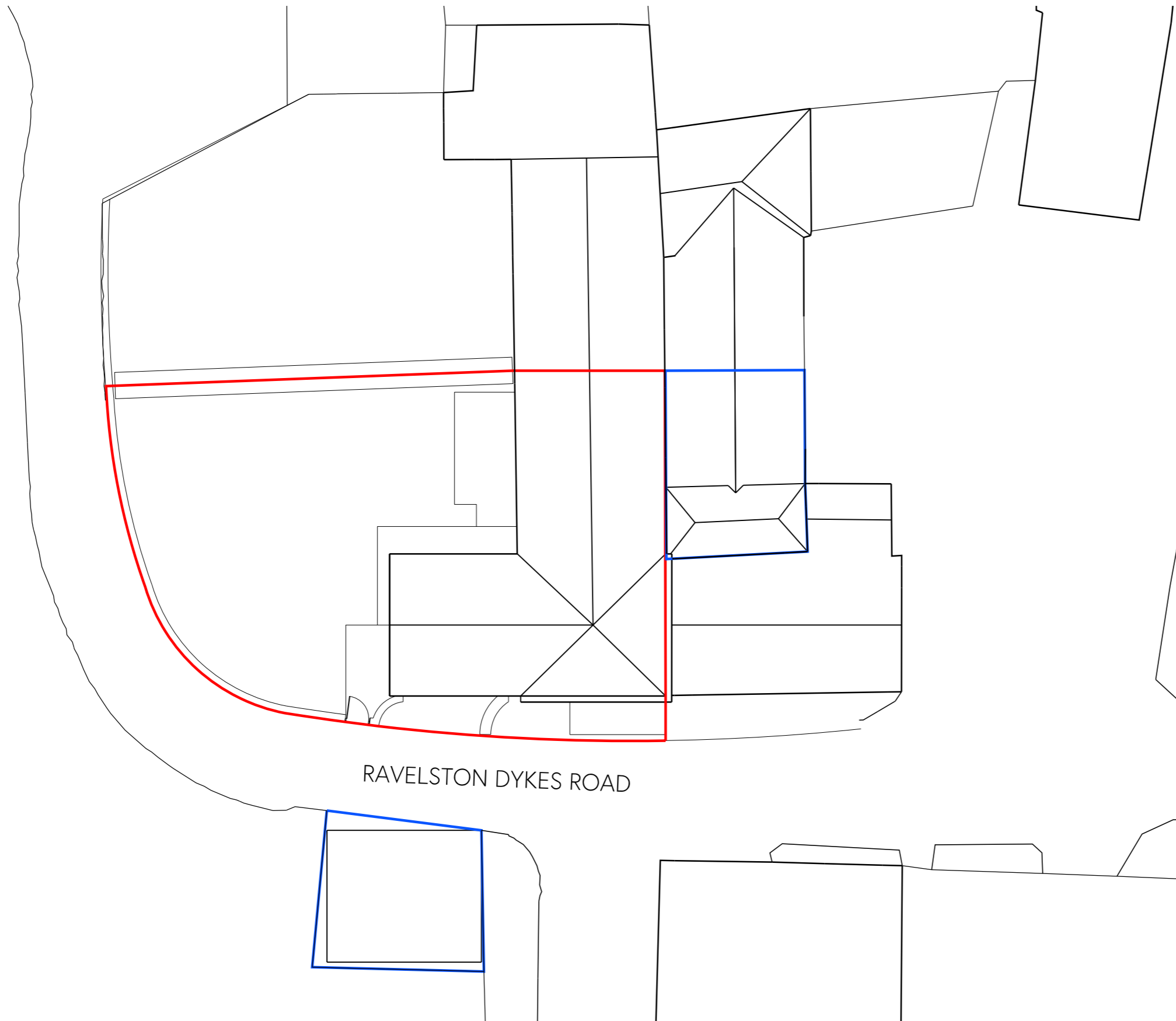
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 Application Site Boundary
 Land in client's ownership



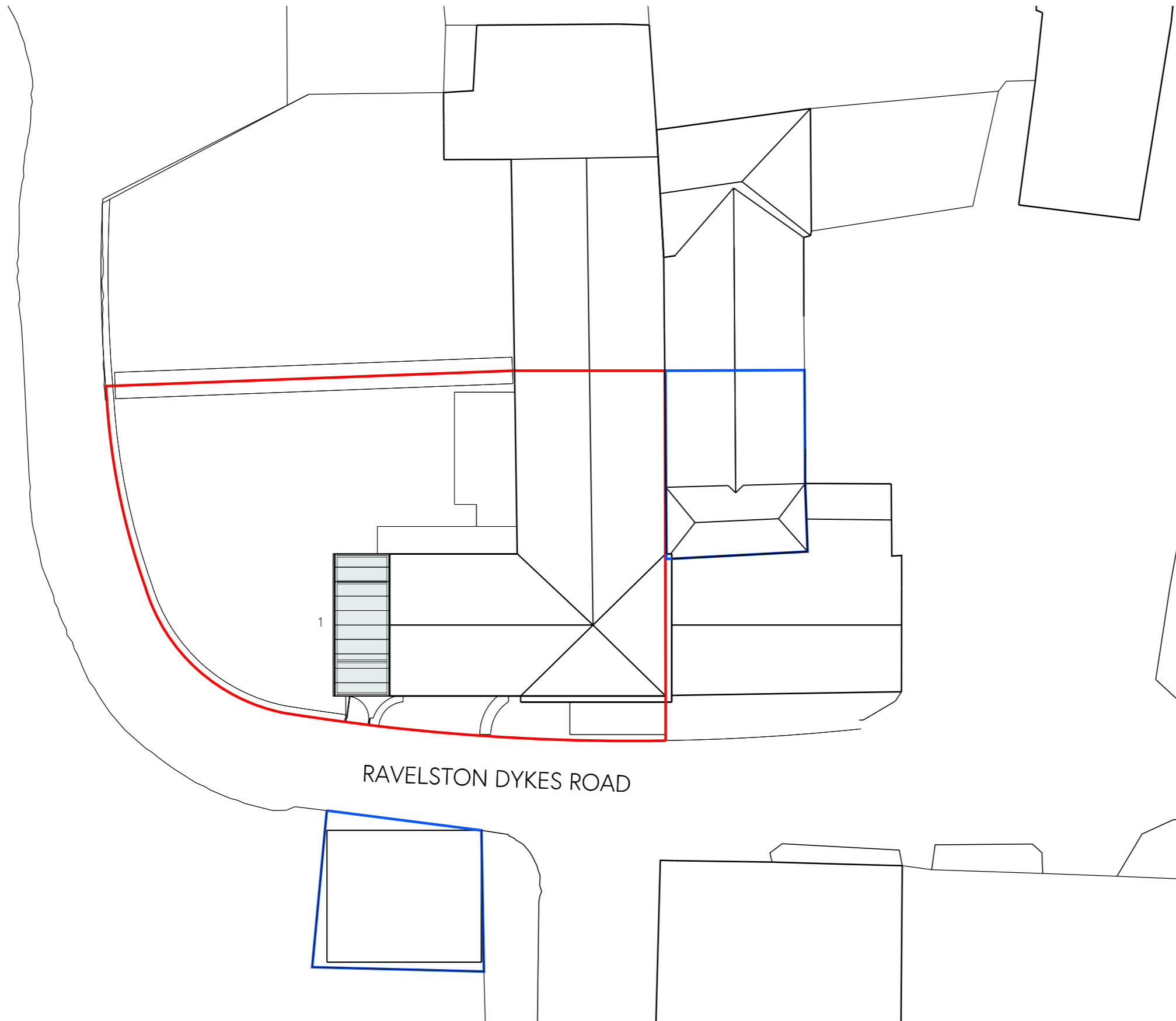
Ref: 22018_EX(9-01)

Title: Site Plan Existing
 Project: 39 Ravelston Dykes Road
 Client: Fiona Dey



Date: 23.02.2022 Drawn: GB Status: Feasibility
 Scale: 1:100 @ A3 Rev:

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RAVELSTON DYKES ROAD

 Application Site Boundary
 Land in client's ownership



Proposed New Works

- 1 Form New Timber Frame and Glass Canopy

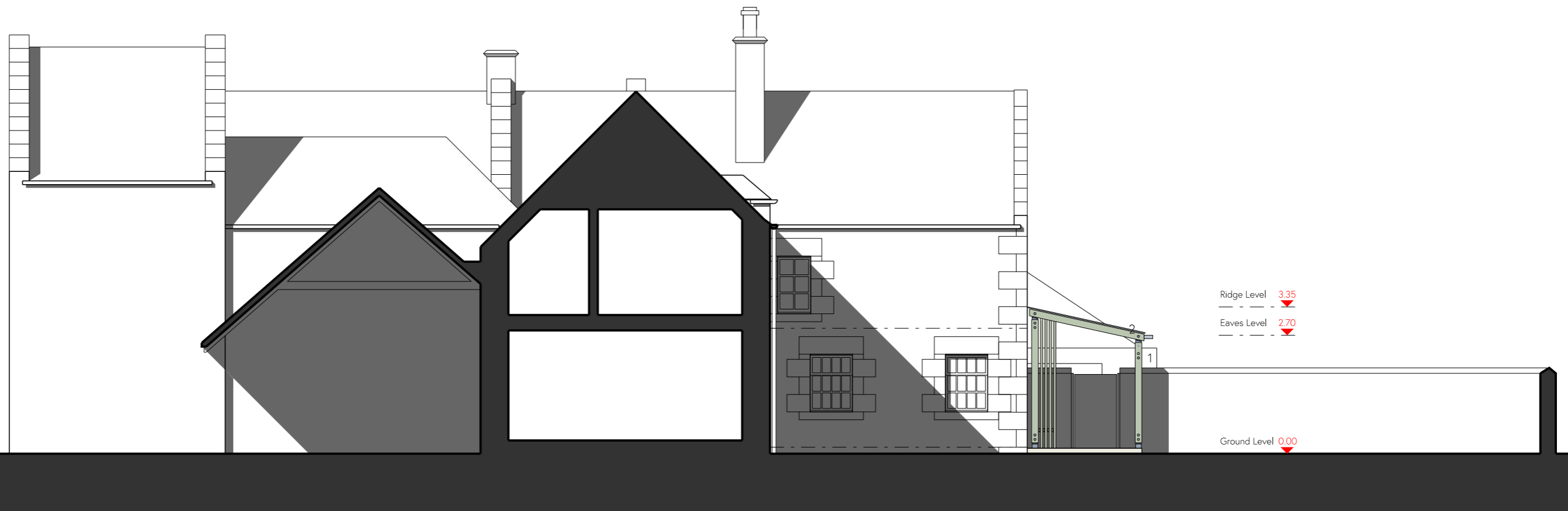
Ref: 22018_FS(9-01)

Title: Site Plan Proposed
 Project: 39 Ravelston Dykes Road
 Client: Fiona Dey

Date: 23.02.2022 Drawn: GB Status: Feasibility
 Scale: 1:200 @ A3 Rev:

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- Materials
- 1 Painted Timber Structure
 - 2 Glass Canopy

Ref: 22018_FS(20)01		
Title:	East Elevation Proposed	
Project:	39 Ravelston Dykes Road	
Client:	Fiona Dey	
Date:	23.02.2022	Drawn: GB
Scale:	1:100 @ A3	Rev:
		Status: Feasibility

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- Materials
- 1 Painted Timber Structure
 - 2 Glass Canopy
 - 3 New Alu-Clad Glazed Doors and Screens

Ref: 22018_FS(20)02		
Title:	North Elevation Proposed	
Project:	39 Ravelston Dykes Road	
Client:	Fiona Dey	
Date:	23.02.2022	Drawn: GB
Scale:	1:100 @ A3	Rev:
		Status: Feasibility

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- Materials
- 1 Painted Timber Structure
 - 2 Glass Canopy

Ref: 22018_FS(20)03

Title: West Elevation Proposed
 Project: 39 Ravelston Dykes Road
 Client: Fiona Dey

Date: 23.02.2022 Drawn: GB Status: Feasibility
 Scale: 1:100 @ A3 Rev:

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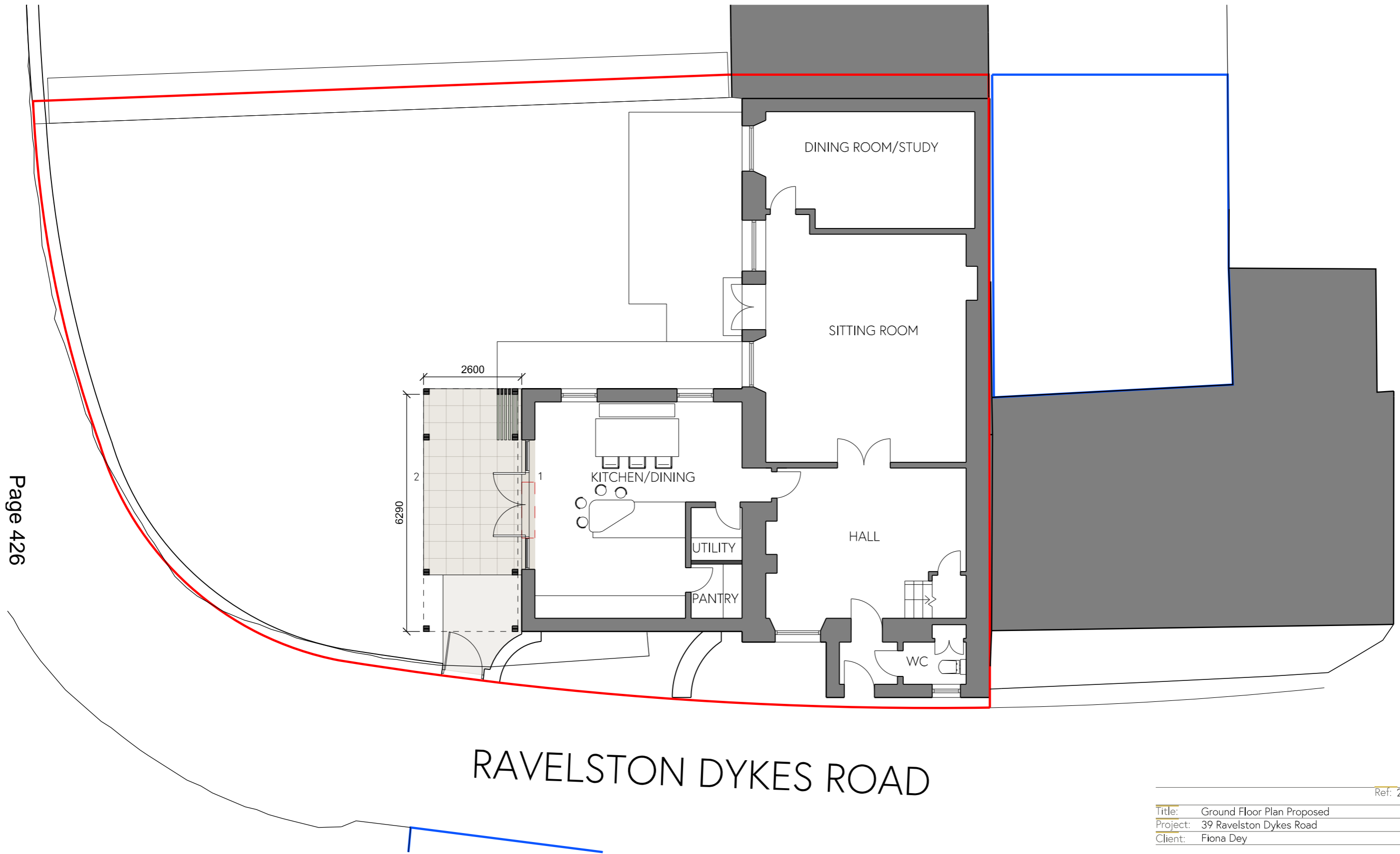
- Materials
- 1 Painted Timber Structure
 - 2 Glass Canopy

Ref: 22018_FS(21)01			
Title:	Section Proposed		
Project:	39 Ravelston Dykes Road		
Client:	Fiona Dey		
Date:	23.02.2022	Drawn:	GB
Scale:	1:100	@ A3	Rev:
		Status:	Feasibility

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RAVELSTON DYKES ROAD

Application Site Boundary



Proposed New Works

- 1 Form New Opening with Glazed Doors and Screens
- 2 Form New Timber Frame and Glass Canopy



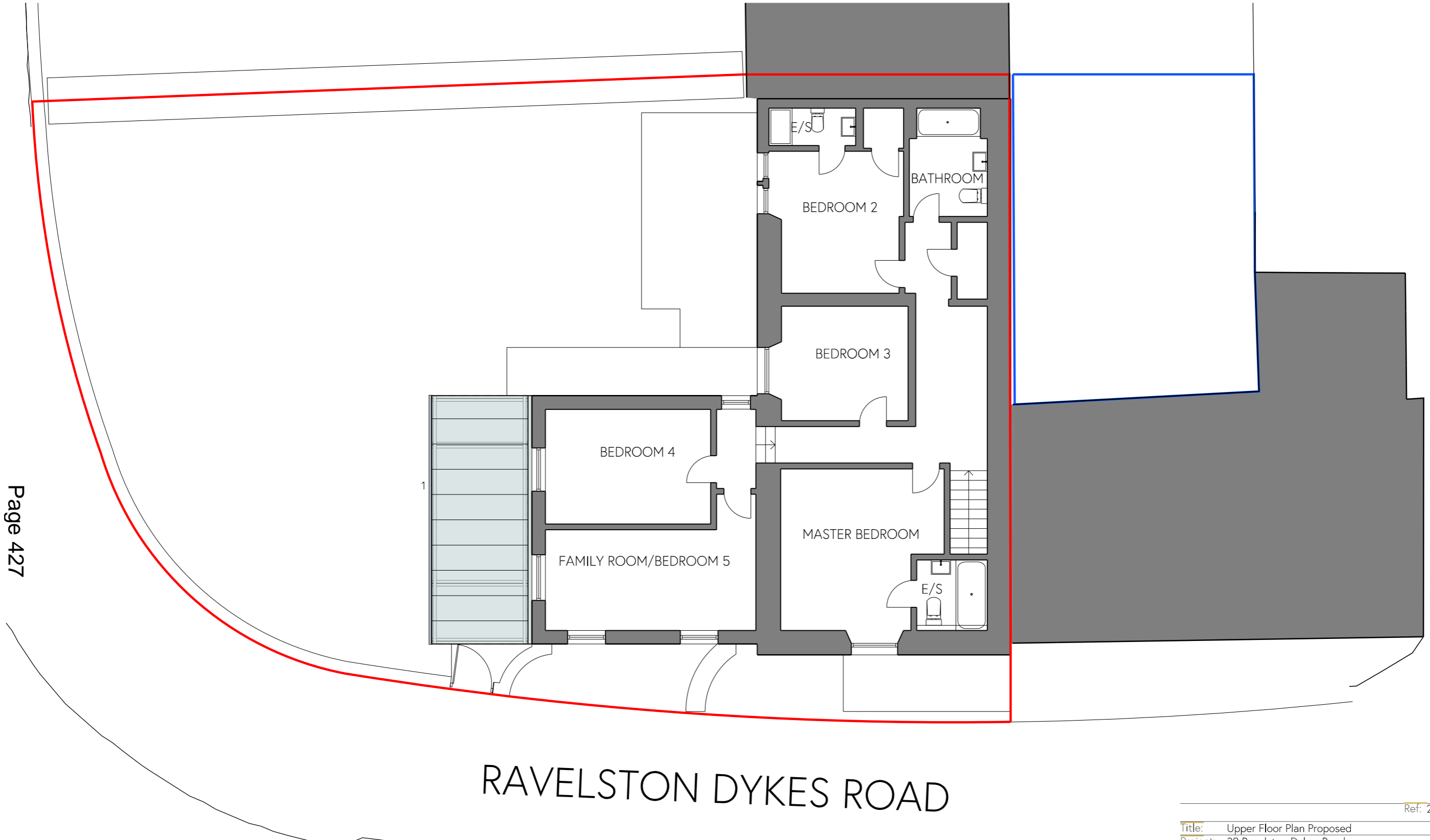
Ref: 22018_FS(23)01

Title: Ground Floor Plan Proposed
 Project: 39 Ravelston Dykes Road
 Client: Fiona Dey

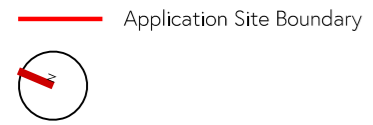
Date: 23.02.2022 Drawn: GB Status: Feasibility
 Scale: 1:100 @ A3 Rev:

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RAVELSTON DYKES ROAD



Proposed New Works
 1 Form New Timber Frame and Glass Canopy



Ref: 22018_FS(23)02			
Title:	Upper Floor Plan Proposed		
Project:	39 Ravelston Dykes Road		
Client:	Fiona Dey		
Date:	23.02.2022	Drawn:	GB
Scale:	1:100	@ A3	Rev:
		Status:	Feasibility

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Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100548450-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Form new opening with glazed door and screens, plus new external timber frame and glass canopy

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	56three Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Gordon	Building Name:	
Last Name: *	Beaton	Building Number:	14
Telephone Number: *		Address 1 (Street): *	Alva Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH2 4QG
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	
First Name: *	F	Building Number:	39
Last Name: *	Dey	Address 1 (Street): *	Ravelston Dykes Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	EH3 7DX
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

39 RAVELSTON DYKES ROAD

Address 2:

RAVELSTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH4 3PA

Please identify/describe the location of the site or sites

Northing

673994

Easting

321677

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

375.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Domestic dwelling

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

If Yes or No, please provide further details: * (Max 500 characters)

No change to existing waste and recycling strategy

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Gordon Beaton

On behalf of: Mr & Mrs F Dey

Date: 29/03/2022

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | |
|--|--|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Gordon Beaton

Declaration Date: 29/03/2022

Payment Details

Online payment: XXXXXXXXXXXXXXXXXXXX

Payment date: XXXXXXXXXXXX

Created: 29/03/2022 16:39

Report of Handling

**Application for Planning Permission
39 Ravelston Dykes Road, Edinburgh, EH4 3PA**

Proposal: Form new opening with glazed door and screens, plus new external timber frame and glass canopy.

**Item – Local Delegated Decision
Application Number – 22/01619/FUL
Ward – B06 - Corstorphine/Murrayfield**

Recommendation

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

Summary

The application for development is not acceptable in terms of the relevant policies contained within the Edinburgh Local Development Plan, Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the relevant non-statutory Guidance. It would not be compatible with or have special regard to the desirability of preserving the building and its setting. There are no material considerations which outweigh this conclusion.

SECTION A – Application Background

Site Description

The property is a two storey residential dwelling.

The property is a Statutory C Listed Building (2002).

Description Of The Proposal

The proposal is for the creation of a larger opening and the erection of a canopy.

Relevant Site History

No relevant site history.

Other Relevant Site History

Consultation Engagement

No consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 8 April 2022

Date of Advertisement: 22 April 2022

Date of Site Notice: 22 April 2022

Number of Contributors: 0

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 Conservation Areas
- Managing Change Windows

In terms of the proposed creation of an enlarged opening to the rear elevation, this would represent a disruptive introduction that would also remove a significant degree of external fabric. In addition, this introduction would create an imbalance by upsetting the symmetry of the fenestration on that elevation. This element would represent an unacceptable introduction that would harm the architectural merits of the property.

The remaining proposed works would represent congruous additions that would not have a detrimental impact on the architectural merits of the host property.

Conclusion in relation to the listed building

The proposed changes are unacceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) The proposals impact on the character or appearance of the conservation area?

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

The proposed changes are almost wholly obscured from the public realm. By virtue of this lack of visibility to the public realm, the proposal would have a neutral impact on 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.

c) The proposals comply with the development plan?

The development plan comprises the Strategic and Local Development Plans. The relevant policies to be considered are:

- LDP Environment policies Env 3, Env 4 and Env 6.
- LDP Design policies Des 1 and Des 12

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

Size, Scale and Design

The proposal is unacceptable in terms of the creation of an enlarged opening to the rear elevation, specifically at ground floor level. This would create a discordance with the existing symmetry on that elevation while removing a significant degree of fabric. As

mentioned in section a), the introduction of a fenestration design of this aesthetic would represent a disruptive introduction which would also create a visual imbalance when looking upon that elevation.

This has also been addressed in sections a) and b).

The proposal is contrary to LDP Policies Des 1, Des 12, Env 3 and Env 4.

Amenity

The application was assessed in terms of its impact on amenity in relation to the criterion in the non-statutory Guidance for Householders.

No impacts were identified and the proposal would comply with LDP Policy Des 12 in terms of amenity.

Conclusion in relation to the Development Plan

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

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 is contrary to Paragraph 29 of SPP, specifically Principle 3.

Emerging policy context

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

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

No comments were received.

Conclusion in relation to identified material considerations

These have been addressed.

e) Overall conclusion

The application for development is not acceptable in terms of the relevant policies contained within the Edinburgh Local Development Plan, Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the relevant non-statutory Guidance. It would not be compatible with or have special regard to the desirability of preserving the building and its setting. There are no material considerations which outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as it would have a detrimental impact on the architectural merits of the building.
2. The proposal is contrary to the Local Development Plan Policy Env 3 in respect of Listed Buildings - Setting, as it would have a detrimental impact on the setting of the listed building.
3. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would have an unacceptable impact on the design of the host property.
4. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it would have a detrimental impact on the character and appearance of the host property.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 30 March 2022

Drawing Numbers/Scheme

01-14

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

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

Appendix 1

Consultations

No consultations undertaken.

56three Architects.
Fao. Gordon Beaton.
14 Alva Street
Edinburgh
EH2 4QG

Mr & Mrs F Dey.
39 Ravelston Dykes Road
Edinburgh
EH3 7DX

Decision date: 14 June 2022

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013

Form new opening with glazed door and screens, plus new external timber frame and glass canopy.

At 39 Ravelston Dykes Road Edinburgh EH4 3PA

Application No: 22/01619/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 30 March 2022, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as it would have a detrimental impact on the architectural merits of the building.
2. The proposal is contrary to the Local Development Plan Policy Env 3 in respect of Listed Buildings - Setting, as it would have a detrimental impact on the setting of the listed building.
3. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would have an unacceptable impact on the design of the host property.

4. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it would have a detrimental impact on the character and appearance of the host property.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-14, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The application for development is not acceptable in terms of the relevant policies contained within the Edinburgh Local Development Plan, Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the relevant non-statutory Guidance. It would not be compatible with or have special regard to the desirability of preserving the building and its setting. There are no material considerations which outweigh this conclusion.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Conor MacGreevy directly at conor.macgreevy@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

39 Ravelston Dykes Road, Edinburgh

Local Review Body Appeal Documents List

A – Forms / Decision Notices / Committee Reports etc.

B – Plans and Drawings

C – Policy / Guidance / Legislation

D – Precedent Example

Doc No.	Title
A1	22/01619/FUL Planning Application Form
A2	22/01619/FUL Report of Handling
A3	22/01619/FUL Decision Notice (refusal)
B1-B14	22/01619/FUL Planning Application Plans/Drawings
C1	Edinburgh Local Development Plan 2016
C2	Scottish Planning Policy (SPP) 2014
C3	CEC Non-Statutory Guidance on Listed Buildings and Conservation Areas 2019
D1	03/04016/FUL No. 35 Ravelston Dykes Road Committee Report

EDINBURGH LOCAL DEVELOPMENT PLAN

NOVEMBER 2016

Page 446



The Local Development Plan sets out policies and proposals to guide development.

The Action Programme sets out actions to deliver the Plan.

The Report of Conformity explains how engagement informed the Plan.

The Habitats Regulations Appraisal assesses the Plan's impact on internationally important bird habitats.

The Transport Appraisal identifies transport actions to support the Plan.

The Education Appraisal identifies new and expanded schools to support the Plan.

The Equalities & Rights Impact Assessment checks what impact the Plan will have on people.

The Environmental Report assesses the impact of the Plan and explains the selection of new housing sites.

The Housing Land Study sets out the assumption on housing land availability which inform the Local Development Plan.

Adopted 24 November 2016



See the documents, supplementary guidance, and other information at:

www.edinburgh.gov.uk/localdevelopmentplan

www.edinburgh.gov.uk/supplementaryguidance

Published in 2011



Published in 2013



Published in 2014



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Foreword

Edinburgh is a successful, growing city. This growth continues even in this time of economic challenges. It is driven by the city's assets, which include its citizens, its centres of employment and learning, and its quality of life. This growth needs to be guided and shaped in order to maintain and promote those assets and to deliver the Council's objectives. That is what this plan is for.

We will use this plan to provide a clear and fair basis for planning decisions, which in turn provides a stable framework for investment in Edinburgh.

This adopted Plan has been shaped by the thousands of responses received at earlier stages of the project. We wish to thank everyone for their contributions so far, and now ask that everyone works together to deliver the Plan and its aims.

Page 479



Councillor Ian Perry
Convener of the
Planning Committee



Councillor Alex Lunn
Vice-Convener of the
Planning Committee

1 Introduction

- 1 For the first time in over 30 years, Edinburgh has one plan covering the whole of the Council area. Across Edinburgh's Old and New Towns, from the Waterfront areas of Granton and Leith to the Pentland Hills, from Queensferry and Kirkliston to Craigmillar and Newcraighall and many other places in between, the Edinburgh Local Development Plan (LDP) provides a clear and consistent planning framework. Now adopted, the LDP replaces two local plans - the Edinburgh City Local Plan and the Rural West Edinburgh Local Plan.
- 2 The LDP sets out policies and proposals relating to the development and use of land in the Edinburgh area. The policies in the LDP will be used to determine future planning applications. The planning system rests on the powers which planning authorities have to manage development and to take enforcement action against breaches of planning control. When appropriate, the Council will remove, modify or stop unauthorised developments and changes of use. These powers are used at the discretion of the Council.
- 3 The LDP will also inform decisions on investment opportunities and the provision of infrastructure and community facilities. It is hoped that local residents and community groups use the LDP to better understand and get involved in the planning issues affecting their areas.
- 4 There are two main parts to the LDP:

*Part 1***Strategy and Proposals**

This explains what the LDP means for Edinburgh over the next 5 to 10 years. It sets out the plan's five core aims and anticipated land use changes – the main development proposals and where they are expected to take place. It also includes site briefs and development principles to guide some proposals. Part 1 highlights which areas and features of the city will be protected and, where possible, enhanced.

*Part 2***Policies**

This sets out the policies which the Council will use to ensure that development helps meet the core aims of the LDP. Planning applications will be assessed against relevant policies. The policies are presented in 8 sections:

- Delivering the Strategy
- Design Principles for New Development
- Caring for the Environment
- Employment and Economic Development
- Housing and Community Facilities
- Shopping and Leisure
- Transport
- Resources and Services

The LDP also includes a [Proposals Map](#) which illustrates the policies and proposals on an Ordnance Survey base map.

- 5 The LDP itself cannot make development happen. Investment is needed from private sector developers and a range of public sector organisations to bring forward development proposals and supporting infrastructure. The LDP is accompanied by an Action Programme which sets out how the Council intends the plan to be implemented. It includes a list of actions required to deliver the policies and proposals, including who is to carry out the action and the timescales involved.
- 6 In Scotland's four city regions, the development plan is made up of a Strategic Development Plan (SDP) as well as the LDP. The SDP for the Edinburgh city region has been prepared by SESPlan, the Strategic Development Planning Authority for Edinburgh and South East Scotland. SESplan comprises six member authorities – The City of Edinburgh, East Lothian, Fife, Midlothian, Scottish Borders and West Lothian.
- 7 The SDP vision is that:

‘By 2032, the Edinburgh City Region is a healthier, more prosperous and sustainable place which continues to be internationally recognised as an outstanding area in which to live, work and do business.’

It includes eight aims and a spatial strategy aimed at meeting three key challenges - climate change, demographic change and sustainable economic growth.

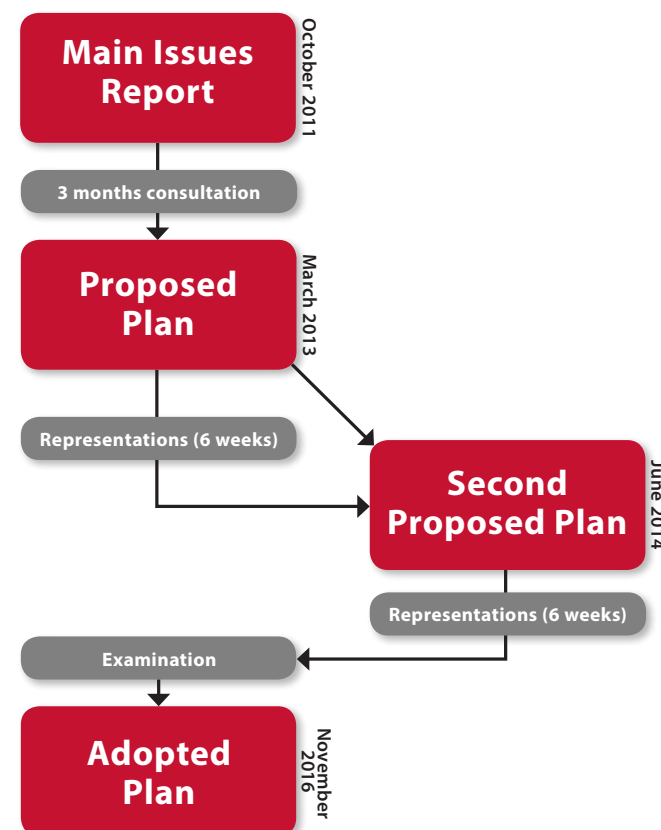
- 8 Edinburgh's LDP is consistent with the SDP and its Supplementary Guidance on Housing Land and has a key role in helping to meet its aims and deliver its strategy.
- 9 The Council is preparing supplementary guidance in connection with:
- Policy Emp 2 Edinburgh BioQuarter
 - Policy Ret 9 in relation to alternative uses in town centres
 - Policy Del 1 in relation to developer contributions
 - Policy RS 1 in relation to heat mapping.

This approach allows more detailed consideration of these topics in consultation with all interested parties. Once adopted, this supplementary guidance will form part of the development plan and be treated as such in determining planning applications.

- 10 In addition, the Council will continue to prepare, use and review its non-statutory guidelines (referred to collectively as Council guidance in this plan), development briefs and frameworks to provide detailed advice on a range of planning matters.

The first Proposed LDP (March 2013) was prepared on the basis of the Proposed SDP. A representation period followed in 2013. Scottish Ministers approved the Strategic Development Plan in June 2013 and required SESplan to prepare Supplementary Guidance to distribute an increased overall housing requirement amongst the six Council areas. These changes led to the preparation of the Second Proposed Plan, which was published for representations from August to October 2014. An examination to deal with the representations ran from June 2015 to June 2016. It recommended modifications, leading to the adopted Plan.

The main stages in the LDP programme are summarised below .

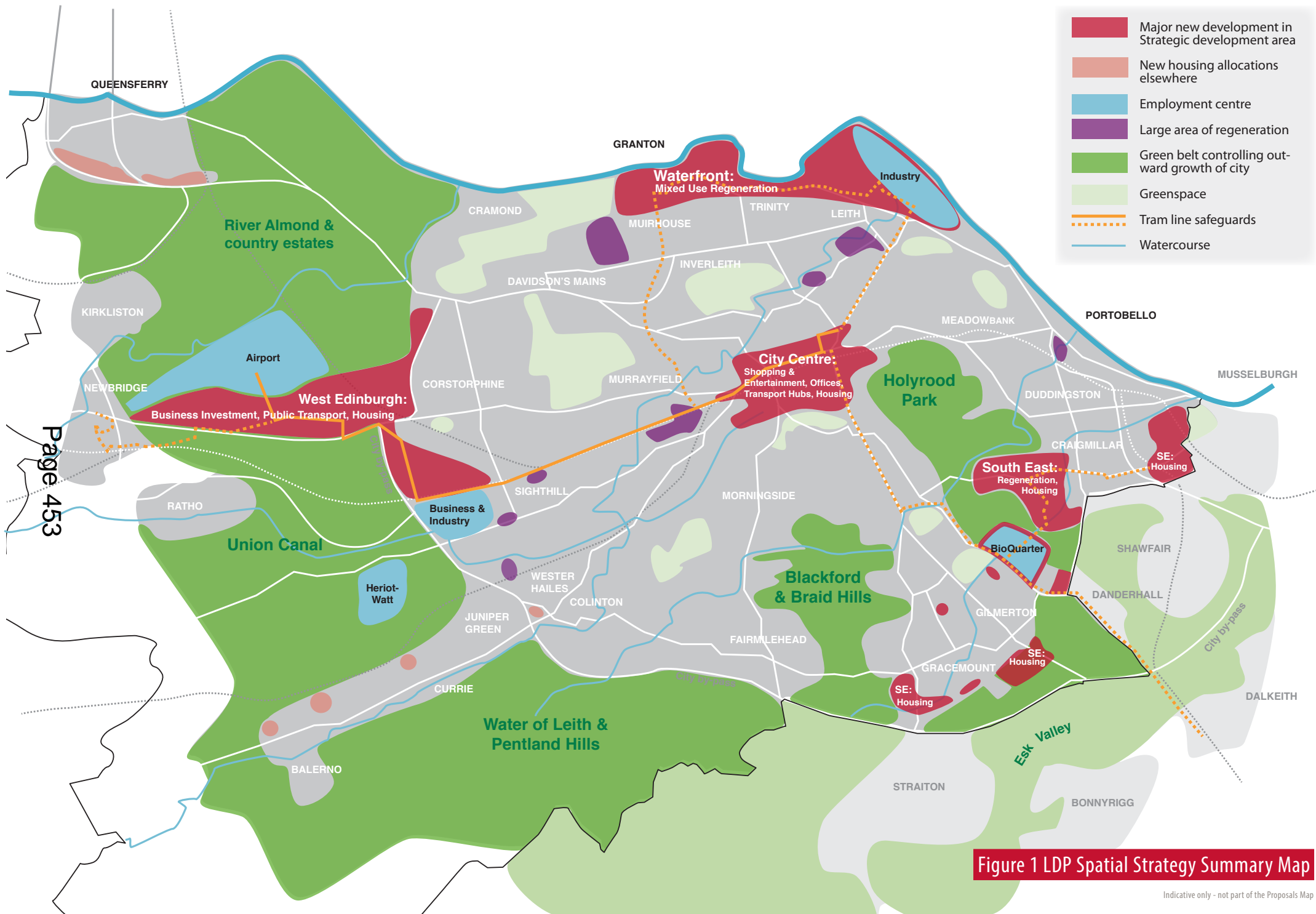


Part 1

Strategy and Proposals

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- Major new development in Strategic development area
- New housing allocations elsewhere
- Employment centre
- Large area of regeneration
- Green belt controlling out-ward growth of city
- Greenspace
- Tram line safeguards
- Watercourse

Figure 1 LDP Spatial Strategy Summary Map

Indicative only - not part of the Proposals Map

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1 Aims and Strategy

11 The challenge for this Local Development Plan (LDP) is to help make Edinburgh the best place it can be, for everyone, now and in the future. This is not an easy challenge. We are living in tough economic times when difficult choices have to be made between competing priorities. In facing this challenge, the LDP aims to:

1. support the growth of the city economy
2. help increase the number and improve the quality of new homes being built
3. help ensure that the citizens of Edinburgh can get around easily by sustainable transport modes to access jobs and services
4. look after and improve our environment for future generations in a changing climate and
5. help create strong, sustainable and healthier communities, enabling all residents to enjoy a high quality of life.

These aims are inter-linked and each can have impacts, both positive and negative, on the other four. The role of the LDP is to balance these aims to maximise the benefits of development for the good of Edinburgh. The LDP aims support the vision and outcomes outlined in the Council's Strategic Plan 2012-2017.

12 The Strategic Development Plan for Edinburgh and South East Scotland (SDP) identifies four Strategic Development Areas in Edinburgh. These will be the biggest areas of change over the next 5-10 years, providing a focus for new housing development, investment opportunities and job creation in locations with good accessibility to existing or planned public transport services. The LDP includes significant development proposals in these areas. It also supports change elsewhere in the city, for example, regeneration opportunities, redevelopment of vacant sites, green network improvements, new uses for empty commercial units and increased densities in appropriate locations.

13 The LDP supports Edinburgh's role as Scotland's capital city and recognises its importance as a key driver of the Scottish economy. Whilst the LDP promotes change and supports the growth of the city, it also places considerable importance on retaining and where possible enhancing Edinburgh's built and natural assets for future generations. The green belt plays an important role in directing the planned growth of the city and supporting regeneration. The quality of Edinburgh's buildings, streets and spaces influences the wellbeing of people living and working in the city and helps attract investment and create jobs. The LDP policies to protect and enhance the built and natural environment are therefore an integral part of the overall strategy. Figure 1 summarises the LDP's spatial strategy and shows what it means for different parts of the city.

- 14 Edinburgh is a successful and growing city. The LDP strategy directs future growth to four Strategic Development Areas – major redevelopment opportunities in the City Centre, continuing regeneration at Edinburgh Waterfront, urban expansion with new tram and rail infrastructure at West Edinburgh and housing and business development on a range of sites in South East Edinburgh. In addition to new greenfield housing allocations in West Edinburgh and South East Edinburgh Strategic Development Areas, new sites have also been identified at Queensferry, Currie and Balerno.
- 15 The plan continues to promote the reuse of previously developed land and relies on windfall sites to contribute to meet the city’s housing requirement. Potential large scale regeneration opportunities are shown on Figure 1. These are supported by the LDP’s policies and some have master plans or development briefs to guide their development. Prior to identifying additional greenfield housing sites, consideration has been given to potential new brownfield opportunities within the existing urban area. The LDP maintains a green belt around Edinburgh whilst ensuring the strategic growth requirements of the SDP can be accommodated. Key elements of the green belt controlling the outward growth of the city are identified on Figure 1.
- 16 The LDP strategy directs new housing to sites which best meet a range of assessment criteria including landscape impact, green belt boundaries, accessibility to public transport and infrastructure capacity. One of the new housing sites (at Brunstane) will result in further coalescence between Edinburgh and Musselburgh. Whilst development resulting in the coalescence of settlements is not normally supported, it is justified in this instance because this site compared favourably to other possible options in the housing site assessment - see Volume 2 of the Environmental Report Second Revision.

2 A Plan to Protect and Enhance the Environment

1) Climate Change

17 The Climate Change (Scotland) Act 2009 and the Planning etc. (Scotland) Act 2006 place a duty on the Council to act in the best way to reduce emissions, adapt to climate change and prepare development plans to further sustainable development. Scottish Planning Policy (SPP) also requires development plans to ensure that the siting, design and layout of all new development will limit likely greenhouse gas emissions.

18 The Council’s commitment to fulfilling these duties is evident throughout the LDP, with policies addressing both the reduction of greenhouse emissions and the ability to adapt to a changing climate. The LDP:

- promotes development in sustainable locations and requires new buildings to include carbon reduction measures
- promotes sustainable and active travel
- supports small to medium scale, decentralised and community based renewables, and the greater use of micro-generation of renewable energy
- supports the adaptation of existing homes to reduce energy use, including listed buildings and those located in conservation areas, provided there is no adverse impact on historic character and appearance
- aims to enhance the city’s green network by encouraging land management practices which capture, store and retain carbon, prevent and manage flood risk

- supports the delivery of facilities needed to divert waste away from landfill and promote the prevention, reuse, recycling and recovery of materials (including heat from waste), with disposal to landfill as the final option.

Figure 2 Current national and city sustainability targets

TARGETS	
Carbon dioxide	Reduce carbon emissions by over 40% across the city by 2020 (Sustainable Edinburgh 2020: base year 1990)
Energy use	Reduce energy consumption by at least 12% by 2020 (Sustainable Edinburgh 2020: base year 1990)
Energy generation	More renewable energy, with renewable energy technologies contributing at least 40% of energy consumed in the city by 2020 (Sustainable Edinburgh 2020)
	Renewable sources to generate the equivalent of 100% of Scotland’s gross annual electricity consumption by 2020 (national target)
Heat	Renewable sources to provide equivalent of 11% of Scotland’s heat demand by 2020 (national target)
Waste	70% of all waste to be recycled by 2025 (Zero Waste Plan). No more than 5% of all waste going to landfill by 2025 (Zero Waste Plan).

2) Edinburgh’s Environmental Assets

19 Edinburgh’s natural and historic environment contributes to its distinctive character, local appeal and world-wide reputation. The city lies between the internationally important habitat of the Firth of Forth and the dramatic backdrop of the Pentland Hills Regional Park. The Old and New Towns of Edinburgh World Heritage Site and Edinburgh’s conservation areas comprise

architecturally significant neighbourhoods and villages, together with many individual listed buildings. These interact with the city's open hills and wooded river valleys, to create a unique and diverse townscape. The LDP area supports a range of protected plants and animals and also contains archaeological remains providing valuable evidence of how we used to live.

- 20 Edinburgh's built, cultural and natural heritage are valuable assets which contribute to broader strategic objectives of sustainable economic development, regeneration and community development and provide the context for good urban design. The proper conservation and management of these assets is an integral part of the wider planning function of the Council.

- 21 The detailed policies in Part 2 Section 3 (Caring for the Environment) will be used to ensure development proposals protect and, where possible, enhance the important features of the historic and natural environment.

Historic Environment

- 22 Edinburgh contains the greatest concentration of built heritage assets in Scotland. There are many elements of Edinburgh's built heritage worthy of protection. The Edinburgh Built Heritage Strategy aims to ensure an understanding of Edinburgh's heritage assets in order that they can be protected and conserved for existing and future generations, and managed in a co-ordinated and structured manner.

World Heritage Sites

- 23 Two of Edinburgh's most widely acclaimed assets are its World Heritage Sites. World Heritage Sites are places of outstanding universal value, recognised under the terms of the 1972 UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage. The 'Old and New Towns of Edinburgh' became a World Heritage Site in 1995, and the 'Forth Bridge' became a World Heritage Site in 2015. The boundaries are shown in Figure 3a and Figure 3b and on the Proposals Map.
- 24 UNESCO requires every world heritage site to have a management plan which says how the Outstanding Universal Value (OUV) of the Site will be protected. OUV is the collection of attributes which make the area special and give Edinburgh its international importance.

Figure 3a - The Old and New Towns of Edinburgh World Heritage Site



Figure 3b - Forth Bridge
World Heritage Site



- 25 Edinburgh's World Heritage Site Management Plans have been prepared by a partnership of the Council, Historic Environment Scotland and Edinburgh World Heritage. They provide a link between the international requirements of World Heritage, the planning process and the wider management issues involved in protecting complex Sites in Edinburgh. The Management Plans informs separate Action Plans and may be a material consideration for decisions on planning matters.
- 27 Listed buildings have statutory protection, which means that listed building consent is required for the demolition of a listed building, or its alteration or extension in any manner which would affect its character. Some proposals may also require planning permission. Development plan policies have a role to play in helping to protect listed buildings, their setting and features of special interest.

Conservation Areas

- 28 Across Edinburgh there are a number of designated conservation areas. These are areas of special architectural or historic interest, the character or appearance of which should be conserved or enhanced. A quarter of Edinburgh's urban area lies within a conservation area. Each conservation area has its own unique character and appearance that is identified in a character appraisal. The underlying principle behind the designation of the conservation areas is to maintain the variety of character that illustrates the history of Edinburgh. An ongoing review of conservation areas will consider amendments to boundaries, opportunities for enhancement, and the designation of new conservation areas. In conservation areas, consent is required for changes such as demolitions and window alterations, which elsewhere in the city wouldn't require permission. This additional level of control helps to ensure that small scale incremental changes do not damage the character of the conservation areas. The Proposals Map and Appendix A show which parts of the city are covered by conservation areas.
- 26 Listed Buildings are buildings of special architectural or historic interest. Edinburgh has the greatest concentration of listed buildings in Scotland - around 5,000 listed items comprising 31,500 individual buildings. 75% of buildings in the World Heritage Site are listed.

Inventory of Gardens and Designed Landscapes

- 29 The national Inventory of Gardens and Designed Landscapes is compiled by Historic Environment Scotland and includes 21 sites in Edinburgh. The

Inventory sites are identified on the Proposals Map and the Council is required to consult Historic Environment Scotland on proposals affecting these. The Council will protect Inventory sites and consider whether restoration or improvement of historic landscape features can be achieved through development proposals.

Archaeology

- 30 Edinburgh has a wealth of archaeological resources, from buildings to buried remains and marine wrecks, dating from earliest prehistory to the 20th century. This archaeological resource is finite and non-renewable. It contains unique information about how the city's historic and natural environment developed over time. In addition to providing a valuable insight into the past, archaeological remains also contribute to a sense of place and bring leisure and tourism benefits. Care must be taken to ensure that these are not needlessly destroyed by development.
- 31 The Council maintains a Historic Environment Record of known designated and non-designated archaeological remains which in 2013 contains 63 nationally important scheduled monuments protected by the Ancient Monuments and Archaeological Areas Act 1979.
- 32 There may also be many potentially important archaeological features which have not yet been discovered. These are therefore not included in national or local records. Scottish Planning Policy sets out the Government's approach to protecting archaeological remains and the weight to be given to archaeological considerations when assessing against the benefits of development. Detailed advice is provided in Planning Advice Note 2/2011 Planning and Archaeology.

Natural Environment

- 33 Edinburgh's open spaces and landscape features contribute to the structure and identity of the city, enhance the quality of life of residents and the city's appeal as a place for tourism and investment. The city's natural environment also supports a diversity of habitats, flora and fauna.

Green Belt

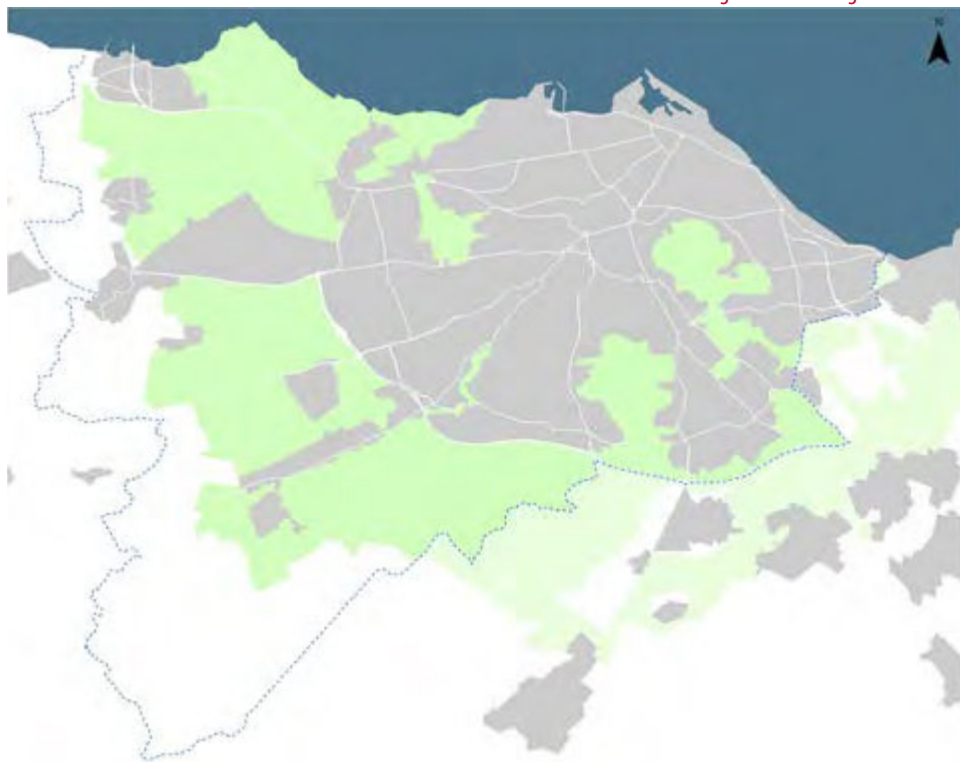
- 34 The Edinburgh Green Belt extends beyond the City of Edinburgh Council area, into East Lothian and Midlothian. Its purpose is to:
- direct planned growth to the most appropriate locations and support regeneration
 - protect and enhance the quality, character, landscape setting and identity of the city and neighbouring towns
 - protect and give access to open space within and around the city and neighbouring towns.

Green belt designation can also be used to prevent the coalescence of settlements.

- 35 The LDP defines green belt boundaries to meet these purposes, ensuring that the strategic growth requirements of the SDP can be accommodated. The boundaries of the green belt shown on the Proposals Map are largely unchanged from previous local plans. However, some areas have been taken out of the green belt for the following reasons:
- land in West Edinburgh and South East Edinburgh Strategic Development Areas to meet SDP strategic housing requirements

- sites at Queensferry, Currie and Balerno also to meet SDP strategic housing requirements
 - Edinburgh Airport, Royal Highland Centre, International Business Gateway, Heriot–Watt Campus and Hermiston Village to accord with Scottish Planning Policy.
- 36 To ensure the Edinburgh Green Belt continues to meet its objectives in terms of directing planned growth, protecting landscape setting and providing access to open space, the LDP controls the types of development that will be allowed in the green belt. The LDP also promotes opportunities to enhance the appearance of the green belt and to increase countryside access.

Figure 4 Edinburgh Green Belt



Landscape

- 37 The Council's Natural Heritage Strategy sets out how planning can help meet the objectives of national landscape policy and the commitments of the European Landscape Convention and Scotland's Landscape Charter.
- 38 Special Landscape Areas (SLAs) are designated to protect locally important landscapes from development which would harm their character and appearance. 22 SLAs are identified on the Proposals Map due to their distinctive characteristics and qualities, which contribute to the city's unique setting and sense of place. These include examples of Edinburgh's coastal margin, hills, valleys and designed landscapes, which are described in the 'Statements of Importance' prepared for each SLA.
- 39 Outwith the SLAs, a range of design and environmental policies and guidance highlight the value and potential of all landscapes. The LDP recognises that development can bring benefits through conserving and enhancing landscape character and important topographical features and creating future landscapes of quality and character in the provision of new green infrastructure.

Trees and Woodland

- 40 Trees and woodland make an important contribution to the character and quality of the urban area and countryside providing biodiversity, landscape and cultural benefits. Specific legislation protects trees in conservation areas and those covered by a Tree Preservation Order. The Edinburgh and Lothians Forestry and Woodland Strategy provides a long term vision for woodland creation and management to increase woodland cover and create better

links. Opportunities will be taken to deliver the Strategy through greenspace proposals and management of the woodland resource throughout the city.

Biodiversity

41 The Council's Natural Heritage Strategy sets out how planning can meet the objectives of national policy on biodiversity and fulfil the commitments of the Biodiversity Duty and the Scottish Geodiversity Charter. Planning decisions must comply with environmental legislation on international and national protected sites and species. In addition, Local Nature Reserves and Local Nature Conservation Sites are identified to protect biodiversity at the local level and are shown on the proposals map. The plan includes policies relating to a range of biodiversity designations.

42 LDP policies and Council guidance also recognise the value and potential of biodiversity outwith designated areas and set out key principles for enhancing habitat and ecosystems.

Water and Air

43 The water environment is a key natural resource which requires stringent protection from the potentially harmful effects of new development, both on ecological quality and in adding to flood risk. Within the urban area, some built and some unbuilt areas have experienced flooding in extreme weather conditions. The Council, with others, has a responsibility to reduce overall flood risk. It has completed a flood prevention scheme for the Braid Burn and is implementing one for the Water of Leith. It has also identified unbuilt areas of land which fulfil an important flood function, and which should be allowed to flood in order to protect other, built-up areas from

floodwater. These are shown on the Proposals Map as areas of importance for flood management. A flood map published by the Scottish Environment Protection Agency shows some areas on Edinburgh's waterfront potentially at medium to high risk of coastal flooding, taking into account climate change. The LDP does not prevent development in such locations but will require all proposals to consider and address any potential risk of flooding.

44 The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in Air Quality Management Areas (AQMAs) or, by cumulative impacts, lead to the creation of further AQMAs in the city. These are areas where air quality standards are not being met, and for which remedial measures should therefore be taken. AQMAs have been declared for five areas in Edinburgh - the city centre, St John's Road, Corstorphine, Great Junction Street in Leith, Glasgow Road (A8) at Ratho Station and Inverleith Row/Ferry Road junction. Poor air quality in these locations is largely due to traffic congestion. The Council has prepared an action plan setting out measures intended to help reduce vehicle emissions within these areas. The Council monitors air quality in other locations and may need to declare further AQMAs.

3) Creating Successful Places

Place-making and Design

45 Edinburgh's distinct geography and rich and varied heritage of buildings and urban design combine to create a cityscape of excellence. New development, through its design and contribution to place-making, should enhance not detract from the city's overall character and quality of environment. Good

design can help achieve a wide range of social, economic and environmental goals, creating places that are successful and sustainable. The design of a place can define how people live, how much energy they use, how efficient transport systems are and whether businesses succeed. The LDP's design related policies aim to raise design quality and create successful places. Council guidance supports these policies and provides more detailed information and advice.

- 46 This LDP is also supported by a wide range of area and site specific design guidance aimed at promoting high quality place-making and design. These frameworks, development briefs and master plans can be viewed on the Council's website. Their role is to guide and control development, taking account of the particular characteristics of a site or area and addressing matters such as mix of uses, form and height of buildings, streets and public spaces. In creating high quality places, the spaces between buildings i.e. streets, civic squares and public realm, should be given as much consideration as the design of buildings.
- 47 The site briefs and development principles included in Part 1 Section 5 set out key design requirements to guide the development of new housing sites and other major development opportunities. Master plans should be prepared by developers as part of the planning application process to demonstrate how their proposals meet the LDP's design and place-making objectives and any site specific requirements. Master plans should also provide information on the mix of uses, how a development relates to the surrounding area and, where relevant, proposals on an adjacent site and development phasing.

Green Network

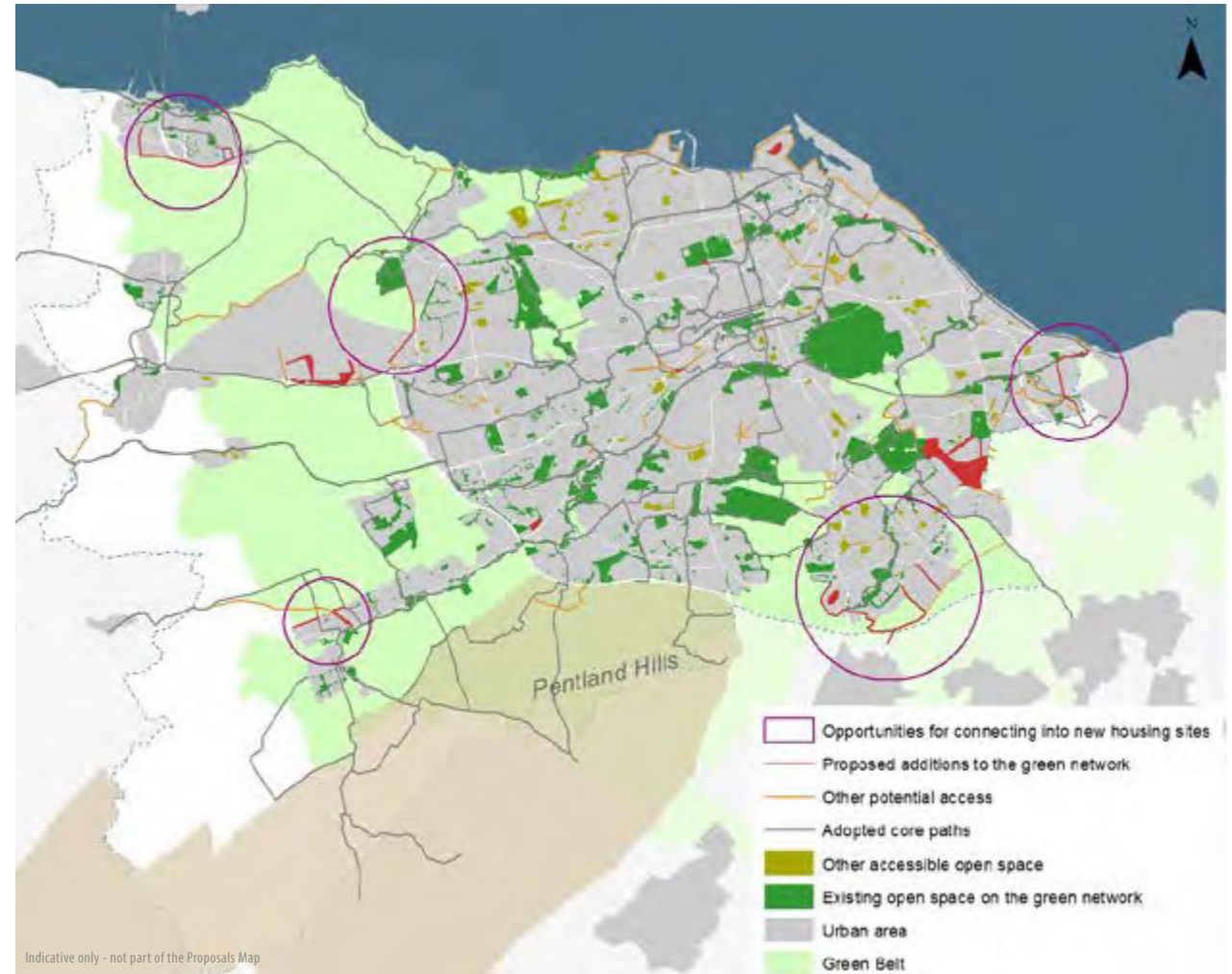
- 48 The green network is the linking together of natural, semi-natural and man-made open spaces to create an interconnected network that provides recreational opportunities, improves accessibility within the urban area and to the surrounding countryside and enhances biodiversity and the character of the landscape and townscape, including the setting of new development. Edinburgh's green network forms part of a wider Central Scotland Green Network (CSGN), which is identified as a national development in National Planning Framework 3. The Council is a signatory to the CSGN declaration and is working in partnership with neighbouring authorities and other stakeholders to support and deliver a range of projects.
- 49 Some parts of the green belt contribute to Edinburgh's green network. Key elements include the Pentlands Hill Regional Park, Bonaly Country Park, Cammo estate, the Water of Leith, the Union Canal, Waterfront Promenade and the proposed South East Wedge parkland.
- 50 Through various policies, the LDP aims to protect, promote and enhance the wildlife, recreational, landscape and access value of the green network. Developments are expected to incorporate elements that positively contribute to the green network through, for example:
- providing new open space and/or improving the quality of, or access to existing public open space, thus, reducing areas of deficiency
 - incorporating existing landscape features in new development and providing new landscape planting and other green infrastructure along water courses, coast and urban edge

- extending and linking to the existing path and active travel network where opportunities arise
- providing for a range of different recreational uses which promote healthy living
- providing new and/or enhancing existing wildlife habitats through building and landscape design, thus, preventing habitat fragmentation where possible
- managing surface water drainage, treatment and flood risk through sustainable urban drainage, providing amenity and biodiversity benefits e.g. green roofs, swales and ponds
- mitigating and adapting to the impacts of climate change e.g. resource efficient design, planting trees to capture carbon, intercept and absorb rainfall.

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- 51 Enhancements of the green network will be required to mitigate any impacts from development on existing wildlife habitats or potential connections between them, or other features of value to natural heritage, green space, landscape and recreation. Developers must ensure that green networks are considered in the preparation of future planning applications. Figure 5 is an indicative map of Edinburgh's green network illustrating existing provision and opportunities to improve and/or extend the network.

Figure 5 Green Network



- 52 Development on greenfield housing sites provides opportunities to extend existing green corridors into the wider countryside. Green network enhancement should be an integral part of the new LDP housing proposals. Green network opportunities are highlighted in the housing site briefs in Part 1 Section 5.

53 In 2010, the Council prepared an Open Space Strategy based on an audit of open space resources across Edinburgh. Its purpose is to ensure a co-ordinated and consistent approach to meeting Edinburgh's open space needs and protecting and developing the city's network of open spaces. The Strategy sets standards for the provision of different types of open space and identifies where these standards are not currently met. The Strategy, together with 12 accompanying action plans, identifies opportunities to improve the quantity and quality of open space provision in Edinburgh. A replacement strategy was published in draft in 2016.

54 The LDP includes 11 greenspace proposals (Table 1). The majority of these relate to the creation of major new greenspace in conjunction with wider redevelopment proposals. These will play an important role in meeting the open space needs of new residents and will also bring benefits for neighbouring existing communities. Where possible, these proposals will be incorporated into Edinburgh's green network by creating and improving connections to other spaces.

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Table 1: Greenspace Proposals

Proposal	Comments
Reference: GS 1 Name: Dalry Community Park Proposal: Extension and enhancement of public park	Opportunity to enhance and extend an existing park to meet existing deficiencies in provision and as part of public open space requirements associated with the redevelopment of Fountainbridge.

Table 1: Greenspace Proposals

Proposal	Comments
Reference: GS 2 Name: Leith Western Harbour Central Park Proposal: Provision of 5.2 hectare publicly accessible park	The approved proposals for Western Harbour include a new park with formal and informal recreational facilities for all ages.
Reference: GS 3 Name : Leith Links Seaward Extension Proposal: Sports pitches, allotments and other recreational uses laid out in a linear greenspace.	The housing-led redevelopment of former industrial land east of Salamander Place is centred on a linear extension of Leith Links. A landscape design study approved in 2008 shows how the extension can connect with the Links by reshaping and enlarging the existing allotments.
Reference: GS 4 Name: South East Wedge Parkland Proposal: Parkland, open land and structure planting	Land around Craigmillar/Greendykes retained in the green belt will be landscaped to provide multi-functional parkland, woodland and country paths linking with parallel developments in Midlothian.
Reference: GS 5 Name: Niddrie Burn Parkland Proposal: New park	The Council has carried out work to remove culverts and form a new channel for the Niddrie Burn as part of the urban expansion proposals at Greendykes. This is the first phase in creating a new park.
Reference: GS 6 Name: IBG Open Space Proposal: Three areas of parkland - 1) along A8 corridor; 2) central parkland and 3) archaeology park	The West Edinburgh Landscape Framework (approved in December 2011) identifies strategic landscape design and open space requirements. Three main areas of open space are proposed as key elements of the International Business Gateway.

Table 1: Greenspace Proposals

Proposal	Comments
Reference: GS 7 Name: Gogar Burn Proposal: Diversion of Gogar Burn	Proposed diversion of the Gogar Burn as shown on the Proposals Map. This will bring benefits in terms of reducing flood risk, improving water quality and enhancing biodiversity
Reference: GS 8 Name: Inverleith Depot Proposal: Conversion of service depot into greenspace	The Council is keeping the operational role of its service depots under review. If that process determines that the depot at Inverleith Park is no longer required for depot functions or other services, it can be converted into green space. The type(s) of greenspace should be identified at that stage in consultation with the local community and should take account of local and citywide needs.
Reference: GS 9 Name : Broomhills Park Proposal: New large park in housing-led development site	The centre of the Broomhills housing site (Proposal HSG 21) is a raised knoll which must remain undeveloped to reduce impact on the landscape setting of the city. This is an opportunity to create a new community park which benefits from attractive views. It should be landscaped and maintained to meet the Council's large greenspace standard.
Reference: GS 10 Name : Clovenstone Drive Proposal: Greenspace enhancement	Proposals to enhance existing greenspace in conjunction with housing development on adjacent site (Proposal HSG31). Will include provision of play space and upgrading of football pitch.
Reference: GS 11 Name : Newmills Park Proposal: New linear park	Proposal to create a new 3 hectare linear park in conjunction with housing development on adjacent site (Proposal HSG 37). It should be landscaped and maintained to meet the Council's large greenspace standard.



Figgate Park, Edinburgh Living Landscapes

3 A Plan to Provide Jobs, Homes and Services in the Right Locations

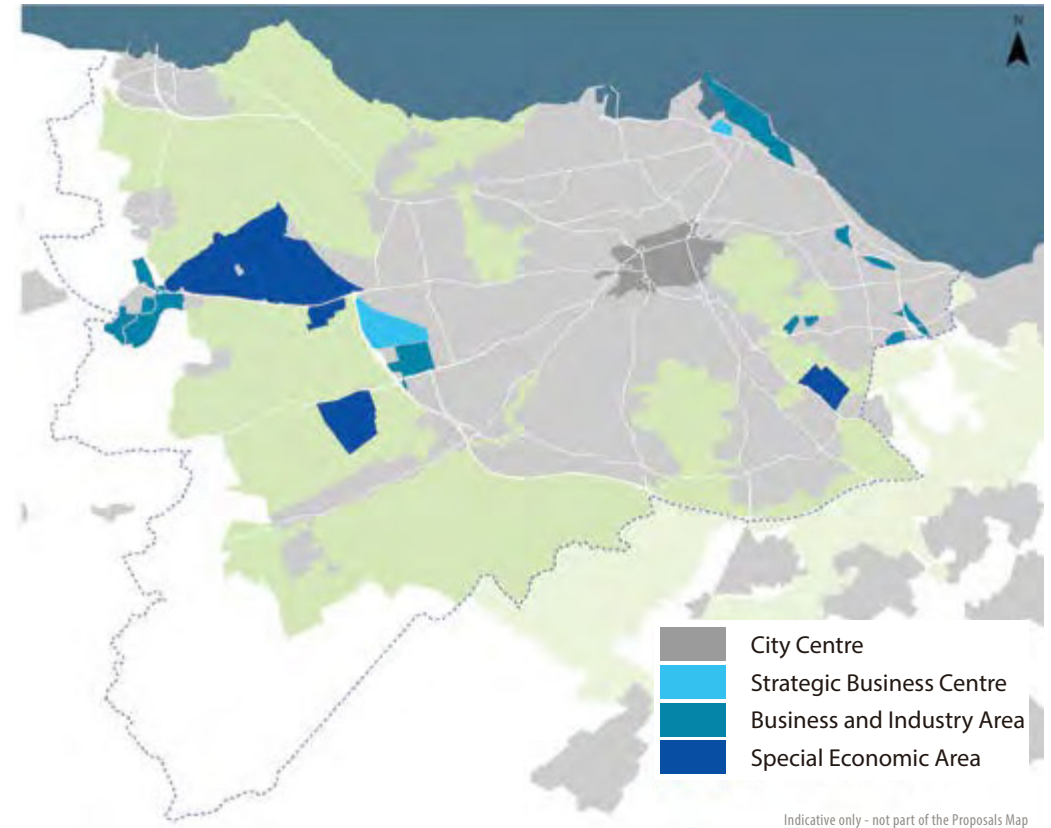
1) Economic Development

55 The Council's economic strategy seeks sustainable growth through investment in jobs – focussing on development and regeneration, inward investment, support for businesses and helping unemployed people into work or learning. A successful Edinburgh economy will have wider implications across the city region and for Scotland as a whole. The LDP has a key role in helping to deliver this strategy.

56 Page 466 The strength of Edinburgh's economy is based on a range of key sectors, for example tourism, financial services, life sciences and higher education. Edinburgh also has a wide range of cultural, arts and sports venues which bring economic benefits as well as enhancing the wellbeing of residents and visitors. The LDP supports existing businesses, makes specific provision for a growing student population, continues to promote previously identified economic proposals and highlights new investment opportunities.

57 There are many economic development opportunities across the city, available to accommodate businesses of varying types and sizes (see Figure 6). These include seven special economic areas, strategic office locations in the city centre, Leith and Edinburgh Park, and planned industrial estates and areas such as Newbridge.

Figure 6 Opportunities for Economic Development



58 Economic growth is a key aim of the Strategic Development Plan. The SDP requires the LDP to retain existing levels of strategic employment land and provide a generous range and choice of employment sites in accessible locations. It also recognises the important role of the Edinburgh city region as a key driver of the Scottish economy. Strategic enhancement of Edinburgh

Airport has the status of a national development along with associated provision for business space/mixed use and a new National Showground Facility. In this context the plan identifies land for the expansion of Edinburgh Airport, proposals for business and mixed use at the International Business Gateway and a safeguarded site to the south of the A8 for a new National Showground Facility. The Scottish Government has also identified two enterprise locations in Edinburgh in recognition of their importance to the national economy - Leith Docks (low carbon/renewables) and Edinburgh BioQuarter (life sciences).

Edinburgh's Special Economic Areas

59 Page 467 The LDP identifies seven 'special economic areas' (see Table 2), all of which are of national or strategic economic importance, providing or with the potential to provide a significant number of jobs. The plan includes individual policies for six of these sites (Policy Emp 2 – Emp 7) to ensure development proposals realise their economic potential. A slightly different approach is taken for Leith Docks where economic proposals will be assessed using the general Policy Emp 8 and the area based Policy Del 3.

Table 2 Special Economic Areas

Area	Main Purpose
<p>Name: Edinburgh BioQuarter Location: East of A7, South East Edinburgh Site area: 72 ha Relevant LDP policy - Emp 2</p>	<p>The Edinburgh BioQuarter (EBQ) aims to become a top 10 global centre of excellence for life sciences offering opportunities for academic, commercial and clinical research and development with health care, teaching facilities and appropriate support services and facilities focused on the Edinburgh Royal Infirmary. Its development is being promoted by a partnership of the Council and Scottish Enterprise, University of Edinburgh and NHS Lothian.</p>
<p>Name: Riccarton University Campus and Business Park Location: South of A71, South West Edinburgh Site area: 153 ha Relevant LDP policy - Emp 3</p>	<p>The campus comprises Heriot-Watt University and the adjacent business park. A Master Plan was approved in January 2001. In 2013, it was identified as the preferred location for a National Performance Centre for Sport. Its main purpose is academic teaching and research and business uses with a functional link to the University. There is currently 20.28 hectares of undeveloped land available within Riccarton Research Park.</p>
<p>Name: Edinburgh Airport Location: North of A8, West Edinburgh Site area: 380 ha Relevant LDP policy - Emp 4</p>	<p>The connectivity provided by Edinburgh Airport supports and enhances Scotland's economy. The most recent Airport Master Plan was prepared by the former owner in July 2011 and agreed by the Council in March 2012. The Master Plan sets out development intentions for airport and related uses up to 2020 with more indicative proposals from 2020-2040.</p>

Table 2 Special Economic Areas

Area	Main Purpose
Name: Royal Highland Centre Location: North of A8, West Edinburgh Site area: 129 ha Relevant LDP policy - Emp 5	<p>The main purpose of the RHC site is for showground uses. Its owners, the Royal Highland and Agricultural Society of Scotland, intend to bring forward major proposals to expand and enhance facilities on their current site. A Master Plan has been prepared as part of a planning application. Proposals include a new exhibition hall, Centre for Excellence including retail facilities, Agribusiness and office uses, hotel, improved internal circulation and a new entrance boulevard onto Eastfield Road.</p> <p>The RHC may need to relocate to the south of the A8 in the longer term to allow for airport expansion.</p>
Name: International Business Gateway Location: North of A8, West Edinburgh Site area: 136 ha Relevant LDP policy - Emp 6	<p>The International Business Gateway is a key location to attract international markets and secure appropriate business led mixed use development. National Planning Framework 3 identifies West Edinburgh, including the International Business Gateway, as being a significant location for investment. The International Business Gateway is a key location to attract international markets and secure appropriate business led mixed use development. It will come forward in a series of phases incorporating business development and supporting uses. The supporting uses include an opportunity for housing development as identified in Table 4. The Development Principles in Part 1 Section 5 identify the requirements for the consideration of proposals for the IBG through the development management process, indicating how business development and other uses can be accommodated together.</p>

Table 2 Special Economic Areas

Area	Main Purpose
Name: RBS Headquarters, Gogarburn Location: South of A8, West Edinburgh Site area: 45 ha Relevant LDP policy - Emp 7	<p>The main purpose of the site is for office development in a high quality landscape setting. A tram stop is to be provided to the north east of the site, increasing accessibility by public transport. Part of the site remains undeveloped and provides the opportunity for additional office and ancillary development.</p>
Name: Leith Docks Location: Northern and eastern part of Leith Waterfront Site area: 128 hectares Relevant LDP policy - Emp 8 and Del 3	<p>The main purpose of this area is for business and industry.</p> <p>The National Renewables Infrastructure Plan highlights the potential of Leith Docks as a suitable location for the manufacturing and servicing of wind turbines and other equipment to support the off-shore renewables industry.</p>

2) Housing and Community Facilities

60 Edinburgh is a growing city as a result of increased birth rates, residents living longer and people moving into the area for work or study. Its population is now 477,000 (National Records of Scotland, 2011 Census). Population and household changes have implications for housing need which in turn influences the amount of housing land to be identified in LDPs. Providing more and better homes for people is one of the overall aims of the plan, to help meet housing need and support economic growth. The LDP also recognises that a growing population increases the need for local shops and community facilities such as schools, health care services and community centres.

61 A housing needs and demand assessment (HNDA) for South East Scotland

was undertaken as part of the preparation of the Strategic Development Plan and local housing strategies across the SESplan area. The SESplan area, which covers Edinburgh, the Lothians, Scottish Borders and part of Fife, functions as one housing market area. This means that some of the housing demand generated by the city can and will be met in the wider city region.

- 62 The approved SDP indicates that land for a total of 107,560 new homes will be required across the SESPlan area in the period up to 2024. SESPlan has prepared Supplementary Guidance which sets out how much of this requirement should be met in each Council area. The requirement for the City of Edinburgh Council area is:

2009 - 2019	2019 – 2024	Total 2009-2024
22,300	7,210	29,510

- 63 The rate at which housing sites are developed is constrained by a variety of factors including market conditions. The SDP accepts that the required housing targets will be challenging to deliver. It stresses the importance of ensuring growth is accompanied by the appropriate infrastructure. It also requires greenbelt release to be minimised. Current programming assumptions are subject to consultation with the house-building industry and are monitored and updated through an annual housing land audit.

- 64 Figure 7a shows the current programming assumptions (drawing on the 2015 housing land audit) for existing sites and new sites as identified through this plan. Alternate figures presented by the house-building industry assume a more significant on-going shortfall extending over the plan period and beyond. There has been a recent increase in completions and the Council

considers it has identified land with sufficient total capacity overall. However Figure 7a signals a shortfall in the effective housing supply to 2019 and potential on-going difficulties in maintaining a 5 year land supply.

Figure 7a Current anticipated programming of the Housing Land Supply (November 2015)

	2015-2019	2019-2024	Remainder 2024-2026	Total 2015-2026
Remaining SDP Supply Target from 2015	15,034	7,210	2,884	25,128
Plus 10% to ensure generosity	16,537	7,931	3,172	27,640
Effective supply	6,410	4,774	1,490	12,674
Contribution from sites capable of becoming effective	0	2,324	826	3,150
Windfall	1,694	2,116	846	4,656
Total supply from existing sources (derived from 2015 HLA)	8,104	9,214	3,162	20,480
Required New LDP allocation	8433	-1283	10	7,160
Brownfield	221	519	75	815
West Edinburgh SDA	175	1,400	400	1,975
South East Edinburgh SDA	756	1,396	280	2,432
Outwith SDA	162	1,080	288	1,530
Total new LDP allocations	1,314	4,395	1,043	6,752
Estimated shortfall	7,119	-5,678	-1,033	408

65 Figure 7b shows additional sites, as included in Table 4, which are also identified for inclusion in the plan to assist in meeting the SDP housing target. They are not currently accounted for in Table 7a as an assumed programming remains to be established through the annual audit process.

Figure 7b Additional capacity from existing new sites.

Site	Approximate Additional Capacity
Gilmerton Station Road HSG 24	160
Ravelrig Road Balerno	120
Edmonstone	170
The Wisp	71
Lang Loan	220
Total additional potential	742

66 The Council has a clear role in working with developers and other agencies to ensure that there are no land use planning barriers to an increased take up of its identified stock of housing land. This will be facilitated through Supplementary Guidance to set out a realistic approach to enabling infrastructure provision taking into account financial viability and looking at innovative approaches to forward and gap funding. This will be particularly important if the considerable potential of the waterfront is to be realised.

67 It may take time for any increase in the uptake of the identified land supply and this may create pressure for the release of additional land through Policy Hou 1. However any shortfall in the housing land supply, whilst carrying considerable weight, does not over-ride other considerations such as directing development to sustainable locations, securing green belt objectives and the appropriate provision of infrastructure.

68 The current housing target is based on a ten year period and the development plan is to be reviewed every five years. The process of preparing a new SDP is already underway and the plan will be due for replacement in 2018. An early review of this local development plan is proposed in order to ensure a timeous response to any revised strategic housing target and to secure an ongoing sufficient supply of housing land.

69 The City Housing Strategy 2012-2017 was approved in December 2011. It aims to deliver three outcomes:

- People live in a home they can afford
- People live in a warm, safe home in a well-managed neighbourhood; and
- People can move if they need to.

This LDP can help meet these outcomes through the identification of sites to increase the housing supply and the inclusion of policies on affordable housing, sustainable building and design and place-making.

70 The proposals listed in Tables 3 and 4 provide a generous supply of land for housing development on a range of sites across the city. Proposals HSG 1 – HSG 18, EW 1a-c, EW 2a-d, CC 2 – CC 4 relate to sites which already have planning permission for housing development or were identified as housing proposals in previous local plans. Sites HSG 19 – HSG 37, Del 4 and Emp 6 are new housing opportunities identified to meet Edinburgh’s housing requirement. Detailed information on these proposals is provided in Part 1 Section 5. Apart from sites identified for development in this plan to deliver the planned growth of the city, housing on greenfield land is unlikely to be supported.

- 71 The plan aims to ensure that housing development on the sites listed in Tables 3 and 4 and any other site that emerges during the period of the plan, provides for a range of housing needs, meets climate change and sustainable development objectives and is of a high quality in terms of site layout and design. It also includes policies to ensure development doesn't detract from the appearance of or cause nuisance or disturbance in existing housing areas.
- 72 Since its introduction in 2001, the Council's affordable housing policy has delivered nearly 700 new affordable homes. The availability of affordable housing continues to be a major issue in Edinburgh and the Council and its partners are using a range of innovative and flexible approaches to increase the supply of new affordable homes. More information is available in the Council's Housing Strategy 2012 -2017. One element is the LDP requirement for all private development of 12 or more homes to include 25% affordable housing (Policy Hou 6).
- 73 In addition to providing affordable housing, the LDP also recognises the housing needs of particular groups such as students, gypsies, travellers and travelling showpeople.

Table 3 Existing Housing Proposals

Housing Proposal	Comments
Reference: HSG 1 Name : Springfield, Queensferry Site area: 13 hectares Estimated total capacity: 150	The site lies on the western edge of the town between existing housing at Springfield and the line of the replacement Forth Crossing. Proposals should include playing fields, changing facilities and amenity open space. Opportunity to create a link road from Bo'ness Road to Society Road should be investigated.
Reference: HSG 2 Name: Agilent, South Queensferry Site area: 14 hectares Estimated total capacity: 450 (440*)	Planning permission granted for a housing-led mixed use development on the site of former Agilent plant.
Reference: HSG 3 Name: North Kirkliston Site area: 44 hectares Estimated total capacity: 680 (153*)	Site identified in previous local plan to meet strategic housing need. Planning permission granted and development underway.
Reference: HSG 4 Name : West Newbridge Site area: 20 hectares Estimated total capacity: 500	Opportunity for housing-led regeneration in heart of Newbridge. Environmental concerns such as the proximity of the site to industrial uses and impact of aircraft noise must be addressed through a comprehensive master plan for the whole site. Proposals should accord with the West Edinburgh Strategic Design Framework. The finalised site capacity, design and layout should be informed by an adequate flood risk assessment.

* homes still to be built (calculated from the 2015 Housing Land Audit)

Table 3 Existing Housing Proposals

Housing Proposal	Comments
Reference: HSG 5 Name : Hillwood Road, Ratho Station Site area: 5 hectares Estimated total capacity: 50-100	Opportunity for housing development and community facilities (either provided on site or elsewhere in Ratho Station). Environmental concerns such as the proximity of the site to nearby sources of noise, including aircraft noise must be addressed through a comprehensive master plan for the site and proposals should accord with the West Edinburgh Strategic Design Framework. The finalised site capacity, design and layout should be informed by an adequate flood risk assessment.
Reference: HSG 6 Name : South Gyle Wynd Site area: 3 hectares Estimated total capacity: 204	Planning permission granted for housing development on site adjacent to the Forrester's and St Augustine's High Schools.
Reference: HSG 7 Name : Edinburgh Zoo Site area: 4 hectares Estimated total capacity: 80	Land on the western edge of the zoo which is no longer required for zoo purposes. Opportunity for high quality housing development within a mature landscape setting.
Reference: HSG 8 Name: Telford College (North Campus) Site area: 3 hectares Estimated total capacity: 330 (119*)	Redevelopment of former college site. Planning permission granted and development underway.
Reference: HSG 9 Name: City Park Site area: 2 hectares Estimated total capacity: 200	A Statement of Urban Design Principles has been prepared by the Council to guide housing development.

* homes still to be built (calculated from the 2015 Housing Land Audit)

Table 3 Existing Housing Proposals

Housing Proposal	Comments
Reference: HSG 10 Name: Fairmilehead Water Treatment Works Site area: 11 hectares Estimated total capacity: 275 (150*)	Planning permission granted for the redevelopment of the former Scottish Water treatment works. The existing tanks have been decommissioned to make the site suitable for housing use.
Reference: HSG 11 Name: Shrub Place Site area: 2 hectares Estimated total capacity: 410	Redevelopment of former transport depot and Masonic hall for housing and other uses. A Statement of Urban Design Principles has been prepared by the Council to guide development.
Reference: HSG 12 Name: Lochend Butterfly Site area: 5 hectares Estimated total capacity: 590 (198*)	Major redevelopment opportunity on land located in the east of the city. Planning permission granted and development underway.
Reference: HSG 13 Name: Eastern General Hospital Site area: 4 hectares Estimated total capacity: 295 (231*)	Redevelopment on former hospital site. Proposals to retain three existing buildings (two of which are listed). Planning permission granted for housing including 64 affordable units and a care home. The affordable housing is complete and comprises a mix of tenures.
Reference: HSG 14 Name: Niddrie Mains Site area: 21 hectares Estimated total capacity: 814 (498*)	This proposal forms part of the wider regeneration of Craigmillar led by PARC. Development which has already taken place includes housing, two new primary schools, a new neighbourhood office and public library and refurbishment of the White House. Future housing proposals should accord with the Craigmillar Urban Design Framework.

Table 3 Existing Housing Proposals

Housing Proposal	Comments
Reference: HSG 15 Name: Greendykes Road Site area: 3 hectares Estimated total capacity: 145	The site is expected to become available for housing once a decision is made on the future of Castlebrae High School. Proposals should accord with the Craigmillar Urban Design Framework
Reference: HSG 16 Name: Thistle Foundation Site area: 8 hectares Estimated total capacity: 256 (179*)	Redevelopment opportunity in the heart of Craigmillar. Planning permission granted and development underway.
Reference: HSG 17 Name: Greendykes Site area: 12 hectares Estimated total capacity: 990 (841*)	A vacant site within an established residential area. Its redevelopment forms part of the wider regeneration of Craigmillar. Planning permission granted on part of the site and development underway. The finalised site capacity, design and layout should be informed by an adequate flood risk assessment.
Reference: HSG 18 Name: New Greendykes Site area: 26 hectares Estimated total capacity: 878 (829*)	Longstanding proposal for new housing on greenfield land to south of Greendykes. Outline planning permission granted in 2010 for 1000 houses. The proposal includes a mix of unit sizes and types, 200 of which are affordable. The finalised site capacity, design and layout should be informed by an adequate flood risk assessment.
City Centre	
Reference: CC 2 Name: New Street Site area: 3 hectares Estimated total capacity: 250	Housing as part of a major mixed use redevelopment opportunity. Proposals should accord with the New Street Development Principles (set out in Table 10).

* homes still to be built (calculated from the 2015 Housing Land Audit)

Table 3 Existing Housing Proposals

Housing Proposal	Comments
Reference: CC 3 Name: Fountainbridge Site area: 37 hectares Estimated total capacity: 1,200 (994*)	Housing as part of mixed use redevelopment of former brewery site. Development underway with nearly 200 new homes provided. Proposals should accord with the Fountainbridge Development Principles (set out in Table 10).
Reference: CC 4 Name: Quartermile Site area: 8 hectares Estimated total capacity: 1,110 (340*)	Regeneration of the historic Edinburgh Royal Infirmary site creating a sustainable, mixed-use urban community. Nearly 400 homes already built. Further details provided in Table 10.
Edinburgh Waterfront	
Reference: EW 1a Name: Leith Waterfront (Western Harbour) Site area: 49 hectares Estimated total capacity: 3,000 (1,873*)	Major housing-led mixed use regeneration opportunity on land to west of Ocean Terminal shopping centre next to recently built flatted development. Proposals should accord with the Leith Waterfront Development Principles (set out in Table 11).
Reference: EW 1b Name: Central Leith Waterfront Site area: 61 hectares Estimated total capacity: 2,720	The mixed use regeneration of Central Leith Waterfront will provide a significant number of new homes. Proposals should accord with the Leith Waterfront Development Principles (set out in Table 11).
Reference: EW 1c Name: Leith Waterfront (Salamander Place) Site area: 13 hectares Estimated total capacity: 1,500 (1,355*)	Housing-led regeneration on former industrial land. Planning permission granted on western part of site for 781 units incorporating a wide range of house types. Proposals should accord with the Leith Waterfront Development Principles (set out in Table 11).

Table 3 Existing Housing Proposals

Housing Proposal	Comments
Edinburgh Waterfront	
Reference: EW 2a Name: Forth Quarter Site area: 45 hectares Estimated total capacity: 1,800 (1,041*)	Major housing-led mixed use regeneration opportunity. Nearly 800 homes already built along with offices, superstore and a new park. Proposals should accord with the Granton Waterfront Development Principles (set out in Table 11).
Reference: EW 2b Name: Central Development Area Site area: 41 hectares Estimated total capacity: 2,050 (1,347*)	Housing-led mixed use development. Some housing completed along a new avenue. Proposals should accord with the Granton Waterfront Development Principles (set out in Table 11).
Reference: EW 2c Name: Granton Harbour Site area: 38 hectares Estimated total capacity: 1,980 (1,634*)	Housing-led mixed use development. Some housing development in accordance with an approved master plan. Proposals should accord with the Granton Waterfront Development Principles (set out in Table 11).
Reference: EW 2d Name: North Shore Site area: 16 hectares Estimated total capacity: 850	Opportunity for housing-led mixed use development. Implementation of this proposal unlikely to come forward in the short term. Proposals should accord with the Granton Waterfront Development Principles (set out in Table 11).

* homes still to be built (calculated from the 2015 Housing Land Audit)

Footnote: depending on the current planning status of the site proposals should address the required delivery of infrastructure in accordance with the relevant General Development Principles in Part 1 Section 5 of the Plan and with Policies Tra 8 and Del 1.

Table 4 New Housing Proposals

Housing Proposal	Comments
Sites in West Edinburgh	
Reference: HSG 19 Name: Maybury Site area: 75 hectares Estimated number of houses : 1,700-2,000	Proposal for housing-led development on land to the north and south of Turnhouse Road. Development must accord with the Maybury and Cammo Site Brief
Reference: HSG 20 Name: Cammo Site area: 28 hectares Estimated total capacity: 500-700	New housing site on land to the west of Maybury Road. Development must accord with the Maybury and Cammo Site Brief
Reference: Policy Emp 6 Name: International Business Gateway (IBG) Site area: n/a Estimated number of houses: to be confirmed through the master plan process	An opportunity for housing development as a component of business-led mixed use proposals is identified. However this is subject to further consideration through the master plan process in terms of the extent that this would contribute to place making and sustainable development objectives and to the primary role of the site in supporting strategic airport enhancement and international business development. The continuing master plan process for the IBG will demonstrate the relative balance of uses that would be appropriate. The development principles in Part 1 Section 5 identify the requirements for the consideration of proposals for the IBG through the development management process. Proposals must also accord with the provisions of Policy Emp 6.

Table 4 New Housing Proposals	
Housing Proposal	Comments
Reference: Policy Del 4 Name: Edinburgh Park/South Gyle Site area: n/a Estimated number of houses : 450-700 Δ	Policy Del 4 supports the introduction of housing and other uses into an area currently dominated by employment uses. This new approach represents the first step in changing the character of the Edinburgh Park/ South Gyle area in line with place making and sustainable development objectives. Proposals must accord with the Edinburgh Park and South Gyle Development Principles.
Sites in South East Edinburgh	
Reference: HSG 21 Name: Broomhills Site area: 30 hectares Estimated total capacity: 425-595	A site to the west of Burdiehouse Road, incorporating a public park (Proposal GS 9). Development must accord with the Broomhills and Burdiehouse Site Brief.
Reference: HSG 22 Name: Burdiehouse Site area: 14 hectares Estimated total capacity: 250-350	Planning permission has now been granted for development in the western part of the site and development has commenced. This proposal incorporates additional land to north and east. Development must accord with the Broomhills and Burdiehouse Site Brief.

Δ The estimated number of houses expected to be built in the period of this plan i.e. up to 2026. This site may provide additional housing beyond 2026.

Table 4 New Housing Proposals	
Housing Proposal	Comments
Reference: HSG 23 Name: Gilmerton Dykes Road Site area: 2.5 hectares Estimated total capacity: 50-70	Small site located to the south of Gilmerton Dykes Road. Development must accord with the Gilmerton Site Brief.
Reference: HSG 24 Name: Gilmerton Station Road Site area: 36 hectares Estimated total capacity: 600-650	Proposals for housing-led development on land to the north of Gilmerton Station Road as detailed in the Gilmerton Site Brief.
Reference: HSG 25 Name: The Drum Site area: 6 hectares Estimated total capacity: 125-175	Housing proposal on land to the north of Drum Street Development must accord with the Gilmerton Site Brief.
Reference: HSG 26 Name: Newcraighall North Site area: 9 hectares Estimated total capacity: 220	Planning permission was granted for 160 houses on the site in 2012. The site may provide the opportunity for a greater number of houses. Development must accord with the Newcraighall Site Brief.
Reference: HSG 27 Name: Newcraighall East Site area: 17 hectares Estimated total capacity: 275-385	Planning permission was granted for housing on the majority of the site in 2012. This site is larger with a higher estimated capacity. Development must accord with the Newcraighall/Brunstane Site Brief.
Reference: HSG 28 Name: Ellen's Glen Road Site area: 4 hectares Estimated number of houses : 220-260	Housing proposal incorporating land currently occupied by the Blood Transfusion Centre of Liberton Hospital and an area of semi-natural open space adjacent to Malbet Wynd. Proposals must accord with the Ellen's Glen Road Site Brief.

Table 4 New Housing Proposals

Housing Proposal	Comments
Reference : HSG 29 Name: Brunstane Site Area: 48 hectares Estimated total capacity: 950-1,330	Proposal for housing-led development on land to the south of Brunstane Burn and north of Newcraighall Road. Development must accord with the Newcraighall/Brunstane Site Brief.
Reference: HSG 30 Name: Moredunvale Road Site area: 5 hectares Estimated total capacity: 188	Proposal for housing development and open space improvements. Proposals must accord with Moredunvale Development Principles.
Reference: HSG 39 Name: North of Lang Loan Site Area: 13 hectares Estimated total capacity: 220	Planning permission in principle for housing on this site was granted in 2016. Development principles are set out in Part 1 Section 5.
Reference: HSG 40 Name: South East Wedge South: Edmonstone Site Area: 28 hectares Estimated total capacity: 170-370	Planning permission in principle for housing on this site was granted in 2016. Development principles are set out in Part 1 Section 5.
Reference: HSG 41 Name: South East Wedge North: The Wisp Site Area: 2 hectares Estimated total capacity: 71	Planning permission for housing on this site was granted in 2016. Development principles are set out in Part 1 Section 5.

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Table 4 New Housing Proposals

Housing Proposal	Comments
Elsewhere in the City	
Reference: HSG 31 Name: Curriemuirend Site area: 6 hectares Estimated total capacity: 150 - 180	Proposal for housing and allotments with opportunity to improve the quality of green space at Clovenstone Drive (Proposal GS10). Proposals must accord with the Curriemuirend Development Principles.
Reference : HSG 32 Name : Builyeon Road, Queensferry Site Area: 41.5 hectares Estimated total capacity: 700 - 980	Proposal for housing-led development on land to the south of Builyeon Road. Development must accord with the Builyeon Road Development Principles contained in the Queensferry South Site Brief.
Reference : HSG 33 Name : South Scotstoun, Queensferry Site Area: 20 hectares Estimated total capacity: 312-437	Proposal for housing development on land to the north of the A90. Development must accord with the South Scotstoun Development Principles contained in the Queensferry South Site Brief.
Reference : HSG 34 Name : Dalmeny Site Area: 1 hectare Estimated total capacity: 12 -18	Proposal for small housing development on land to the west of Bankhead Road. Development must accord with the Dalmeny Development Principles contained in the Queensferry South Site Brief.
Reference: HSG 35 Name: Riccarton Mains Road, Currie Site area: 1 hectare Estimated total capacity: 25 -35	Well contained site on the edge of Currie, located to the west of Riccarton Mains Road. Opportunity to provide additional housing on land within walking distance of schools and local services.

Table 4 New Housing Proposals

Housing Proposal	Comments
Reference : HSG 36 Name : Curriehill Road, Currie Site Area: 2.5 hectares Estimated total capacity: 50 - 70	Housing proposal on land to the west of Curriehill Road. Development must accord with Curriehill Road Development Principles contained in the Balerno and Currie Site Brief.
Reference : HSG 37 Name : Newmills Road, Balerno Site Area: 8 hectares Estimated total capacity: 175 - 245	Proposal for housing development on land to the west of Newmills Road. Development must accord with the Newmills Road Development Principles contained in the Balerno and Currie Site Brief.
Reference : HSG 38 Name : Ravelrig Road, Balerno Site Area: 14 hectares Estimated total capacity: 120	Planning permission in principle was granted in December 2015 for housing development on the site. Proposals must accord with the Development Principles set out in Section 5 of the Plan and the planning conditions attached to the decision notice granting planning permission in principle (reference PPA-230-2140).

Footnote: depending on the current planning status of the site, proposals should address the required delivery of infrastructure in accordance with the relevant General Development Principles and with Policies Tra 8 and Del 1.

Schools and Healthcare Provision

74 Table 5 and Proposals SCH 1–SCH 10 on the Proposals Map identify school proposals which involve development on new sites. An education assessment was undertaken as part of the preparation of the LDP. This sets out the implications of the proposed housing growth on existing schools and identifies what is needed in terms of new and expanded educational facilities. New primary schools are required in West Edinburgh (SCH 6), South

East Edinburgh (SCH 7, SCH 8 and SCH 9) and Queensferry (SCH 10). The LDP Action Programme sets out the mechanisms for delivering new and expanded education facilities where required in conjunction with LDP housing proposals.

75 Anticipated population growth in Edinburgh and the housing proposals identified in Tables 3 and 4 will have implications for the provision of primary care and other community health services. The Council and NHS Lothian will work in partnership to identify actions to adjust existing health care facilities and services to meet the future needs of Edinburgh's population. This could mean services being provided in a different way or the provision of new facilities.

Table 5 School Proposals

Existing School Proposals

Reference: SCH 1 Name : Portobello High School Site area: 7.4 hectares	Planning permission has been granted for a replacement school on a site at Portobello Park. Proposal is for a three storey building and two sports pitches.
Reference: SCH 2 Name: High School, Craigmillar Site area: Not yet determined	A new high school is to be built as part of the ongoing regeneration of Craigmillar. It is anticipated to open in 2020 and to occupy a central location near other local services. The site for the new school has not yet been identified. Proposals should accord with the Craigmillar Urban Design Framework.
Reference: SCH 3 Name : New Greendykes Site area: Not yet determined	Indicative proposal for new two-stream primary school if required in association with new Greendykes housing proposal HSG 18. Exact location of the site for the new school has not yet been determined.

Table 5 School Proposals

Existing School Proposals

Reference: SCH 4 Name : North of Waterfront Avenue, Granton Site area: 1.2 hectares	New primary school to be provided as part of major housing-led regeneration proposals at Granton Waterfront.
Reference : SCH 5 Name : Western Harbour, Leith Site area: 1.1 hectares	New primary school to be provided as part of major housing-led regeneration proposals at Leith Waterfront.
New School Proposals	
Reference: SCH 6 Name : Maybury Site area: 2 hectares	New primary school to provide educational facilities in conjunction with housing growth in West Edinburgh.
Reference: SCH 7 Name : Gilmerton Site area: 2 hectares	New primary school to provide educational facilities in conjunction with housing growth in South East Edinburgh.
Reference: SCH 8 Name : Broomhills Site area: 2 hectares	New primary school to provide educational facilities in conjunction with housing growth in South East Edinburgh. This is a preferred option in the revised education appraisal and may not be required.
Reference: SCH 9 Name : Brunstane Site area: 2 hectares	New primary school to provide educational facilities in conjunction with housing growth in South East Edinburgh.
Reference: SCH 10 Name : Queensferry - South Site area: 2 hectares	New primary school to provide educational facilities in conjunction with new housing in Queensferry.

3) Shopping and Leisure

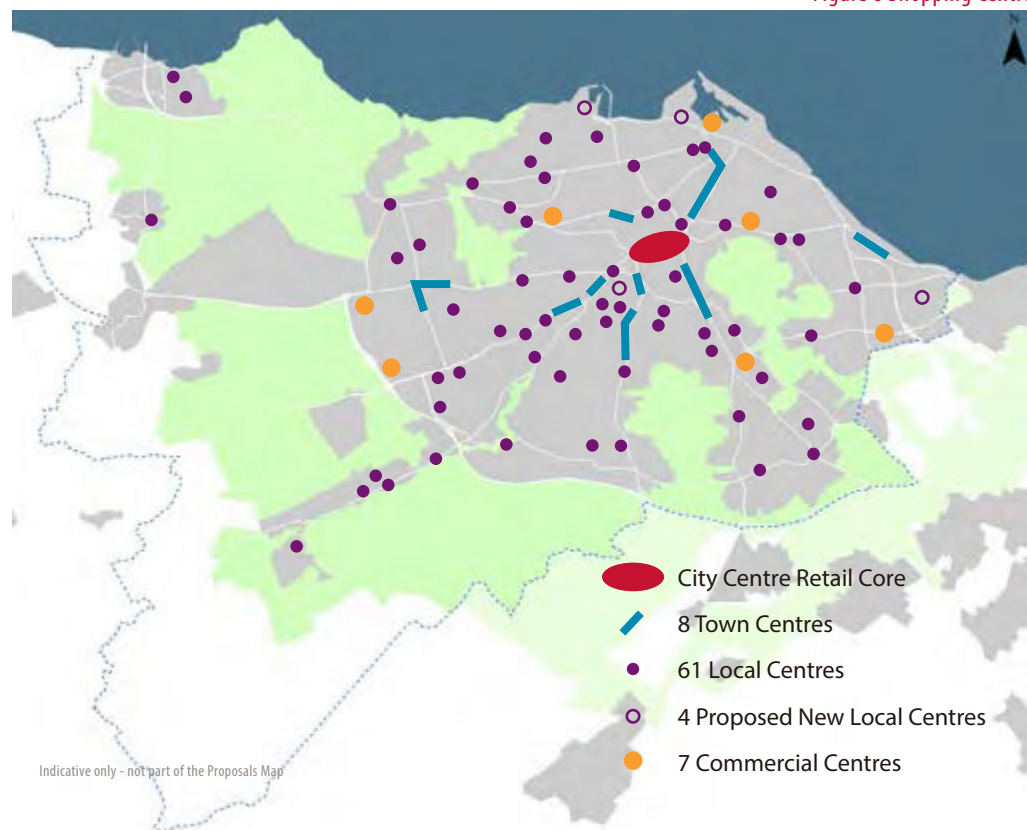
76 Shopping and leisure uses are major providers of jobs, especially for young people, and have strong links with other economic activities, particularly tourism. In Edinburgh, shopping and leisure uses are mainly provided in a network of centres distributed across the city.

- **City Centre:** The retail core of the city centre is the largest shopping centre in the Edinburgh City Region with a wide range of shops and other entertainment, leisure and cultural uses and excellent public transport services.
- **Town Centres:** The other eight town centres serve as a focal point for their local communities providing a diverse mix of shopping facilities and other commercial and community services. Each of the town centres is characterised by traditional shop units under tenements located on main roads with good bus services.
- **Commercial Centres:** Seven shopping malls and retail parks of varying size and character. The individual characteristics of each centre are described in Table 7.
- **Local Centres:** There are 61 local centres (with four more proposed) located across the city. These contribute to the quality of life and sense of identity of neighbourhoods by providing local shops and other services within walking distance. Sizes vary from larger local centres such as Wester Hailes, Easter Road and Davidson's Mains to smaller parades of shops in the villages of Currie and Queensferry.

Table 6 Network of Shopping Centres		
1 : City Centre		
Edinburgh City Centre Retail Core		
2 : Other Town Centres		
Corstorphine	Gorgie / Dalry	Leith/Leith Walk
Morningside / Bruntsfield	Nicolson St / Clerk Street	Portobello
Stockbridge	Tollcross	
3 : Commercial Centres		
Cameron Toll	Craigleith	Hermiston Gait
Meadowbank	Newcraighall / The Jewel	Ocean Terminal
The Gyle		
4 : Existing Local Centres		
Ashley Terrace	Balgreen Road	Blackhall
Boswall Parkway	Broughton Street	Bryce Road, Currie
Buckstone Terrace	Chesser	Chesser Avenue
Cannton	Comiston Road	Corslet Place, Currie
Craiglockhart	Craigmillar	Dalkeith Road
Davidsons Mains	Drylaw	Drumbrae
Dundas Street	Dundee Street	East Craigs
Easter Road	Ferry Road (East)	Ferry Road (West)
Forrest Road	Gilmerton	Goldenacre
Gracemount	Hillhouse Rd/Telford Rd	Jocks Lodge
Juniper Green	Liberton Brae	Main Street, Balerno
Main Street, Kirkliston	Marchmont North	Marchmont South
Mayfield Road	Milton Road West	Moredun Park Road
Muirhouse / Pennywell	Oxgangs Broadway	Parkhead
Pentland View Court, Currie	Piershill	Polwarth Gardens
Queensferry (Centre)	Ratcliffe Terrace	Restalrig Road
Rodney Street	Roseburn Terrace	Saughton Road North
Scotstoun Grove, Queensferry	Sighthill	Stenhouse Cross
Viewforth		

Table 6 Network of Shopping Centres		
4 : Existing Local Centres		
Walter Scott Avenue	Waterfront Broadway	West Maitland Street
Western Corner	Whitehouse Road	Wester Hailes
5 : Proposed new Local Centres		
Fountainbridge	Granton Waterfront	Western Harbour
Brunstane		

Figure 8 Shopping Centres



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- 77 The LDP continues to support the existing network of city, town and local centres. These are important focal points for people who live and work in Edinburgh, providing shopping, leisure and community facilities in locations which can be easily accessed by walking, cycling or public transport. It also recognises the valuable role of commercial centres as popular destinations for shopping and leisure activities.
- 78 The recession has had a significant adverse impact on many conventional retail businesses. Growth in consumer spending has slowed and it is unlikely that spending rates will increase again in the next five years. Some high street brands have gone into administration, leaving empty units. Others are considering cutting floorspace targets or reducing their number of stores. How customers make purchases is also changing, with more on-line spending, which also has implications for how we plan for retail uses.
- 79 Prioritising the city centre remains a key objective of the LDP. The Council aims to strengthen the position of the city to maintain its shopping role within the region and to attract more investment. The planned redevelopment of the Edinburgh St James will bring major benefits to the city centre providing additional retailing floorspace, significant environmental improvements and a more vibrant mix of uses (Proposal CC 1). A change in policy from previous plans aims to improve the overall shopping experience in the city centre by allowing uses other than shops in ground floor units in the retail core. Supplementary Guidance will set out how this change of policy will be applied.
- 80 Policies will continue to direct new development to existing centres, with town centres being given priority over commercial centres. There is not

expected to be sufficient growth in retail spending over the next five years to support further expansion of commercial centres (over and above that which already has planning permission), whilst also sustaining the existing network of town and local centres. Despite recent economic improvements and some increase in retail spending, the view of retail analysts is that the rate of spending growth will be well below that experienced in recent decades and largely offset by factors such as more efficient use of sales space and the continued increase in internet shopping. Justification for any net increase in retail provision in Edinburgh is expected to come mainly from population growth. However, there may also be opportunities to improve the quality of shopping and leisure facilities, including changes to layout of the centre and unit sizes. Table 7 takes account of these considerations and provides information on each of the commercial centres, including its characteristics, current expansion proposals and anticipated future role.

- 81 The factors affecting retail spending and provision will be kept under review, particularly as Edinburgh is a growing city where the population is expected to increase. Whilst the city and town centres are likely to remain the preferred locations for new shopping and leisure development, the policies relating to commercial centres may be revised in future plans.

Centre	Existing Role and Characteristics	Current Commitments and Future Role
Cameron Toll	Enclosed shopping centre, built in 1984. Located in South East Edinburgh on major transport intersection well served by bus. 45 units including a superstore.	Permission granted in 2012 for additional 8,600 m ² retail space and a cinema which will enhance its leisure role.

Table 7 Commercial Centres		
Centre	Existing Role and Characteristics	Current Commitments and Future Role
Craighleith	Retail park opened in 1996. Recently reconfigured with a mix of bulky goods, fashion and large food store (20 units in total). Located in North West Edinburgh close to major transport routes but not well served by buses.	No current proposals for expansion, reconfiguration or enhancement.
Hermiston Gait	Retail park opened in 1995 originally with bulky goods focus. Now includes a food store. Located in West Edinburgh next to City Bypass and M8 motorway, and close to railway station and the tram route. Poor bus service and limited walking catchment. Currently has 10 units.	Permission granted for small retail and food and drink units to serve as a gateway to rail and tram stops and improve public realm and pedestrian links. Main purpose should continue to be for bulky goods.
Meadowbank	Smaller retail park with supermarket and high representation of homeware and clothing stores. Located in North East Edinburgh on major transport route with good bus services. Opened 1997. Currently has 10 units.	No current proposals for expansion, reconfiguration or enhancement.
Newcraighall / The Jewel	One of the largest out-of-centre shopping areas in UK. Contains a superstore, some retail warehouses and many other shops. Planning permission was recently granted for a multiplex cinema. Located on the edge of the urban area, it provides shopping facilities for the south east of the City and beyond. The first phase was opened in 1989. Although improvements in public transport access have been made, bus and walking catchment is still limited. The centre as a whole now has 60 units.	Planning permission was granted in 2011 to reconfigure the centre. Retail floorspace is capped at 71,502sqm. There is a commitment to limit retail unit sizes and the amount of new floorspace.

Table 7 Commercial Centres		
Centre	Existing Role and Characteristics	Current Commitments and Future Role
Ocean Terminal	Edinburgh's newest shopping mall (opened 2001) offers a range of high street retailing, including an anchor department store, dining and a multiplex cinema over three floors. Serving north Edinburgh and planned as part of the Waterfront regeneration. Well served by buses. 80 units.	Located in Edinburgh Waterfront, an area where significant regeneration is still proposed, although on a smaller scale than envisaged previously. Any future increase in floorspace must reflect the scale and phasing of residential development.
Gyle	Enclosed, managed shopping centre (built 1993) with some ancillary services. Providing shopping facilities in the west of the city, it is located on the urban edge close to the City Bypass and major business park. Well served by buses and next to the tram route. However, its catchment is restricted by rail lines and major roads. 75 units.	Permission granted for 5,000 sq.m. extension to provide a new anchor store. Future opportunity to enhance the community and leisure role of the centre to support housing growth in West Edinburgh.

- 82 In 2011, the Council approved a town centres strategy and has appointed town centre co-ordinators to support businesses and help deliver improvements identified in town centre action plans. This plan recognises that Edinburgh's town centres have had varying levels of resilience to the economic downturn. Policy Ret 9 in Part 2 Section 6 indicates the intention to prepare separate Supplementary Guidance for each of the town centres, in consultation with local communities and businesses. These will promote an appropriate mix of uses and set out criteria for assessing change of use proposals in town centres.

83 Table 8 provides information on four new local centres to be provided as part of large mixed use development proposals at Granton, Leith, Fountainbridge and Brunstane. It also includes a proposal to redevelop and enhance the local centre at Craigmillar, a key component of wider regeneration proposals.

Table 8 Shopping Proposals

Reference: S1 Name: Niddrie Mains Road, Craigmillar Proposed Use: Redevelopment and enhancement of local centre	Opportunity to enhance the role of the local centre through the development of new retail units and other local facilities as part of the wider regeneration of Craigmillar.
Reference: S2 Name: Granton Waterfront Proposed Use: Creation of a new local centre	The approved master plan proposes a new local centre in the Granton Harbour area as part of the overall regeneration of the area. The location of this centre is shown on the Proposals Map.
Reference: S3 Name: Leith Waterfront - Western Harbour Proposed Use: Creation of a new local centre	The approved master plan and framework propose a new local centre as part of the overall regeneration of the area. This has been part implemented by a superstore at Sandpiper Drive.
Reference: S4 Name: Fountainbridge Proposed Use: Creation of new local centre	The approved Fountainbridge Development Brief proposes a new local centre as part of the overall regeneration of the area. The indicative location of this centre is shown on the Proposals Map. Two retail units have been secured beneath student accommodation on Fountainbridge North. The master plan for the outline permission for Fountainbridge South supports active frontages at ground level, including retail units arranged around a new commercial amenity space.

Table 8 Shopping Proposals

Reference: S5 Name: Brunstane Proposed Use: Creation of new local centre	The site brief proposes a new local centre to meet local convenience needs centrally located within the site. The indicative location of this new centre is shown on the Proposals Map and should comprise of commercial units located under flatted development.
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4) Transport

- 84 Reducing the need to travel and promoting use of sustainable modes of transport are key principles underpinning the LDP Strategy. Future growth of the city based on excessive car use and dependency would have serious consequences in terms of congestion and deteriorating air quality. This will have a knock on effect on the economy and environment and would also disadvantage people who do not have access to a car. An improved transport system based on sustainable alternatives to the car is therefore a high priority for Edinburgh. This is the central objective of the Council’s Local Transport Strategy, which proposes continued investment in public transport (including tram), walking and cycling.
- 85 The policies in Part 2 Section 7 support the transport strategy, by seeking to minimise travel demand and encourage a shift to more sustainable forms of travel. Major travel generating developments should take place in locations well served by public transport, walking and cycling networks, and development in non-central locations with limited sustainable travel options will be resisted. The LDP also helps reduce car dependency by encouraging higher densities in accessible locations and mixed use developments which

bring homes, shops and work places closer together, and by paying careful attention to the design of development and to the supply and quality of car and cycle parking provision.

86 A number of public transport improvements have been introduced in recent years, for example, bus priority measures on main roads and park and ride facilities. Other projects have started and will be completed over the next few years. Scottish Government, Network Rail and the Council are all committed to investing further in public transport infrastructure in and around Edinburgh.

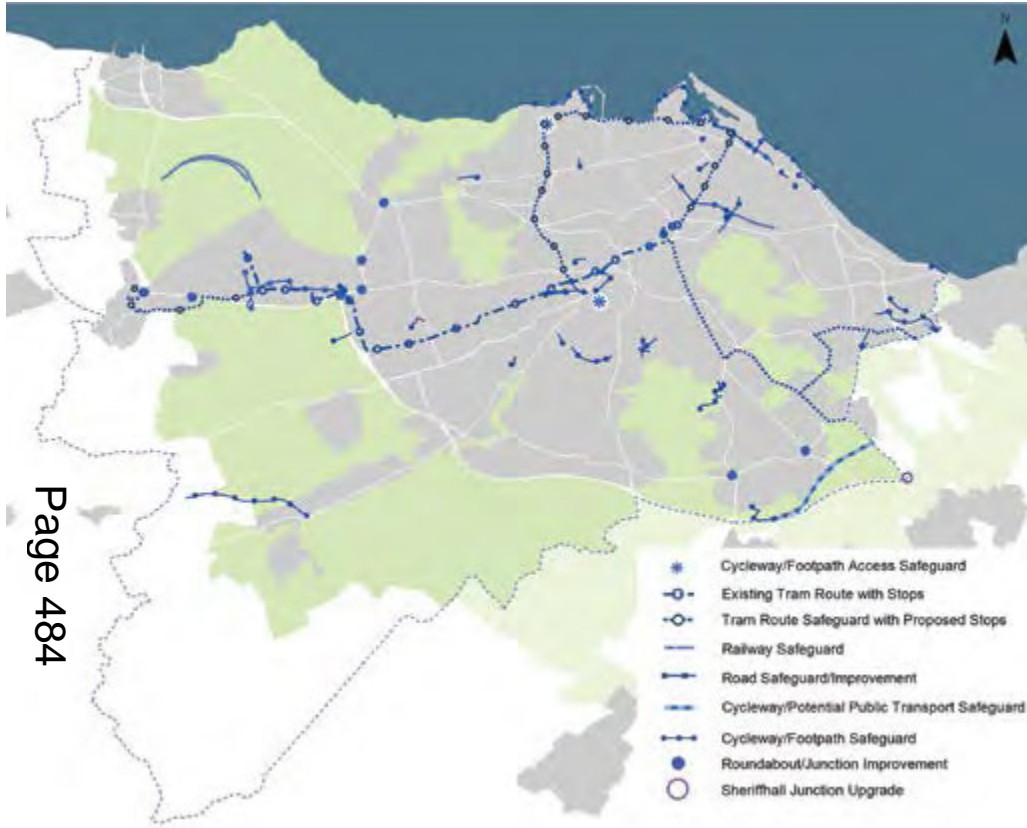
87 The re-introduction of tram services will be an important part of an integrated transport network in Edinburgh. The tram link between the city centre and the Airport became operational in summer 2014. The Proposals Map safeguards two routes to extend the tram network. Work is underway on the Edinburgh and Glasgow Improvement Programme to improve rail connections between Scotland's two main cities and includes the new Edinburgh Gateway Station and improvements at Waverley and Haymarket Stations. The Borders railway opened in 2015. A new Forth Road crossing is due to be completed in 2017. This will become the main route for general traffic allowing the existing Forth Road Bridge to become a dedicated public transport/walking/cycling corridor.

88 Edinburgh is a compact city and well suited to travel by cycle or on foot. As part of its Active Travel Action Plan, the Council is looking to increase the number of people walking and cycling, both as a means of transport and for pleasure. This takes into account the need to provide for people with limited mobility. The LDP includes safeguards for a number of public transport

improvements, footpaths and cycleways. The implementation of these proposals will further improve accessibility across the city by sustainable transport modes.

89 There is a clear link between new development and impact on the transport network. As part of the LDP preparation, a transport appraisal has been undertaken to understand the transport effects of the new strategic housing sites and to identify the transport interventions needed to mitigate these. This work builds on previous transport studies which have identified a number of key measures necessary to support existing proposals. For example, the West Edinburgh Transport Appraisal undertaken in 2010 identified the transport measures required to support development proposals at Edinburgh Airport, the Royal Highland Centre and International Business Gateway (policies Emp 3 – Emp 5). These include the tram, Edinburgh Gateway Station and new and widened roads and junction improvements. The North East Edinburgh Transport Appraisal identified the need for a new east-west street at Leith Waterfront to support environmental improvements and accommodate additional traffic. Proposals T16 - T20 are required in conjunction with new housing proposals in West and South East Edinburgh.

Figure 9 Transport Overview Map



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Table 9 Transport Proposals and Safeguards

Public Transport	
Reference: T1 Name : Edinburgh Tram	The first phase of the tram line has now been completed and is operational. The plan safeguards long term extensions to the network connecting with the waterfront, to the south east and Newbridge.
Reference: T2 Name : Edinburgh Glasgow Improvement Project safeguards	There are two railway safeguards required as part of the Edinburgh Glasgow Improvement Project. The Almond Chord to the south of Dalmeny will allow Glasgow and Dunblane services to access Edinburgh Gateway Station and will increase public transport accessibility to West Edinburgh from West and Central Scotland. The route shown is indicative at this time. Part of the Abbeyhill branchline to the east of the city centre is needed for new turnback facilities to allow reversing of trains.
Reference: T3 Name: Rail Halts at Portobello, Piershill and Meadowbank	Required to ensure development does not prejudice future re-use of existing abandoned halts. Re-introduction of passenger services is not currently considered viable by the rail authority but this may change.
Reference: T4 Name : Rail Halts on the South Suburban Rail Line	Required to ensure development does not prejudice future re-use of existing abandoned halts. Re-introduction of passenger services is not currently considered viable by the rail authority but this may change.

Table 9 Transport Proposals and Safeguards

Reference: T5 Name : Orbital Bus Route	The Orbital Bus Route will create an east-west public transport link across the city. A disused railway line between Danderhall and the City Bypass at Straiton is safeguarded for appropriate public transport use or use as a cycle / footpath. The other parts of the orbital bus route are either within the land of existing roads or have yet to be identified in detail and can therefore not be safeguarded in this plan. The environmental effects of the proposed orbital bus route, including the loss of any green belt, will be fully considered through the development management process.
Reference: T6 Name : Newcraighall to QMUC public transport link	Development led improvement associated with housing development on Newcraighall East (HSG 27). Further information is provided in the Newcraighall Site Brief.
Active Travel	
Reference: T7 Name : Various off-road cycle/footpath links	The Proposals Map shows proposed and potential cycle/footpath links and new access points. Many of these are included in the Council's Core Paths Plan and Active Travel Action Plan's 'Family Network'. The creation of these links will help meet climate change and sustainable development objectives. The proposed coastal footpath and cycle link at Joppa will only be supported if there are no adverse impacts on the nature conservation interests of the Firth of Forth Special Protection Area (see Policy Env13)

Table 9 Transport Proposals and Safeguards

Road Access and Capacity	
Reference : T8 Name : Eastfield Road and dumbbells junction	Improvements required to support development in West Edinburgh. Dualled road with bus priority and segregated cycle and pedestrian provision along whole length from A8 dumbbells junction to roundabout at the airport. Additional carriageway to be provided on land to east of existing road line. Existing dumbbells to be replaced by upgraded and signalised roundabouts giving bus priority. Widening on A8 approaches to and possibly through junction to provide bus priority.
Reference : T9 Name : Gogar Link Road	Required to support long term development in West Edinburgh. Largely single carriageway through IBG with some widening to allow public transport priority. Link may be bus/cycle/pedestrian only.
Reference : T10 Name: A8 additional junction	Required to support development in West Edinburgh. New junction on A8 west of dumbbells to serve Royal Highland Centre development north and, potentially in the future, south of the A8.
Reference : T11 Name : Improvements to Newbridge Roundabout	Required to support development in West Edinburgh. Improvements to provide public transport priority and capacity improvements on the approach roads.

Table 9 Transport Proposals and Safeguards

Reference : T12 Name : Improvements to Gogar Roundabout	Required to support development in West Edinburgh. Likely to include extra lane on inside of existing roundabout. May also require some widening of approaches.
Reference: T13 Name : Sheriffhall Junction Upgrade	Grade separation of existing roundabout junction on city bypass. Should incorporate bus priority and safe crossing of the bypass for pedestrians and cyclists.
Reference: T14 Name : New Street in Leith Docks	Route for extension of Ocean Drive to support port development. Likely to be required by 2015.
Reference: T15 Name : West of Fort Kinnaird road to The Wisp	Link between The Wisp and Newcraighall Road to improve traffic conditions on the approaches to Fort Kinnaird Retail Park.
Reference: T16 Name: Maybury Junction	Proposal to increase junction capacity, including consideration of access from Turnhouse Road, and efficiency of traffic signals. Will provide bus priority and better provision for pedestrians and cyclists. Required to mitigate the impact of new housing development at Maybury (HSG 19) and Cammo (HSG20).
Reference: T17 Name: Craigs Road Junction	Proposed improvements to Craigs Road and increased junction capacity/bus priority at junction with Maybury Road. Includes new signalised cross roads allowing bus, pedestrian and cycle access to and from Craigs Road. Required to mitigate the impact of new housing development at Maybury (HSG 19) and possibly to Cammo (HSG20).

Table 9 Transport Proposals and Safeguards

Reference: T18 Name: Barnton Junction	Proposal to increase junction capacity based on increasing the efficiency of the traffic signals. Required to mitigate the impact of new housing development at Maybury (HSG 19) and Cammo (HSG20).
Reference: T19 Name: Gilmerton Crossroads	Proposal to increase junction capacity based on improved efficiency of traffic signals. An access and parking strategy for Drum Street is proposed to alleviate congestion caused by parked cars close to the junction. Required to mitigate the impact of new housing development at Gilmerton Station Road (HSG 24).
Reference: T20 Name: Burdiehouse Junction	Proposal to increase junction capacity based on improved efficiency of traffic signals to ease congestion and maintain or improve bus priority for north to south traffic. Required to mitigate the impact of new housing development at Broomhills (HSG 21) and Burdiehouse (HSG 22).

5) Resources and Services

90 The LDP has a role in supporting development which meets needs vital to modern life. These include the use of natural resources such as energy and materials, and the provision of network services such as water supply, drainage and telecommunications.

Sustainable Energy

91 The Council requires new buildings to include carbon reduction measures. This will help meet climate change targets but only by a small amount, at least in the short term. There is also a need to help make existing buildings more efficient and to support new low and zero carbon energy generation developments.

92 The majority of on-shore capacity for meeting national targets will come from large-scale developments such as wind farms. These are not appropriate for location in Edinburgh's urban area or surrounding countryside, much of which is green belt and/or is in close proximity to Edinburgh Airport. The LDP instead supports small-scale wind turbines and other forms of low and zero carbon energy generation, including solar panels, combined heat and power, district heating, ground source heat pumps, energy-from-waste and biomass.

Waste

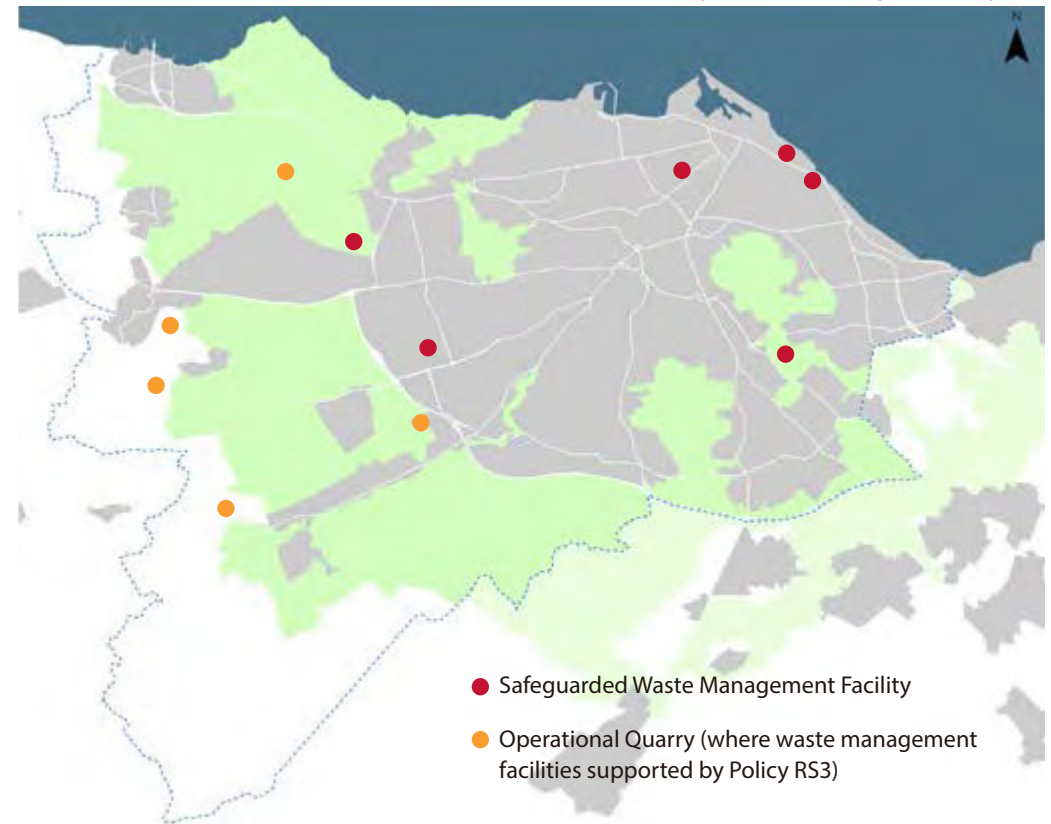
93 Scotland's national waste strategy, the Zero Waste Plan, is based on a waste hierarchy. This means that waste should be:

- prevented,
- reused,
- recycled or
- recovered, and that the
- landfilling of waste is the last resort.

The waste hierarchy is being implemented through the Waste (Scotland) Regulations 2012. These will lead to a significant increase in the number and range of waste management facilities needed in order to collect, sort and treat all waste (municipal, commercial and industrial) which would otherwise have gone to landfill.

94 The main types of installation that will be needed are: composting and anaerobic digestion facilities; transfer stations; materials recycling facilities; and plants for mechanical, biological and thermal treatment. There will also be opportunities to capture heat and power generated through the waste recovery process. Some developments may include a combination of the above processes.

Figure 10 Waste Management Safeguards



- 95 The Zero Waste Plan identifies the total operational capacity for waste management at both national and regional level. In the Edinburgh city region, some of the need will be met by a new waste management facility at Millerhill in Midlothian, dealing mainly with household waste.
96. Edinburgh's household waste is only a quarter of total waste produced in the city, so more new facilities will be needed in the city region. The location of these facilities will depend mainly on the procurement of services from private waste management operators. However, the European Waste Framework Directive establishes the proximity principle. This aims to limit the environmental impact of transporting waste by ensuring all waste is managed as near as possible to its place of production.
- 97 Proximity can be relative – currently some waste types have to be transported elsewhere because the particular material recovery processes do not take place in Scotland. Edinburgh, as a concentration of homes and businesses, generates a significant amount of waste and so, where possible, should make some provision to deal with its own waste. Accordingly, this plan supports existing and new waste management facilities.

Other Resources and Services

- 98 The plan also:
- safeguards extraction of economically viable mineral deposits
 - ensures that new development is adequately served by water supplies and drainage

- supports expansion of modern telecommunications, including the introduction of public wireless connectivity in public areas.

4 A Plan That Can Deliver

99 A successful plan is one that achieves the right balance between ambition and pragmatism. This plan is visionary and aims to make Edinburgh the best it can be. But it also takes account of the resources available to implement the policies and proposals, particularly in the context of current economic uncertainty.

100 In identifying new housing proposals, consideration was given to whether the sites can be made available for development and whether any necessary enhancements, in terms of accessibility or infrastructure are feasible.

101 The growth of the city, through increased population and housing, business and other development, will require new and improved infrastructure such as schools, public transport, changes to the road network and access to suitable greenspace. To ensure the city grows in a sustainable way, the infrastructure provision and enhancements associated with new development must be delivered. Otherwise future generations will have to deal with unacceptable levels of traffic congestion and housing areas with poor access to public transport and local services.

102 The plan will help in two ways. Firstly, it provides opportunities for business and service uses to locate close to new housing. The housing site briefs identify suitable locations for commercial units which could be occupied by a range of uses including healthcare practices and local services. Secondly, it is accompanied by an Action Programme which sets out how the infrastructure and services required to support the growth of the city will be delivered.

103 The timeous delivery of this infrastructure to address the individual and cumulative impacts of development is an important consideration. Policy Del 1

sets out a policy requirement to ensure that appropriate developer contributions are sought to enable this delivery at the appropriate time. Part of this approach will include the establishment of cumulative contribution zones.

104 In these zones contributions will be sought to address the impact of a number of sites within areas defined relative to schools, transport infrastructure, public realm and green space requirements. These will be based on the transport and education appraisals and the Open Space Strategy carried out by the Council during the plan preparation process. The relative zones will be mapped and defined through Supplementary Guidance. The geographical extent of a contribution zones relates to the type and nature of the action in relation to transport, education, public realm and green space.

105 Developer contributions must be proportionate and attributable to the impacts of the development. They also have to be realistic in light of current economic circumstances otherwise they may impede development. This is particularly important given the emphasis placed on securing the required uplift in housing completions. In this context mechanisms for forward and gap funding may also have to be considered.

106 To address the detail of these matters within the development plan statutory Supplementary Guidance is to be prepared. This should enable a clear understanding of what is required at the outset, provide the required basis for the Council's approach to developer contributions, define cumulative contribution zones in map form and address community concerns about the timeous provision of the required infrastructure. This should set a clear foundation for future action programmes which will be updated annually to provide a framework for the implementation of the specific actions required to ensure delivery.

5 A Plan for All Parts of the City

107 The LDP strategy focuses the growth of the city on four Strategic Development Areas. This approach is consistent with the SDP and the Council's economic strategy. This section of the plan sets out the main proposals, anticipated changes and key investment opportunities in each of the four Strategic Development Areas. It also explains what the plan means for others parts of the city, smaller settlements and the countryside.

City Centre

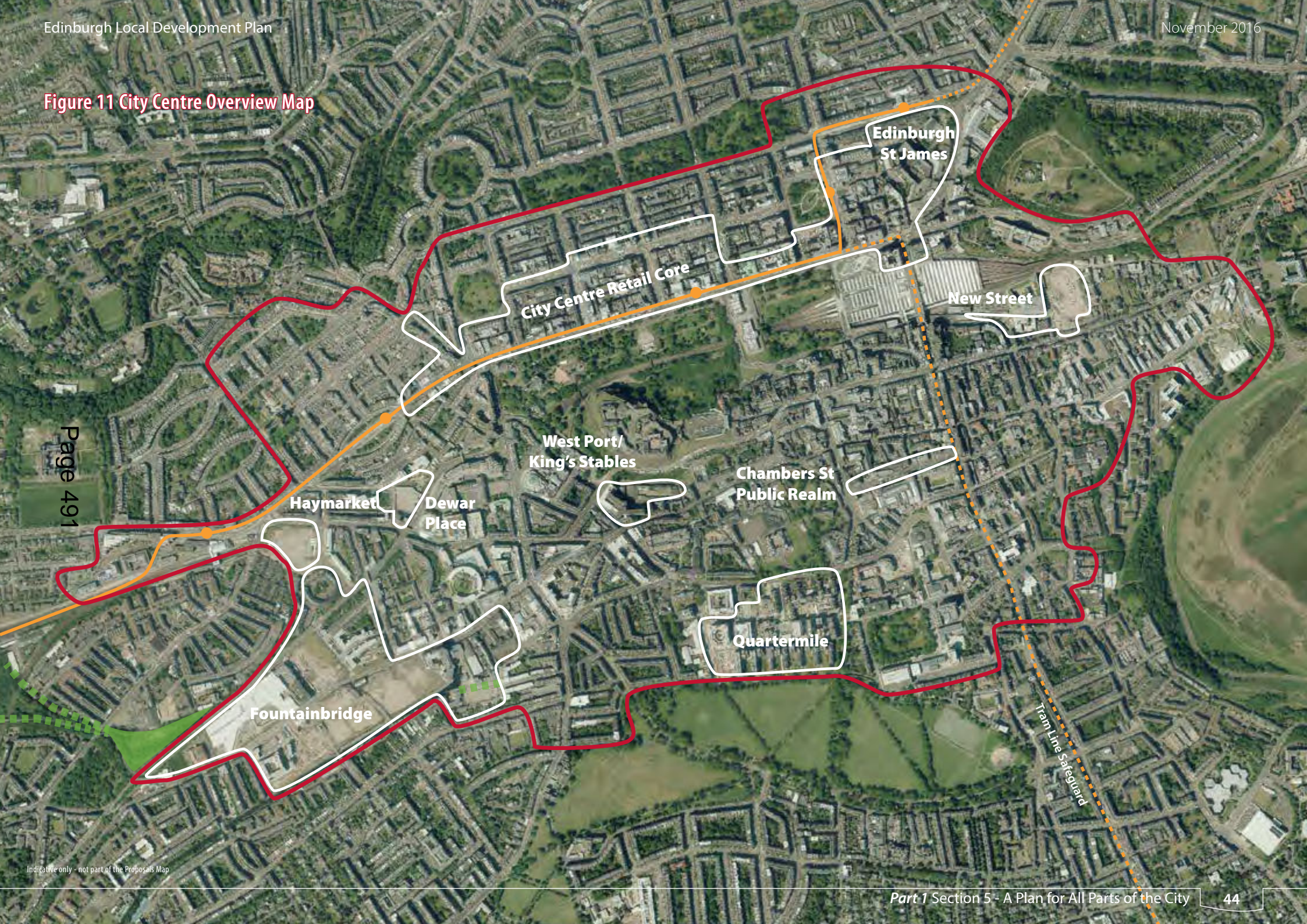
108 Edinburgh's city centre is the vibrant hub of the city region – it's the regional shopping centre and an important tourist destination with a wide range of entertainment and cultural attractions. It has excellent public transport connections and provides employment for over 80,000 people. Edinburgh city centre's stunning setting and iconic architecture is celebrated internationally. It incorporates Scotland's only urban World Heritage Site and many listed buildings and important green spaces. The city centre is also an area where people live, with a wide range of housing types and styles contributing to its character.

109 The plan aims to ensure that development in the city centre achieves the right balance between a number of competing priorities – from realising its economic potential, to protecting its built and natural heritage, from promoting its role as a capital city to making it an attractive place to live.

110 This plan provides support for four major development opportunities in the City Centre which were identified in previous plans or through the planning application process (Proposals CC1 – CC4). Table 10 summarises the main elements of these proposals. With the exception of Quartermile where development is well underway, it sets out key development principles to guide any new or revised proposals on these important sites.

111 Other major changes expected to take place in the City Centre in the next five or so years include the introduction of tram services running between York Place and the Airport, further investment and redevelopment along Princes Street, and at Haymarket, West Port/King's Stables and Dewar Place. A number of major public realm projects are also likely to be implemented. All future proposals in the city centre will be assessed in relation to Policy Del 2. Figure 11 illustrates the city centre locations where major change is either proposed or anticipated. There are not expected to be many other large scale redevelopment opportunities in the City Centre in the next five or so years. However, the cumulative effect of a number of smaller developments could bring significant benefits for the City Centre and Edinburgh as a whole.

Figure 11 City Centre Overview Map



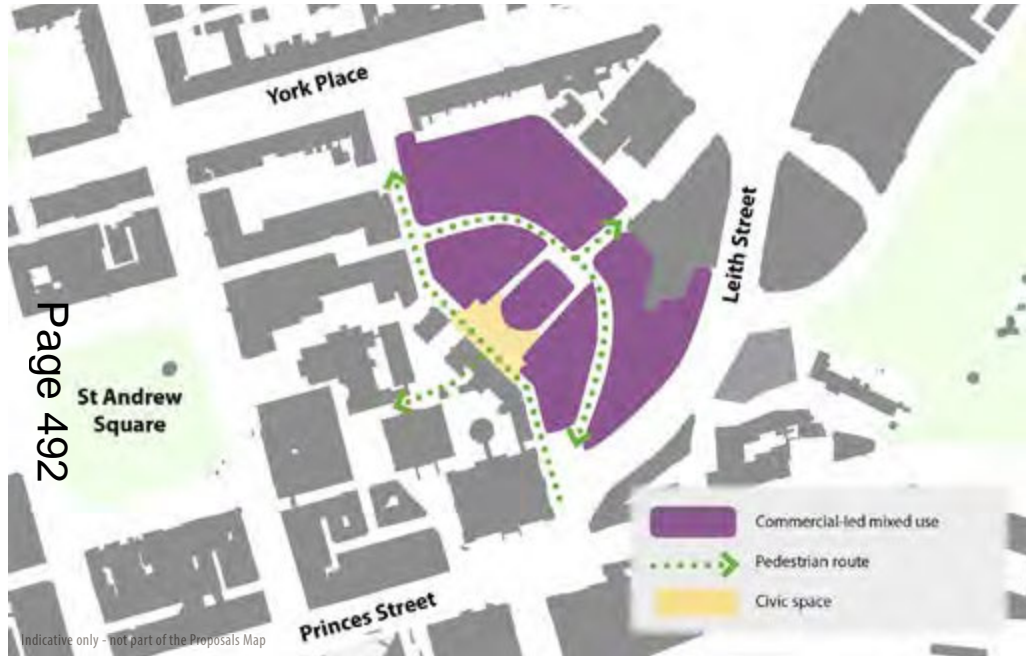
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Table 10 City Centre Proposals - Development Principles

Reference: CC 1

Location : **Edinburgh St James**

Description: Comprehensive redevelopment of the existing shopping mall, hotel, vacant offices and multi-storey car park. A development brief was approved in 2007.



Development Principles

Proposals should create the opportunity for:

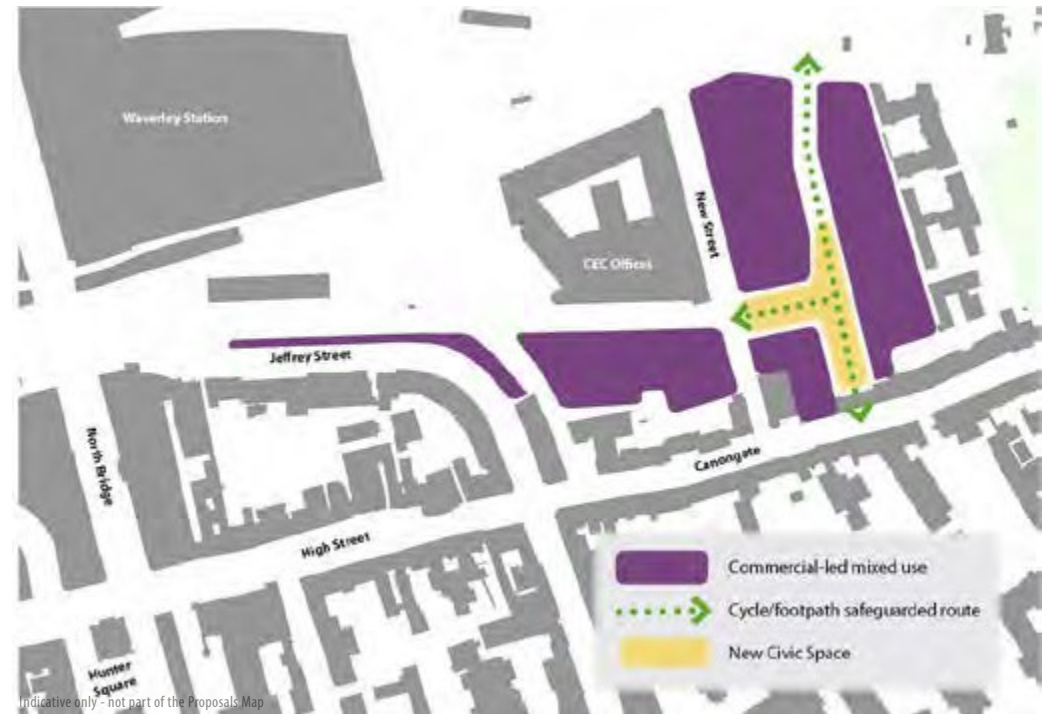
- a more outward-looking and less dominating form of development than currently exists, with new buildings that are well integrated into the surrounding townscape, for example by re-establishing an active frontage to Leith Street
- a significant expansion of retail floorspace
- provision of offices, hotel, housing, leisure and cultural uses
- replacement provision of off-street short stay car parking for public use
- a new civic space and public pedestrian routes to strengthen links with the surrounding area, especially St Andrews Square and Princes Street

- development that enhances local views into and across the site and contributes positively to the historic skyline from more distant views.

Reference: CC 2

Location: **New Street**

Description: Mixed use redevelopment to create a sustainable and integrated city quarter in the heart of Edinburgh’s Old Town. A Master Plan was approved in 2006. Redevelopment is underway.



Development Principles

Proposals will be expected to provide for:

- a mix of uses including housing, offices, small business units, hotels, shops (including a small supermarket), food and drink premises and community facilities
- a close-grained layout which reflects the distinctive spatial pattern of the Old Town, provides a new strategic route between East Market Street and Canongate and includes a

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new civic space within the site.

- new buildings, including landmark buildings, which respect the form and contours of the Waverley Valley and which preserve or enhance important existing views and the potential to create new views into and across the site.

Reference: **CC 3**

Location: **Fountainbridge**

Description: Comprehensive mixed use redevelopment of the land previously occupied by the Fountainbridge Brewery. Located close to the city centre and includes the Edinburgh terminus of the Union Canal. There are two approved development briefs for the site (Fountainbridge, 2005 and Tollcross, 2006). Development is underway.



Development Principles

Proposals will be expected to:

- provide mixed use development including a local centre, residential, office, small business units, retail, leisure, community and tourist/visitor facilities

- create a layout which integrates with adjoining neighbourhoods in Dalry, Tollcross and Viewforth
- improve north-south linkages, in particular provide a strong pedestrian/cycle link to Haymarket that reduces the barrier effect of the West Approach Road
- create new public spaces and streetscape consistent with the approved Fountainbridge Public Realm Strategy
- proposals should explore potential for expansion of water space and should provide attractive frontages to the canal, safeguarding its nature conservation. Proposals should also take the opportunity, where appropriate, to enhance the use, physical appearance and condition of the canal, where this would be of benefit to development implemented through Proposal CC 3.
- contribute to the improvement of Dalry Community Park (Proposal GS 1).
- protect and enhance key townscape views.

Reference: **CC 4**

Location: **Quatermile**

Description: Redevelopment of the historic Edinburgh Royal Infirmary site to create a sustainable, mixed-use urban community is well underway. The development involves a network of pedestrian routes and landscaped public spaces to draw the park directly into its heart. New development is combined with refurbishment of the historic buildings. On completion, Quatermile will be home to almost 2000 residents with 3000 people employed in its offices, shops, restaurants and a hotel.



Edinburgh Waterfront

112 North Edinburgh has seen 40 years of decline in industrial activity and port-related use of land. This has created an opportunity for mixed-use regeneration on the largest scale and has started to help meet the city's growth needs, particularly for new housing. The regeneration of Edinburgh Waterfront has been guided by master plans and frameworks prepared in collaboration with the principal landowners.

113 These documents have set out long-term strategies which aim to:

- transform the waterfront into one of the city's landmark features
- attract high quality developments which will contribute towards economic prosperity in the city region
- create distinctive high density urban quarters and build exemplar sustainable communities with a reduction in the influence of the car in design and layout
- support regeneration in adjoining areas and provide an incentive for the construction of the tram.

114 For much of the waterfront, the basis for the current vision remains unchanged. There is no identified demand for large-scale industrial uses in Granton or Central and Western Leith. There is still an overall housing need, and the Council still aspires to realise the waterfront's potential as a series of attractive and memorable places.

115 This plan therefore continues to support the regeneration of Granton

Waterfront and part of Leith Waterfront for housing and other uses. However, current economic conditions mean that progress on the ground will be slower than envisaged. Policy Del 3 sets out the principles which development must implement, if the full potential of the city's waterfront is to be realised.

116 A new opportunity has emerged in the northern and eastern parts of Leith Waterfront (Leith Docks). The national renewable energy targets referred to in Figure 2 create the prospect of a much larger off-shore renewable energy industry in the North Sea. New large-scale industrial development in suitable ports will be needed to construct and service wind turbines and other equipment. The National Renewables Infrastructure Plan (2010) identifies Leith as the best location to accommodate major operations, supported by other east coast ports.

117 This is an opportunity to realise several LDP aims, in particular growing the number and range of jobs in the city and helping address climate change. The LDP therefore designates the north and eastern docks as a Business and Industry Area in which proposals are assessed using Policy Emp 8 in Part 2 Section 4. Other plan policies will also be relevant, including those which protect nationally and internationally designated nature conservation sites and key views across the city.

118 This change in policy designation means that the docks area of Leith Waterfront will now be unavailable for housing development. The short term implications of this change are addressed partly through the identification

of additional housing opportunities in Leith Waterfront and Granton as described in Table 11. Any longer term implications for the housing land supply across the city region will be considered through the SDP. Figure 12 shows how Edinburgh Waterfront has been subdivided for the purposes of the plan. Proposals in areas EW 1a-e should be guided by the Leith Waterfront Development Principles and in areas EW 2a-d by the Granton Waterfront Development Principles

The Council recognises that only part of the housing capacity within the Edinburgh Waterfront will be delivered within the plan period, but considers that the local development plan should retain the proposals in full, because the longer term strategic importance of the waterfront outweighs the limited deliverability of the housing within the plan period.



Figure 12 Waterfront Overview Map.

Table 11 Edinburgh Waterfront Development Principles

Leith Waterfront

Reference: **EW 1a**

Location: **Leith Western Harbour**

Description: Housing-led mixed use development with an approved master plan. Around a third of the estimated maximum housing capacity has been implemented.

Development Principles

Proposals will be expected to:

- complete the approved street layout and perimeter block urban form
- revise the housing mix towards a greater number of townhouses than identified in the master plan, where it would be appropriate in terms of place-making and would accelerate completions,
- meet the Council's Large Greenspace Standard by delivering the Western Harbour Central Park (Proposal GS2)
- complete the partly implemented new local centre by providing smaller commercial units under flatted development on the other corners of the centre's junction
- deliver school provision as specified in the Action Programme
- create a publicly-accessible waterside path around the perimeter of the area, connecting east and west
- design new housing to mitigate any significant adverse impacts on residential amenity from existing or new general industrial development
- review the flood risk assessment that has already been provided for this site.



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Reference: **EW 1b**

Location: **Central Leith Waterfront**

Description: Area of commercial and housing-led mixed use development sites in various ownerships. Forth Ports Ltd has decided to retain land at the Britannia Quay and south of Edinburgh Dock in port related use, and therefore a modified approach to the development of this area from what is included in the Leith Docks Development Framework (2005) is required. The bullet points below within the development principles remain applicable, but the development framework will be reviewed in order to provide a revised approach to the development of the area, including a revised diagram representing this approach. The feasibility and route of the east-west cycle path shown on the Proposals Map will be further considered within the review of the development framework.

Development Principles

Proposals will be expected to:

- locate any major office development within the strategic business centre identified on the Proposals Map
 - create a publicly-accessible waterside path connecting east and west
 - help meet the Council's open space standards through financial contributions to major improvements to or creation of off-site spaces
 - design new housing to mitigate any significant adverse impacts on residential amenity from existing or new general industrial development
 - review the flood risk assessment that has already been provided for this site
- LDP provisions relating to Ocean Terminal are set out in Table 7 and Policy Ret 4.



	Housing-led mixed use development		Cycle/footpath safeguarded route
	Commercial-led mixed use		New major streets
	Business & Industry area		Tram line safeguard
	New green space		School safeguard

Table 11 Edinburgh Waterfront Development Principles

Leith Waterfront (continued)

Reference: **EW 1c**

Location: **East of Salamander Place**

Description: Housing-led mixed use development on sites in various ownerships. Housing shown in the Salamander Place Development Brief (2007) is under construction. There is now also an opportunity for housing to the east of the Leith Links Seaward Extension (Proposal GS 3). This land was identified for industry in the previous local plan and the development brief, but is no longer needed due to the increase in industrial land elsewhere in Leith Waterfront.

Development Principles

Proposals should provide for:

- (west) the key streets and frontages set out in the approved development brief
- implementation of the park extension
- (east) the key streets and frontages identified in the above diagram
- streetscape improvements along Salamander Street
- the design of new housing to mitigate any significant adverse impacts on residential amenity from existing or new general industrial development
- review the flood risk assessment that has already been provided for this site.



	Housing-led mixed use development		Cycle/footpath safeguarded route
	Commercial-led mixed use		New major streets
	Business & Industry area		Tram line safeguard
	New green space		School safeguard

Reference: **EW 1d and e**

Location: **Seafield (EW 1d) and Northern and Eastern Docks (EW 1e)**

Description: Area of general industrial, storage and business development and port-related uses. Identified in this plan as a Special Economic Area. Identified nationally as an Enterprise Area, which has implications for tax and a speedier development management process. There is potential for new deep water berth(s) outside the current port lock gates. In order to provide a flexible context for renewable industry-related developments, this LDP does not set detailed layout or design principles.

Development Principles

Proposals should take account of the following:

- within the Northern and Eastern Docks (EW 1e), proposals will be assessed to ensure there are no adverse impacts on the nature conservation interests of the Firth of Forth Special Protection Area or other relevant Natura 2000 sites. Policy Env 13 will apply.
- the character and sense of place in The Shore is important to the tourism potential of Leith. Views from The Shore will be a factor in considering proposals for new larger buildings.
- the Seafield area (EW 1d) is the subject of a waste management / combined heat and power safeguard (see Policy RS 3).
- existing pedestrian footpaths at Marine Esplanade and Albert Road have the potential form part of a coastal cycle route and be extended to Salamander Street and Leith Links. These routes avoid the secure port area, which is no longer expected to be available as a section of the wider Edinburgh Promenade.
- review the flood risk assessment that has already been provided for this site.



Table 11 Edinburgh Waterfront Development Principles

Granton Waterfront

Reference: **EW 2a**

Location: **Forth Quarter**

Description: Housing-led mixed use development on land primarily owned by National Grid. An approved master plan has been partly implemented, with several housing blocks, a major office development, a college and a new large park. A proposed new Local Centre to meet the convenience shopping needs of local residents and workers has been delivered in the form of a large foodstore. Additional housing capacity is now available on land formerly designated as part of a strategic business centre.

Development Principles

Proposals will be expected to:

- complete the approved street layout and perimeter block urban form
- provide housing-led development on sites formerly identified for major business-led development
- provide a housing mix that is appropriate to the site in terms of place-making and would maximise completions within this urban regeneration proposal within the plan period
- deliver school provision as specified in the Action Programme
- provide a strategic flood risk assessment



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Reference: **EW 2b**

Location: **Central Development Area**

Description: Housing-led mixed use development on land assembled by a joint-venture regeneration company. Some housing development has been completed along a new avenue in accordance with an approved master plan. Additional housing capacity is now available on land formerly designated as part of a strategic business centre.

Development Principles

Proposals will be expected to:

- complete the approved street layout and perimeter block urban form
- provide housing-led development on sites formerly identified for major business-led development
- provide a housing mix that is appropriate to the site in terms of place-making and would maximise completions within this urban regeneration proposal within the plan period
- deliver school provision as specified in the Action Programme
- expressly encourage the enhancement of employment and a 'destination' through existing and new commercial, cultural, tourist and retail opportunities
- provide a strategic flood risk assessment.



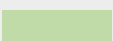
	Housing-led mixed use development		Cycle/footpath safeguarded route
	Commercial-led mixed use		New major streets
	Business & Industry area		Tram line safeguard
	New green space		School safeguard
	Cultural use or housing led regeneration		

Table 11 Edinburgh Waterfront Development Principles

Granton Waterfront (continued)

Reference: **EW 2c**

Location: **Granton Harbour**

Description: Housing-led mixed use development on land owned by Forth Ports Limited and others. Some housing development has been completed in accordance with an approved master plan.

Development Principles

Proposals will be expected to:

- complete the approved street layout and perimeter block urban form
- provide a housing mix that is appropriate to the site in terms of place-making and would maximise completions within this urban regeneration proposal within the plan period
- meet the convenience shopping needs of new and future residents by implementing the proposed Local Centre (Proposed S2)
- complete the relevant section of the waterside Edinburgh Promenade
- provide for retained and improved mooring facilities and boat storage and retain Middle Pier as a 'working pier'
- include tourism and waterfront-related leisure and entertainment uses
- provide a strategic flood risk assessment.



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Reference: **EW 2d**

Location: **North Shore**

Description: Area identified for housing-led mixed use development in an approved master plan. However, the slower pace of development in the waterfront means that the North Shore area is unlikely to be available for residential development within the first half of this LDP period. Temporary consents for light industrial development would allow productive use of this area and address the small business needs targeted by Policy Emp 9 without prejudicing residential amenity in new development to the south.

Development Principles

Proposals will be expected to:

- be compatible with future residential development in Forth Quarter and the Central Development Area
- complete the relevant section of the waterside Edinburgh Promenade
- avoid prejudicing future housing-led redevelopment on their sites or on adjacent land
- provide a strategic flood risk assessment.



	Housing-led mixed use development		Cycle/footpath safeguarded route
	Commercial-led mixed use		New major streets
	Business & Industry area		Tram line safeguard
	New green space		School safeguard

West Edinburgh

- 119 West Edinburgh focuses on land along the A8 corridor and new tram route and around the proposed Edinburgh Gateway inter-modal station at Gogar. It includes a number of major existing uses such as the Airport, Royal Highland Centre, Gyle and Hermiston Gait shopping centres and a range of employment/investment locations as shown on Figure 13. National planning policy identified the potential of this area for nationally important economic development through the enhancement of the Airport and Royal Highland Centre and opportunity for an International Business Gateway. The implementation of already committed public transport proposals, in particular the tram, will greatly enhance the accessibility of the West Edinburgh area.
- 120 This plan continues to support these important economic development opportunities and also major office development at Edinburgh Park/South Gyle and, previously identified, housing led regeneration proposals at Newbridge and Ratho Station. The Strategic Development Plan identifies West Edinburgh as a strategic growth area. A range of new opportunities for housing development are therefore being brought forward in the LDP. Transport assessments have been undertaken to identify key transport interventions, including measures to encourage public transport use, walking and cycling as well as junction upgrades and other road improvements required to support the proposed development.
- 121 Housing is proposed on two greenfield sites at Maybury and Cammo and as an integrated component of business led mixed use proposals in the IBG and Edinburgh Park/SouthGyle. Proposals must accord with the relevant Site Brief or Development Principles to ensure high quality development consistent with the aims of the plan.

Figure 13 West Edinburgh Overview Map

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Indicative only - not part of the Proposals Map

West Edinburgh - General Development Principles

- 122 All proposals will be required to make appropriate contributions to the delivery of the infrastructure necessary to support the development strategy. The general development principles below outline the anticipated main transport and education actions for West Edinburgh.
- 123 The Council's approach to infrastructure delivery is set out in Policy Del 1 and its associated Supplementary Guidance. Policy Tra 8 is also relevant in requiring cumulative and cross boundary transport impacts to be addressed. Development should only progress subject to sufficient infrastructure already being available or where it is demonstrated that it can be delivered at the appropriate time. Further assessment of individual and cumulative impacts may be required to further detail the required mitigation.

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Transport Assessment

Contributions to address the area wide transport interventions, detailed below and as specified through Supplementary Guidance, will be applied through a cumulative contribution zone. Delivery will be monitored and managed through the Action Programme. The Council's approach to secure timeous delivery of the required infrastructure is to be detailed through its Supplementary Guidance.

Detailed Transport Assessments, where required, should include modelling of the cumulative effect of increased traffic flows on the trunk and local road networks (taking into account all known proposed development and any potential cross-boundary impacts). This should draw on the conclusions of the Council's Transport Appraisal and further work being carried out to assess the wider cumulative and cross-boundary impacts on the trunk road network and should show how mode share targets are to be met.

Education Appraisal

Contributions to the required education provision, as detailed below and as specified through Supplementary Guidance, will be applied where appropriate through a cumulative contribution zone drawing on the conclusions of the Council's Education Appraisal. The Council's approach to secure timeous delivery of the required schools capacity as outlined below is to be detailed through Supplementary Guidance. Delivery will be monitored and managed through the action programme.

124 The following sections indicate the main infrastructure requirements which were identified following initial assessment and should be considered in the context of Policy Del 1.

Scope of transport mitigation subject to further assessment and the detail to be included in Supplementary Guidance (Del 1):

- Eastfield Road and Dumbells junction (T 9)
- Gogar Link Road (T 20)
- A8 additional junction (T 11)
- Improvements to Newbridge Roundabout (T 12)
- Bus Priority Measures on M8 and A89
- Improvements to Gogar Roundabout (T 13)
- Maybury Junction (T 17)
- Barnton Junction (T 19)
- Craigs Road Junction (T 18)










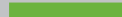





Scope of education mitigation subject to further assessment and the detail to be included in Supplementary Guidance (Del 1):

- New Maybury (ND) primary school (SCH6)
- Extension to Gylemuir (ND) Primary School

- Extension to Hillwood (ND) Primary School
- Extension to Fox Covert (RC) Primary
- Extension at St Cuthbert's RC Primary School
- High School Extension (ND) - Further detailed assessment is necessary to determine where the additional capacity would be best provided; either at The Royal High School, Craigmount High School or Forrester High School or a combination across some, or all, of these schools, and or
- Extension to St Augustines (RC) High School

All proposals will be required to make appropriate contributions to new and improved infrastructure as detailed in Part 2 Section 1 of the Plan.

Maybury and Cammo Site Brief

-  site boundary
-  tram line
-  bus route
-  junction improvement
-  street improvement & frontage
-  housing
-  long term redevelopment opportunity
-  proposed school
-  commercial / retail opportunities
- Green network:**
-  green corridor
-  new woodland
-  high point of site
-  pedestrian / cycle bridge
-  existing footpath / cyclepath
-  new footpath / cyclepath

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Indicative only - not part of the Proposals Map

Maybury and Cammo Site Brief - Development Principles

Description

The Maybury and Cammo sites lie within the Almond basin, set against the backdrop of Lennie Hill with views to the Pentlands to the south. These housing sites are served by bus, rail and tram connections and will be physically integrated with their surroundings by street design and green corridors linking to Cammo Estate Park and the River Almond to the north and the Gyle, Edinburgh Park and IBG to the south.

Comprehensive master planning and phasing of development will be required drawing upon place-making and street design principles to create distinctive and sustainable urban communities at the gateway to the City.

Maybury (HSG 19)

- development should start in the eastern part of the site forming an extension of the existing built up area.
- pedestrian/cycle bridge must be provided linking site with Edinburgh Gateway Station and providing onward connections to the Gyle and Edinburgh Park to the south and IBG to the west.
- new 30 m wide green network link is to be provided from new pedestrian/cycle bridge through the Maybury site to connect via Cammo Walk and Cammo Estate park to the north. This will provide a new, strategic, north-south green network link to the west of the City. No vehicular access should be taken through the green corridor.
- opportunity to change the character of Turnhouse Road through street design providing avenue trees, verges and incorporating existing stone walls. New residential development should be positioned to address Turnhouse Road. A new reduced speed limit will be required.
- the entirety of Craigs Road should be widened on the southern edge to facilitate all vehicle movements.
- opportunity for higher density development within 400 metres of pedestrian/cycle bridge.
- site layout must allow bus route to be formed linking Craigs Road with Turnhouse Road.
- development must respect the ridgeline of Craigs Road and elevated slopes within the site

- opportunity to create a community focal point providing local services in a accessible location close to new pedestrian/cycle bridge. This should include a new primary school, civic space and units suitable for local shopping (maximum 800 (gross) sq.m.) and healthcare facilities.
- provision of new woodland and grassland habitat (30m depth) to create a strong green belt boundary adjoining Craigs Rd along the northern edge of the site.
- provision of two new large greenspaces to meet the two hectare green space standard as required by the Open Space Strategy. There is potential to create local green space on the high point of the site next to Maybury Road.
- proposals should enable co-ordination with long term redevelopment opportunity of existing industrial/employment sites for high quality employment or residential uses, incorporating pedestrian, cycle and public transport safeguards
- Address the General Development Principles on transport and education for West Edinburgh (as set out in paragraphs 122-124)
- Address appropriate and safe access from Turnhouse Road and Craigs Road
- Proposals should address a new footway/cycleway along the south-west side of Turnhouse Road and upgrading of bus infrastructure on Turnhouse Road
- Address any identified impacts on the safe operation of the local road network
- Provision of new bus infrastructure on internal roads and Maybury Road
- High quality pedestrian and cycle routes within the site
- Further investigation/consultation is required to determine the nature of any flood risk on the site and whether further assessment and mitigation measures are required.

Cammo (HSG 20)

- the site layout should provide maximum accessibility by public transport, including direct pedestrian links to enhanced bus infrastructure and services on Maybury Road and to the north east corner of the site to minimise distance to bus stops for services along Queensferry Road.
- opportunity to change the character of Maybury Road through street design, to enable and improve path connections across Maybury Road and create residential frontage with reduced speed limit.

- proposals should enable views through the site to focal points of Mauseley Hill, Cammo Water Tower, Cammo Estate Park and the Pentland Hills from within the site and Maybury Road by means of street design and open space provision.
- the context of the Designed Landscape should be enhanced through sensitively designed development and an appropriate landscape framework.
- provision of new woodland, grassland and wetland habitat (40 m depth) to create strong green belt boundaries along the southern and western edges of the site. This should include a multi user path overlooked by new housing.
- improve the quality of the water environment through works to realign and improve the bank side treatment of the Bughtlin Burn.
- provide green network connections through the site and enhance off-site links to improve the connectivity of the Cammo Estate from the Bughtlin, Drumbrae and East Craigs residential areas to the east and, via changes to Cammo Walk, to the south.
- Address the General Development Principles on transport and education for West Edinburgh (as set out in paragraphs 122-124)
- Appropriate access from Maybury Road including the potential for two junctions, with traffic signals
- Safe pedestrian crossing of Maybury Road including the potential for a signal controlled pedestrian crossing
- Address any identified impacts on the safe operation of the local road network
- The finalised site capacity, design and layout should be informed by an adequate flood risk assessment.

International Business Gateway - Development Principles

International business development and ancillary uses, hotel and conference facilities and potentially housing and education. A more detailed vision for the area is set out in the West Edinburgh Strategic Design Framework, approved in May 2010. Policy Emp 6 applies.

International Business Gateway

- the IBG must be master planned and developed in a phased manner. Master plans should incorporate an appropriate mix of uses to help support the main purpose of the IBG as a location for international business development.
- proposals should contribute to the creation of a sustainable extension of the city based on a grid pattern with a focus on place-making, good public transport and footpath and cycle connections, parkland (Proposal G S6) and a strong landscape structure (see West Edinburgh Landscape Framework).
- the preferred location for initial phases of development is within 250 metres of tram stops. Higher density development and uses which attract high volumes of visitors should be located close to a tram stop.
- the prevailing building height should be four storeys with some higher landmark buildings and lower building heights adjacent to structural green spaces.
- any necessary road infrastructure improvements should be identified, taking into account the general development principles for West Edinburgh and the relevant transport proposals listed in Table 9. Car parking provision for all uses should be set at levels which help achieve sustainable transport objectives in the context of Policy Tra 2.
- the central parkland area of open space will be of particular importance in meeting the Council's large greenspace standard and should be designed and maintained accordingly
- a flood risk assessment shall be carried out in order to inform the capacity, design and layout of development proposals.

Edinburgh Park/South Gyle - Development Principles

The Vision

To create a thriving business and residential community, well integrated with the rest of the city through good public transport, pedestrian and cycle connections, a more balanced mix of uses and facilities and high quality public realm and green spaces. Policy Del 4 applies.

General

- Proposals should help contribute towards realising the long term vision for Edinburgh Park/South Gyle.
- Where possible, proposals should incorporate new cycle and pedestrian links through the site and consider how these connect to other uses and routes across the Edinburgh Park and South Gyle area.
- A flood risk assessment shall be carried out in order to inform the design and layout of development proposals. Consideration should be given to any culverted watercourses within the site and pluvial flooding.

Area EP 1

Description - development opportunities in this area include undeveloped land and the potential to reconfigure existing surface car parks to accommodate new buildings.

- proposals should incorporate a mix of business and residential uses and ancillary uses. The creation of a commercial hub adjacent to Edinburgh Park station is supported.
- development should work with and extend the existing grid layout to ensure a cohesive townscape framework and deliver sustainable movement through the site.
- the continuation of the existing north to south greenspace corridor and creation of new pedestrian and cycle links through the site are essential requirements. The potential exists to create a strategic pedestrian/cycle route linking Wester Hailes, Broomhouse and Sighthill to Edinburgh Gateway Station.

Area EP 2

Description - redevelopment opportunity on vacant land and adjacent sites currently occupied by vacant office buildings.

- proposals should incorporate a mix of business and residential uses and create an element of active commercial frontage onto South Gyle Broadway.
- a mixed use development provides the opportunity to create new pedestrian and cycle routes through the site.

Areas EP 3 – EP5

Description - sites occupied by a variety of low density commercial property with the potential for some incremental change over time.

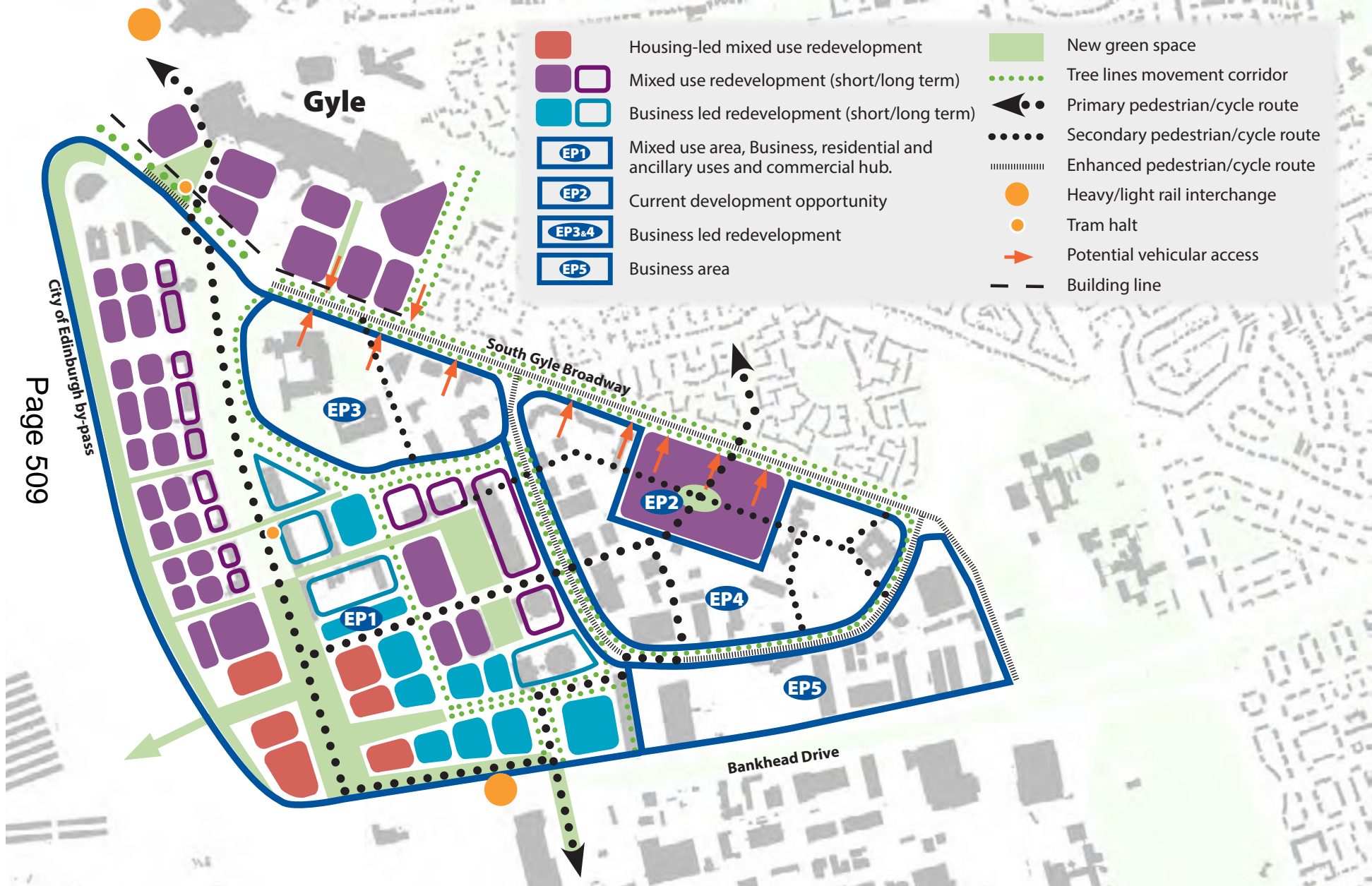
- in EP 3 and EP 4, commercial and mixed use proposals will be supported. Where practicable, development should provide increased permeability, create a direct relationship with South Gyle Broadway and improve the pedestrian and cycling environment along South Gyle Crescent.
- EP5 should remain in predominantly business and industrial use. Where opportunities arise, consideration should be given to improving accessibility for pedestrians and cyclists.

Gyle Centre

Description - commercial centre which currently has 75 units

- any expansion of the Gyle shopping centre to meet the needs of the expanding population in West Edinburgh should provide an active frontage to South Gyle Broadway, contribute to the green network and provide good pedestrian connections to the tram stop and wider area.
- the opportunity exists to create of a new green space incorporating the tram halt and a north-south pedestrian cycle route, framed by additional development to help the centre contribute to the long term vision for the area.

Edinburgh Park / South Gyle Development Principles



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Indicative only - not part of the Proposals Map

South East Edinburgh

125 South East Edinburgh is expected to experience major change over the next five to seven years. The plan incorporates a number of existing proposals, some of which have started but are not yet completed and others that have still to be implemented. These include housing development at Greendykes, mixed use regeneration at Craigmillar and life sciences related business development at Edinburgh BioQuarter. The LDP allocates a number of additional housing sites across South East Edinburgh to meet SDP requirements – two sites within the existing urban area at Ellen’s Glen Road and Moredunvale, two sites along the Burdiehouse corridor, three sites along the Gilmerton corridor, one site north of Lang Loan, two sites at the south east wedge and three sites at Newcraighall/Brunstane. It includes sites briefs for the new LDP housing proposals and Development Principles for the BioQuarter.

Figure 14 South East Edinburgh Overview Map



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Indicative only - not part of the Proposals Map

South East Edinburgh General Development Principles

- 126 All proposals will be required to make appropriate contributions to the delivery of the infrastructure necessary to support the development strategy. The general development principles below outline the anticipated main transport and education actions for South East Edinburgh.
- 127 The Council's approach to infrastructure delivery is set out in Policy Del 1 and its associated Supplementary Guidance. Policy Tra 8 is also relevant in requiring cumulative and cross boundary transport impacts to be addressed. Development should only progress subject to sufficient infrastructure already being available or where it is demonstrated that it can be delivered at the appropriate time. Further assessment of individual and cumulative impacts may be required to further detail the required mitigation.

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Transport Assessment

Contributions to address the area wide transport interventions, detailed below and as specified through Supplementary Guidance, will be applied through a cumulative contribution zone. Delivery will be monitored and managed through the action programme. The Council's approach to secure timeous delivery of the required infrastructure is to be detailed through its Supplementary Guidance.

Detailed Transport Assessments, where required, should include modelling of the cumulative effect of increased traffic flows on the trunk and local road networks (taking into account all known proposed development and any potential cross-boundary impacts). This should draw on the conclusions of the Council's transport appraisal and further work being carried out to

assess the wider cumulative and cross-boundary impacts on the trunk road network and should show how mode share targets are to be met.

Education Appraisal

Contributions to the required education provision, as set out below and as detailed through Supplementary Guidance, will be applied where appropriate through a cumulative contribution zone drawing on the conclusions of the Council's education appraisal. The Council's approach to secure timeous delivery of the required schools capacity is to be detailed through Supplementary Guidance. Delivery will be monitored and managed through the action programme.

- 128 The following sections indicate the anticipated infrastructure requirements which were identified following initial assessment and should be considered in the context of Policy Del 1.

South East Edinburgh (South)

Scope of transport mitigation subject to further assessment and the detail to be included in Supplementary Guidance (Del 1):

- Straiton junction on the A720
- T14 Sheriffhall Junction
- Gimerton junction (A720)
- Burdiehouse junction (Proposal T 21)
- Gilmerton Crossroads (T 20) junction capacity upgrade

- Access and parking strategy for Drum Street
- Improved capacity and other enhancements to bus services.

Scope of education mitigation subject to further assessment and the detail to be included in Supplementary Guidance (Del 1):

- A new Gilmerton primary school (SCH 7) and new Broomhill primary school (SCH 8), and/or
 - Extension to Gilmerton (ND) primary school, Gracemount (ND) primary school and Liberton and Craigour Park if required due to catchment changes
 - Extension to St John's Vianney (RC) Primary School and St Catherine's (RC) Primary School
- and
- Extension to South East Edinburgh High Schools- subject to further detailed assessment as to whether the additional capacity would be best provided; either at Liberton High School or Gracemount High School.

South East Edinburgh (North)











Scope of transport mitigation subject to further assessment and the detail to be included in Supplementary Guidance (Del 1):






- Sheriffhall roundabout (T 14)
- West of Fort Kinnaird Road to the Wisp (T 16)
- Gilberstoun link (T 8)
- Old Craighall Junction

Scope of education mitigation subject to further assessment and the detail to be included in Supplementary Guidance (Del 1):

- Option 1 - New Brunstane Primary School (SCH 9)
- Option 2 - As option 1, but additional extension to Newcraighall Primary School
- New Greendykes Primary School (SCH 3)
- Extension to Castlebrae High School or Replacement Castlebrae High School (SCH 2)

Broomhills, Burdiehouse and Lang Loan Site Brief

-  site boundary
-  street improvement & frontage
-  housing
-  long term redevelopment opportunity
-  commercial / retail opportunities
-  bus route
-  bus gate
-  junction improvement
-  proposed school (2ha)
-  vehicular access

- Green network:**
-  new woodland
-  new greenspace
-  existing footpath / cyclepath
-  new footpath / cyclepath
-  green corridor

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Indicative only - not part of the Proposals Map

Broomhills, Burdiehouse and Lang Loan Site Brief - Development Principles

Description

These sites provide the opportunity to integrate new homes with the existing townscape and landscape setting, whilst enhancing important approaches to the city through street design. The housing sites will support the creation of vibrant urban areas served by public transport.

New open spaces will sit within the context of the Pentland Hills, the city skyline and Burdiehouse Burn valley and provide a focus for community life, enhance habitats and connect to local routes and the Midlothian core path network.

Broomhills (HSG 21)

- address the relevant General Development Principles on transport and education for South East Edinburgh set out in paragraphs 126-128 above.
- vehicular access should be taken from Frogston Road East and Burdiehouse Road with no direct route between the two access points. No vehicular access (including emergency) to be taken from Broomhills Road.
- opportunity to change the character of Burdiehouse Rd through street design, to enable and improve path connections across Burdiehouse Rd, provide street verges and trees, upgrade bus stops and create a residential frontage with a reduced speed limit.
- substantial public park should be provided on highest part of the site in line with open space Proposal GS 9 to reflect landscape constraint of elevated terrain and outward views to the Pentland Hills and the city skyline.
- tree belts should be provided to create a strong green belt boundary to the south and west of the site, as shown on the diagram. The width of these tree belts will depend upon the layout and design of housing and open space on the site. The tree belts should incorporate existing tree cover, provide habitat enhancements integrated with sustainable urban drainage provision and include a multi-user path to connect Burdiehouse Burn Valley Park to path networks at Morton Mains and Mortonhall.
- a green corridor should be provided incorporating pedestrian and cycleway connections through site from Old Burdiehouse Road.

- proposals for housing (including the finalised site capacity, design and layout), the school (if necessary), and any other uses provided on the site, should be informed by an adequate flood risk assessment. In addition, proposals should in particular avoid development in the area at risk of flooding in the south of the site, adjacent to the burn. Sustainable urban drainage will be required as appropriate, and as referred to in the bullet point relating to tree belts above.

Burdiehouse (HSG 22)

- address the relevant General Development Principles on transport and education for South East Edinburgh set out in paragraphs 126-128 above.
- vehicular access to be taken from Burdiehouse Road.
- opportunity to change the character of Burdiehouse Road through street design, to enable and improve path connections across Burdiehouse Rd, provide street verges and trees, upgrade bus stops and create residential frontage with a reduced speed limit.
- site layout should enable a bus route to be formed providing a link from 'The Murrays' to Burdiehouse Road, regulated by bus gate.
- active frontage should be provided onto Burdiehouse Road, incorporating streetscape enhancements.
- Tree planting to the south west of the site to form a new green belt boundary to the west of Burdiehouse Limekilns.
- Woodland planting along the south east boundary, which should enhance the connectivity of woodland habitat and incorporate a multi-user path link to Burdiehouse Burn Valley Park.
- off-site multi-user path connection to link with the paths network in Midlothian via Straiton Pond, with 4m wide landscape treatment to the west across open ground, including verge, hedgerow and hedgerow trees.
- local open space proposals should :
 - a) provide amenity greenspace setting and retain views to the category B listed Limekilns
 - b) improve semi-natural habitat and amenity value of the Local Nature Reserve, extend woodland along the southern bank of the Burdiehouse Burn and incorporate off-road path links to the Burdiehouse Burn Valley Park.

- c) integrate the design and layout of the open space with the Area of Importance for Flood Management and beyond this area, provide additional amenity and biodiversity benefits through SUDs. The design should recognise different management and maintenance requirements.
- the finalised site capacity, design and layout should be informed by an adequate flood risk assessment.
- land released from the greenbelt to the south east has potential for development subject to similar principles.

North of Lang Loan (HSG 39)

- Address the General Development Principles on transport and education for South-East Edinburgh (as set out in paragraphs 126-128)
- Pedestrian and cycle links with the housing areas to the west and north of the site and along Lang Loan
- Lasswade Road/ Gilmerton Dykes Street/Captain's Road Junction Improvement
- Upgrading of bus stops on Lasswade Road
- Secure any required archaeological works
- Landscaping to achieve integration with adjacent housing areas and establishment of new green belt boundary along Lang Loan.

Gilmerton and South East Site Briefs - Development Principles

Description

A range of sites at Gilmerton of varying sizes and character provide the opportunity to provide new housing and local facilities, well served by public transport and with good connections to existing communities and the surrounding countryside. The new housing and associated landscape framework should enhance the quality and character of the urban edge and respond to the wooded grounds of The Drum and former Gilmerton House.

Gilmerton Dykes Road (HSG 23)

- vehicular access to be taken directly from Gilmerton Dykes Road
- Appropriate boundary treatment and landscaping retaining scope for integration with the wider area and for potential pedestrian/cycle connections to potential future adjacent housing areas.
- Address the General Development Principles on transport and education for South-East Edinburgh (as set out in paragraphs 126-128)
- Address any identified impacts on the safe operation of the local road network
- Make appropriate provision for a cycle link from Gilmerton Road to Lasswade Road
- Upgrade bus stops on Lasswade Road/Gilmerton Road
- Enable enhanced peak period bus capacity on Gilmerton Road
- Make provision for a new footway along Gilmerton Dykes Road

Gilmerton Station Road (HSG 24)

- address the General Development Principles on transport and education for South East Edinburgh (as set out in paragraphs 126-128).
- address any identified impacts on the safe operation of the local road network
- opportunity to change character of Gilmerton Station Road, through street design incorporating trees and verges and addressed by new residential development.
- provide green network connections linking the site with existing local paths to the north and east.

- provision of a new multi-user path link from Gilmerton Dykes Road to Gilmerton Station Road (to connect to the transport safeguard along disused Edinburgh, Loanhead and Roslin branch line)
- create path connection to proposal site HSG 23
- provision of new 2ha public park in accordance with open space strategy standards.
- connect existing woodland habitat to north and south of site using street trees and design of new park
- appropriate boundary treatment to south-west, retaining scope for potential pedestrian/cycle connections and to allow integration with potential development in the future.
- existing industrial/employment land to south east of site could provide additional housing in longer term, subject to enhancement of existing wooded boundary.
- Land released from the greenbelt to the south west has potential for development subject to similar principles.

The Drum (HSG 25)

- address the General Development Principles on transport and education for South East Edinburgh (as set out in paragraphs 126-128).
- address appropriate and safe access from the site onto Drum Street
- address any identified impacts on the safe operation of the local road network
- provide cycle link – Gilmerton Road to Laswade Road and from Drum Street to the SE Wedge Parkland
- Upgrade bus stops and enhance peak capacity on Gilmerton Road

South East Wedge South: Edmonstone (HSG 40)














- Address the General Development Principles on transport and education for South-East Edinburgh (as set out in paragraphs 126-128)
- Traffic signals at the Wisp/Old Dalkeith Road

- Speed limit restrictions on the Wisp
- Create a development layout that retains and enhances any elements of historic landscape structure
- Incorporate sizeable areas of open space and parkland and retain views and open aspects to the south and east
- Ensure the visual separation from Danderhall through sensitive design and screen planting
- Integrate a network of footpaths, cycleways and open space to be part of the wider Green network
- Ensure appropriate grouting and mine entry treatment works are carried out prior to commencement of development
- Achieve additional boundary planting along both road boundaries
- Address required local road and footway improvements and mitigation measures
- Secure any required archaeological works

South-East Wedge North: The Wisp (HSG 41)

- Address the General Development Principles on transport and education for South-East Edinburgh (as set out in paragraphs 126-128)
- Ensure appropriate grouting and mine entry treatment works are carried out prior to commencement of development
- Secure any required archaeological works
- Design and maintenance schedule to secure the green-space link on the western boundary of the site
- Pathways and cycle routes both internally and connected to the proposed development

Gilmerton & South East Site Brief










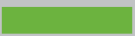
-  site boundary
-  junction improvement
-  street improvement & frontage
-  housing
-  long term redevelopment opportunity
-  proposed school (2ha)
-  commercial / retail opportunities
-  vehicular access
- Green network:**
-  new woodland
-  new footpath / cyclepath
-  existing footpath / cyclepath
-  cycle/footpath & possible public transport service
-  green corridor

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Indicative only - not part of the Proposals Map















Gilmerton & South East Site Brief

-  site boundary
-  other developments in the LDP
-  street improvement & frontage
-  housing
-  green space proposal (GS4 and GS5)
-  vehicular access
- Green network:**
-  new woodland
-  new footpath / cyclepath
-  existing footpath / cyclepath
-  green corridor

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Newcraighall and Brunstane Site Brief

-  site boundary
-  housing
-  commercial / retail opportunities
-  bus route
-  street improvement & frontage
-  proposed school (2ha) at Brunstane / school grounds extension at Newcraighall
-  vehicular access
-  local centre
-  Scheduled Ancient Monument
- Green network:**
 -  green corridor
 -  new woodland
 -  new greenspace
 -  existing footpath / cyclepath
 -  new footpath / cyclepath

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Newcraighall and Brunstane Site Brief - Development Principles

Description

These sites provide the opportunity for new housing together with new and improved school and local facilities on the eastern side of the Council area. The sites are well served by bus and rail connections with the opportunity for these to be further enhanced. Existing and enhanced footpath and cycle links and green corridor proposals will ensure development is well connected between sites and to existing communities.

Newcraighall North (HSG 26)

- vehicular access to be taken from Whitehill St / Newcraighall Road at two or three points. No vehicular access to be taken from Gilberstoun.
- layout should create pedestrian and cycleway connections through the site, including one along an east-west green corridor.
- opportunity for retail/commercial units as part of street frontage to Whitehill Street / Newcraighall Road.

Newcraighall East (HSG 27)

- address the relevant General Development Principles on transport and education for South East Edinburgh set out in paragraphs 126-128 above.
- new woodland should be provided along the southern boundary of the site as shown on the diagram.
- the finalised site capacity, design and layout should be informed by an adequate flood risk assessment.
- site layout should enable a bus route to be formed north-south through the site. It is intended that this connect to QMUC across land allocated for development in East Lothian. A bus gate at the site boundary should prevent general vehicular access through this route.
- layout should create pedestrian and cycleway connections through the site.
- a new green corridor should be created along the course of the power lines running through the site, extending grassland habitat with the opportunity for connections outwith the Council

area. This greenspace should be fronted by new development in order to improve community safety and aid place-making.

- layout should make provision for an extension of Newcraighall Primary School's grounds.
- opportunity for retail/commercial units as part of street frontage to Whitehill Street / Newcraighall Road.

Brunstane HSG 29

- address the relevant General Development Principles on transport and education for South East Edinburgh set out in paragraphs 126-128 above.
- transport assessments should identify any appropriate commensurate mitigation which may be required with respect to the A1/Newcraighall Road junction and to the junctions on the A199, taking into account any cumulative impact with traffic from other development sites. Particular attention should be given to the proposed new junction on Milton Road East, and the management of additional traffic generation onto Milton Road East and Newcraighall Road including associated improvements to pedestrian cycle crossing facilities.
- the site layout should allow for the proposed new bus route to be formed linking Milton Road East with Newcraighall Road. Appropriate consultation with service providers should take place in order to identify the bus service improvements which can be undertaken in the plan period, taking into account access, routes and frequency of service, and including the proposed new bus route. Proposals should provide for an appropriate upgrading of existing bus stops and an increase in cycle parking facilities at Brunstane and Newcraighall stations.
- vehicular access should be taken from Milton Road East and Newcraighall Road, forming a new vehicular crossing over the East Coast railway line. The potential for a new pedestrian/cycle bridge within the eastern part of the site should be investigated, together with an investigation as to whether or not a second vehicular crossing of the East Coast railway line should be provided in the interests of safety, as identified within the transport appraisal. Any crossings of the East Coast railway line should be on bridges over the railway line, and not at grade.
- no vehicular access to be taken from Gilberstoun area.
- opportunity to enhance existing core and other paths along the boundaries of the site, and in particular the Brunstane Burn Core Path (John Muir Way) on the northern boundary of the site

including pedestrian crossing where vehicular access meets the path. New multi-user path links should be formed to the Innocent Railway Core Path, Brunstane Burn Core Path and the disused railway line to the north of Newcraighall, with path connections also to housing at Gilberstoun, Newcraighall and Brunstane railway station.

- the impact on the setting of Brunstane House should be minimised through the appropriate design and layout of housing on the site, including the provision of sufficient open space and landscaping to the north and east as shown on the diagram. The extent of the open space is indicative only and the exact area will depend on the design and layout of housing on the site. Sufficient open space should also be similarly provided in order to retain an open setting for the two scheduled monuments of Brunstane Moated Site and Brunstane Enclosure, also meeting a large greenspace deficiency to the south west of the site.
- a landscape framework should be provided to the boundary of Newhailes House garden and designed landscape inventory site, with a buffer as shown on the diagram (again indicative and depending on the design and layout of housing on the site) and detailed siting and design of dwellings should respect views to Arthur's Seat from the grounds of Newhailes House.
- management proposals should have regard to the above stated historic environment assets. Historic Environment Scotland should be consulted on these matters when development proposals are being prepared.
- establish statutory safeguards to overhead powerlines to the north and south of the site. Design principles should seek to integrate overhead powerlines with site layout. To the south, allotment provision should compliment consented allotments at Newcraighall North. To the north, powerline way leave should be designed to provide for semi natural greenspace and habitat connectivity with informal recreation.
- expand grassland habitat (under pylons) and provide woodland connectivity across the site
- Streets and open spaces should be designed to benefit from views to the coast to the north, Arthur's Seat to the west and Pentland Hills to the southwest.
- opportunity to create a community focal point including a new primary school and local centre.

- proposals for housing (including the finalised site capacity, design and layout), the school, and any other uses provided on the site, should be informed by an adequate flood risk assessment. Enhance sustainable urban drainage will be required as appropriate to address current/future water quality pressures and to ensure no detrimental impacts to the recently designated bathing waters at Fishers Row.
- proposals should fully address any necessary site remediation in relation to mining legacy constraints, and should take account of any need for prior extraction of minerals in the context of Scottish Planning Policy.

Ellen's Glen Road Site Brief

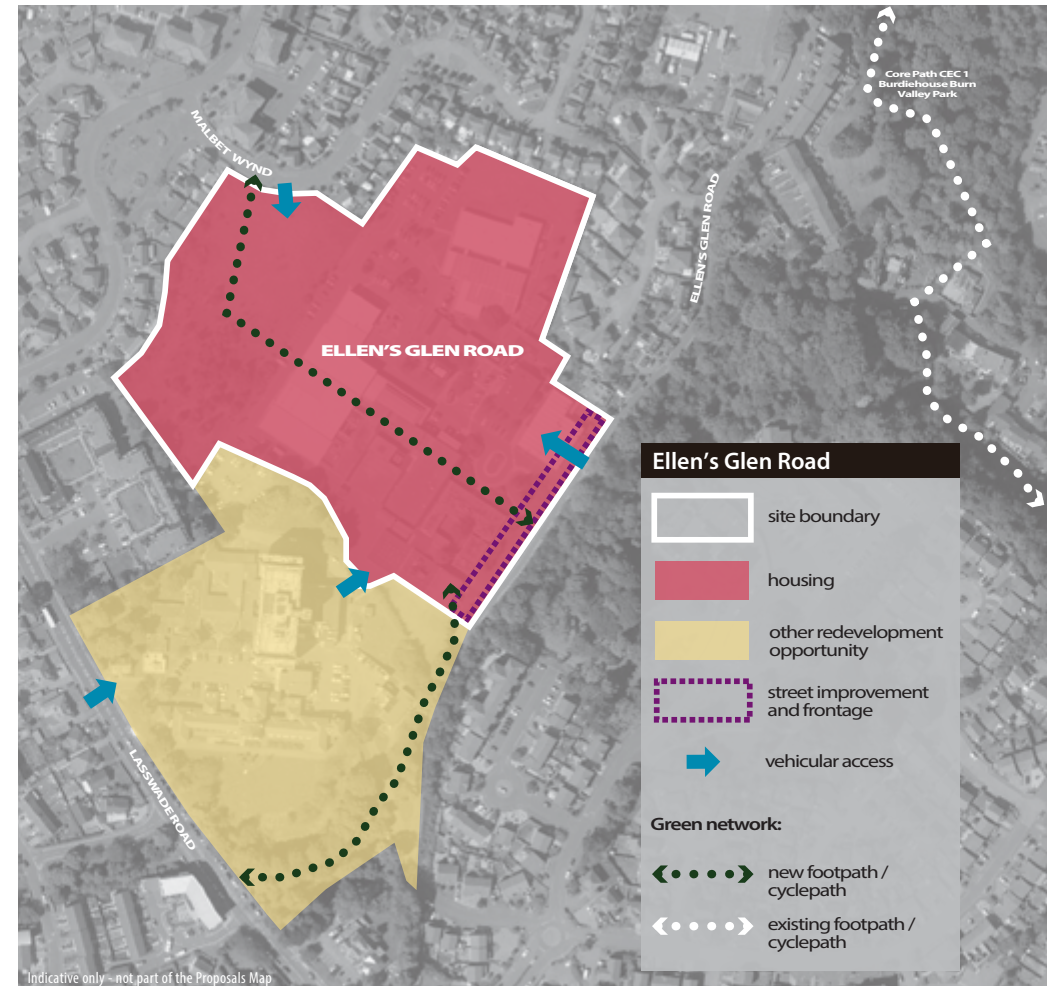
Description

Proposal (HSG 28) to provide new housing on the site currently occupied by the relocating Scottish National Blood Transfusion Service and semi-natural green space adjacent to Malbet Wynd. The site currently occupied by Liberton Hospital could provide additional housing if the site becomes available in the future.

Development Principles

- No houses on the site to be occupied unless and until a direct vehicular access from Lasswade Road has been provided across the Liberton Hospital site.
- Additional vehicular access to be taken from Ellen's Glen Road and Malbet Wynd.
- Address the General Development Principles on transport and education for South-East Edinburgh (as set out in paragraphs 126-128).
- A mix of housing types including detached, semi-detached, terraces, 'colony style' housing and flats.
- New pedestrian/cycle link on land near to Stenhouse Burn to compensate for the narrow footway on Ellen's Glen Road.
- New pedestrian/cycle link from Malbet Wynd through the site to connect via Ellen's Glen Road to the Burdiehouse Burn Valley Park Core Path
- New local greenspace to meet the Council's Greenspace Standard.
- Appropriate retention of trees around pedestrian/cycle link as informed by a tree survey.
- Development to provide residential frontage onto Ellen's Glen Road.

If the site currently occupied by Liberton Hospital becomes available in the future, proposals would be expected to provide not only for a direct vehicular access from Lasswade Road to the HSG 28 site but also to ensure appropriate retention of trees along Lasswade Road and elsewhere across the site as informed by a tree survey.



Moredunvale Development Principles

Description - Proposal (HSG 30) to provide new housing on approximately half of the site and improve the quality of the remaining open space

Development Principles

- Address the General Development Principles on transport and education for South East Edinburgh (as set out in paragraphs 126-128)
- The finalised site capacity, design and layout should be informed by an adequate flood risk assessment
- land around the high rise flats to be kept as green space.
- opportunity to provide play space, allotments and growing spaces as green space improvements .
- opportunity to create links to the wider green network
- proposals should provide better pedestrian and cycle access between the site and the surrounding area.
- remediation work may be required to develop the site due to the history of coal and limestone mining.

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Edinburgh BioQuarter Development Principles

Description - Edinburgh BioQuarter is a partly-implemented urban extension focused on the Edinburgh Royal Infirmary and the associated medical school. Land has been allocated to create the potential for further clinical and teaching development and related commercial research and development - collectively known as life science uses.

The combination of a major teaching hospital, a leading university and sufficient developable land in one place is rare. It is a unique opportunity to establish a commercial life science centre of a scale comparable with others globally, with major benefits for the city and national economies. To reach that level, a floorspace target of 245,000sq.m. of life science uses has been estimated.

Development Principles

- a higher density, more urban form of development than previously planned, with less land taken up by surface car parking is required to realise the BioQuarter's potential. A compact urban approach is also more likely to foster a sense of place, attractive to workers and visitors.
- supporting uses are appropriate to promote place-making and provide local services and evening and weekend activity. However, the type and quantity of ancillary uses must support, not jeopardise, the overall life science purpose of the BioQuarter.
- development at the BioQuarter must respect the site's sensitive location within the wider landscape setting of the city. The extent of development and building heights, particularly on the upper slopes, must be carefully managed.
- the BioQuarter should front onto and connect with the adjacent South East Wedge Parkland (Proposal GS 4), a key element of the Plan's Spatial Strategy (Figure 1)
- the BioQuarter may require to contribute to improvements to the A720 Sheriffhall junction improvements.

More detailed development principles are set out in Supplementary Guidance for Edinburgh BioQuarter and the South East Wedge Parkland.



Elsewhere across the LDP area

- 129 Outwith the areas identified for strategic growth, the LDP has a role to play in promoting development opportunities and protecting and enhancing the environment.
- 130 An area where significant change is expected is Queensferry. In addition to the Queensferry Crossing due to open by the end of 2016 and development on a number of existing housing sites, the LDP identifies new housing allocations at Builyon Road, South Scotstoun and Dalmeny. New housing is also proposed on sites at Currie and Balerno and an opportunity for housing together with greenspace improvements has been identified at Curriemuirend. Where appropriate to guide development, site briefs and development principles have been prepared for these housing sites
- 131 Throughout the LDP area, regeneration opportunities will continue to emerge as vacant and underused sites and buildings are brought back into beneficial use. Planning applications will be assessed using relevant policies to ensure these developments help meet LDP objectives.
- 132 A number of major transport projects, including the Queensferry Crossing and the tram, will be completed in the next few years. The LDP also includes a number of proposals and safeguards for other public transport, footpath and cycle links which, when implemented, will improve connections across the city.
- 133 Edinburgh's Green Belt and Countryside Area will be protected and where possible enhanced. The LDP directs the planned growth of the city to

specified sites and generally supports development within the urban area subject to relevant policy considerations. Development in the green belt and countryside will therefore only be permitted in exceptional circumstances.

South West Edinburgh and South Queensferry General Development Principles

- 134 All proposals will be required to make appropriate contributions to the delivery of the infrastructure necessary to support the development strategy. The general development principles below outline the anticipated main transport and education actions for South West Edinburgh and South Queensferry.
- 135 The Council's approach to infrastructure delivery is set out in Policy Del 1 and its associated Supplementary Guidance. Policy Tra 8 is also relevant in requiring cumulative and cross boundary transport impacts to be addressed. Development should only progress subject to sufficient infrastructure already being available or where it is demonstrated that it can be delivered at the appropriate time. Further assessment of individual and cumulative impacts may be required to further detail the required mitigation.

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Transport Assessment

Contributions to address the area wide transport interventions, detailed below and as specified through Supplementary Guidance, will be applied through a cumulative contribution zone. Delivery will be monitored and managed through the action programme. The Council's approach to secure timeous delivery of the required infrastructure is to be detailed through its Supplementary Guidance.

Detailed Transport Assessments, where required, should include modelling of the cumulative effect of increased traffic flows on the trunk and local road networks (taking into account all known proposed development and any potential cross-boundary impacts). This should draw on the conclusions

of the Council's transport appraisal and further work being carried out to assess the wider cumulative and cross-boundary impacts on the trunk road network and should show how mode share targets are to be met.

Education Appraisal

Contributions to the required education provision, as set out below and as detailed through Supplementary Guidance, will be applied where appropriate through a cumulative contribution zone drawing on the conclusions of the Council's education appraisal. The Council's approach to secure timeous delivery of the required schools capacity is to be detailed through Supplementary Guidance. Delivery will be monitored and managed through the Action Programme.

- 136 The following sections indicate the anticipated infrastructure requirements which as identified following initial assessment:

South West Edinburgh

Scope of transport mitigation subject to further assessment and the detail to be included in Supplementary Guidance (Del 1):

- Gillespie Crossroads
- Hermiston Park & Ride

Scope of education mitigation subject to further assessment and the detail to be included in Supplementary Guidance (Del 1):

- Extension to Currie (ND) Primary School (SCH 10).

South Queensferry

Scope of transport mitigation subject to further assessment and the detail to be included in Supplementary Guidance (Policy Del 1):

- The Queensferry and Scotstoun junctions on the A90
- Bus and rail service improvements (routes and frequency) which can be undertaken in the plan period
- Provision of additional parking facilities for cars and cycles at Dalmeny Station

Scope of education mitigation subject to further assessment and the detail to be included in Supplementary Guidance (Policy Del 1):

- New Builyeon Road (ND) Primary School (SCH 10)
- Extension to Queensferry (ND) High School
- Extension to St Margaret's (RC) Primary School
- Extension to St Augustines (RC) High School

Curriemuirend Development Principles

Description



Proposal to provide housing and allotments on land at Curriemuirend Park (HSG 31) and to improve the quality of the existing green space at Clovenstone Drive (GS 10).

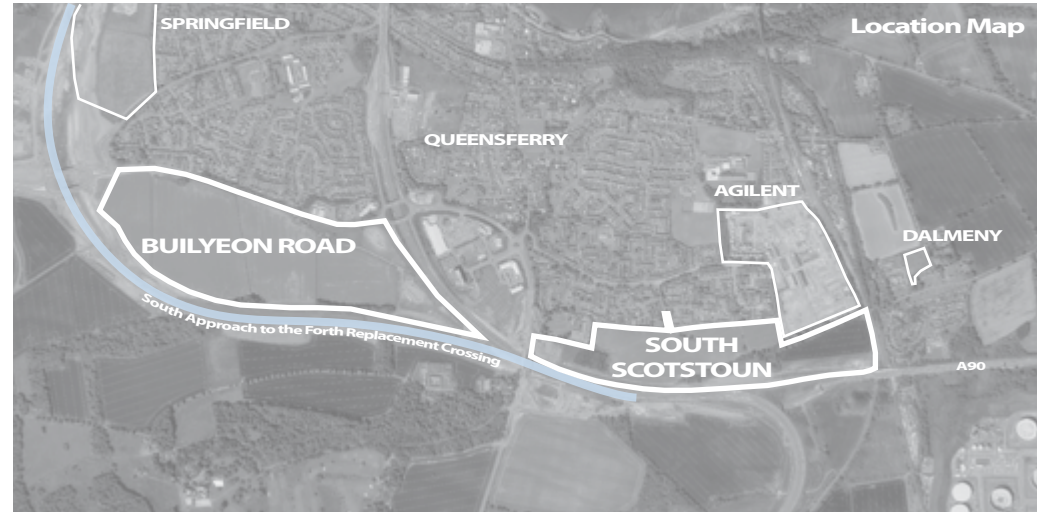
Development Principles

- Address the General Development Principles on transport and education for South West Edinburgh (as set out in paragraphs 134-136)
- a comprehensive approach to both sites is required, to ensure the allotments and green space improvements are delivered.
- development should create an active street frontage along Wester Hailes Road
- opportunity to create links to the wider green network
- proposals should provide better pedestrian and cycle access to both the allotments and Clovenstone Drive park
- opportunity to reduce the width of Wester Hailes Road to create a more attractive, safe environment for pedestrians.

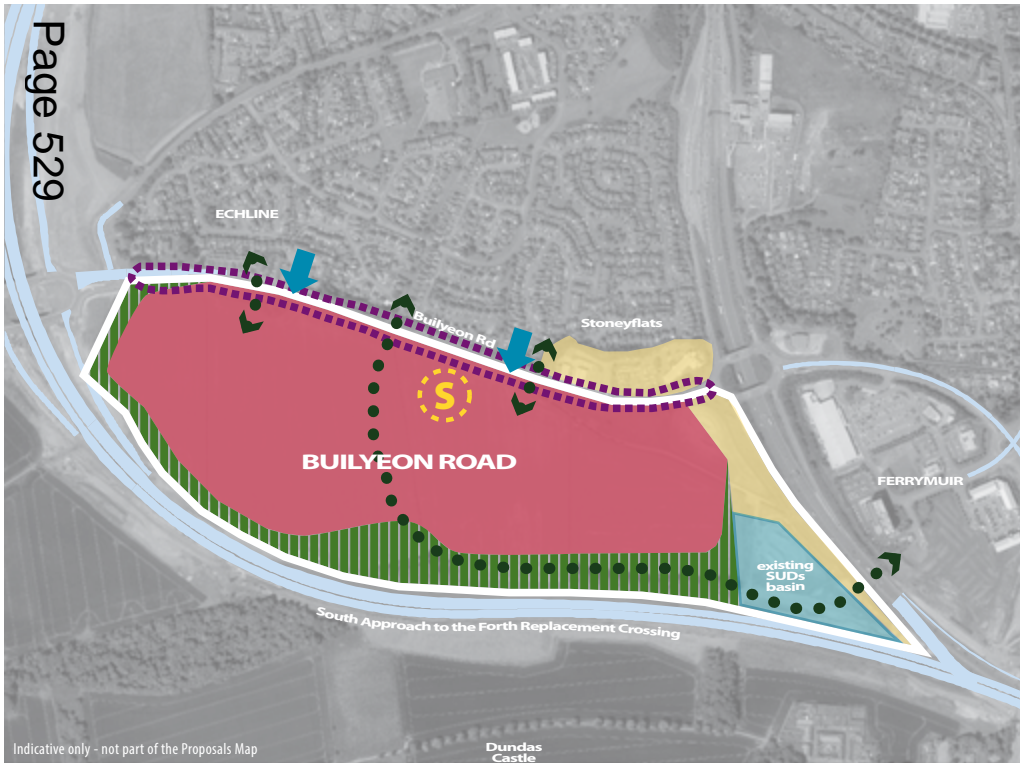


Builyeon Road and South Scotstoun, Queensferry

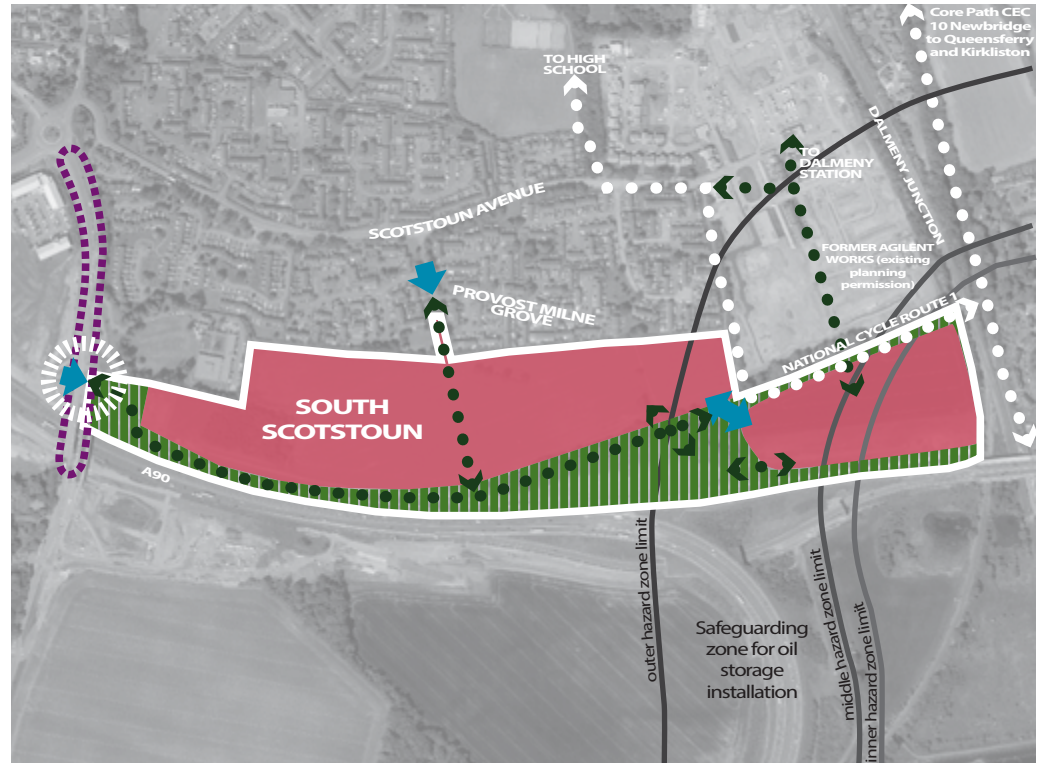
-  site boundary
-  housing
-  other redevelopment opportunity
-  street improvement and frontage
-  vehicular access
-  proposed school (2ha)
-  junction improvement
- Green network:**
 -  new woodland
 -  existing footpath / cyclepath
 -  new footpath / cyclepath



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Indicative only - not part of the Proposals Map



Queensferry South Site Brief

Builyeon Road Site Brief (HSG32)

- address the General Development Principles on transport and education for South Queensferry set out in paragraphs 134-136 above
- vehicular access to be taken from Builyeon Road (A904).
- a substantial landscaped buffer, with additional tree planting, should be provided along the southern boundary of the site with the new approach road, as shown on the diagram. The landscaped buffer should be of sufficient width to soften the visual impact of development on the site from the new approach road, provide a robust green belt boundary and mitigate noise impact. Additional tree planting should constitute native woodland species, and have regard to any ecological mitigation measures specified as part of the replacement crossing and oil pipeline.
- the landscaped buffer should integrate with that provided within the western part of HSG 33, with an opportunity to incorporate a footpath/cycleway, including a bridge over the existing A90 carriageway (which is being retained as a public transport link only to the existing Forth Road Bridge) to the retail and housing area to the east of the site.
- Opportunity to change the character of Builyeon Road (A904), through street design, including new development frontage with the road where this is possible, upgrading or providing of new bus stops or shelters, roadside footpaths and traffic calming (including reducing the speed limit through traffic regulation orders).
- new pedestrian/cycle routes (taking into account the Forth Replacement Crossing as appropriate) should be provided, particularly forming north-south path connections by linking new pedestrian/cycle routes to the existing network north of the A904, thus allowing the new housing to integrate fully with the existing urban area including the town centre to the north of the site. The use of avenue tree planting and retention/re-use of the existing stone wall is encouraged.
- the residential amenity of existing housing should be taken into account in the design of all new pedestrian/cycle routes and links.
- landscape effects of any noise attenuation measures to be considered in terms of site design

and appearance

- include a new primary school towards centre of site
- opportunity for commercial and community uses within the site, possibly in the north west and north east parts of the site where they could also form part of the frontage to the main road. There is also a possible redevelopment opportunity with respect to existing commercial uses to the north of the site (which could be incorporated into the development on the site) and with respect to the redundant northbound carriageway to the east of the site.
- provision of new local greenspace in accordance with open space strategy standards.

South Scotstoun Site Brief (HSG 33)

- address the General Development Principles on transport and education for south Queensferry set out in paragraphs 134-136 above.
- vehicular access to be taken from B800 Queensferry to Kirkliston Road and Provost Milne Grove. However, there should be no provision for traffic through the site between B800 and Scotstoun Avenue, apart from buses in the event that this is considered appropriate using a bus gate. There should be no vehicular access from the eastern end of the site into Dalmeny. Appropriate traffic calming measures may be considered for Scotstoun Avenue.
- retain field trees and supplement the existing tree lined track along the southern boundary with new native woodland of minimum 20 metres depth to extend the existing green network along the whole southern boundary of the site as shown on the diagram, thus establishing a new robust green belt boundary along the A90, and connecting woodland habitat. Opportunity to replace coniferous plantation with mixed native woodland and provide street planting where appropriate.
- opportunity to provide a new footpath/cycleway extending from HSG 32, across the A90 and B800, along the western part of the southern boundary within the extended green network, linking to the existing footpath/cycleway (National Cycle Route 1) extending to Dalmeny to the east, and North Queensferry to the north.
- opportunity to change the character of the B800 through street design, also enabling path connections across the B800, thus facilitating the new footpath/cycleway referred to above
- new pedestrian/cycle routes should be provided, forming north-south path connections, thus

allowing the new housing to integrate fully with the existing urban area including the town centre to the north of the site.

- the need to respect the residential amenity of existing housing should be taken into account in the design of all new pedestrian/cycle routes and links.
- bus stops should be upgraded as appropriate on Kirkliston Road, Scotstoun Avenue and in Dalmeny.
- careful consideration should be given to the layout and design of the proposed new housing and associated open space, in order to protect the residential amenity of the houses directly overlooking the site along the northern boundary and along the proposed access at Provost Milne Grove.
- landscape effects of any noise attenuation measures to be considered in terms of site design and appearance from A90.
- new development to front onto the green network and provide natural surveillance.
- provision of new local greenspace in accordance with open space strategy standards.
- proposals should take into account the restrictions resulting from the safeguarding zone for the storage installation shown in the diagram, where it may not be possible to build houses, or there may be a restriction on the number and location of houses. Any areas not developed for housing should be retained as informal open space.

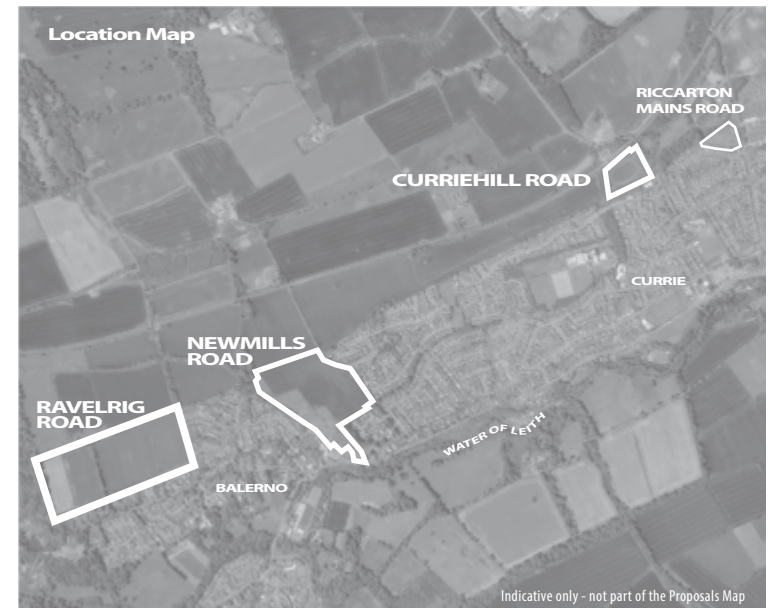
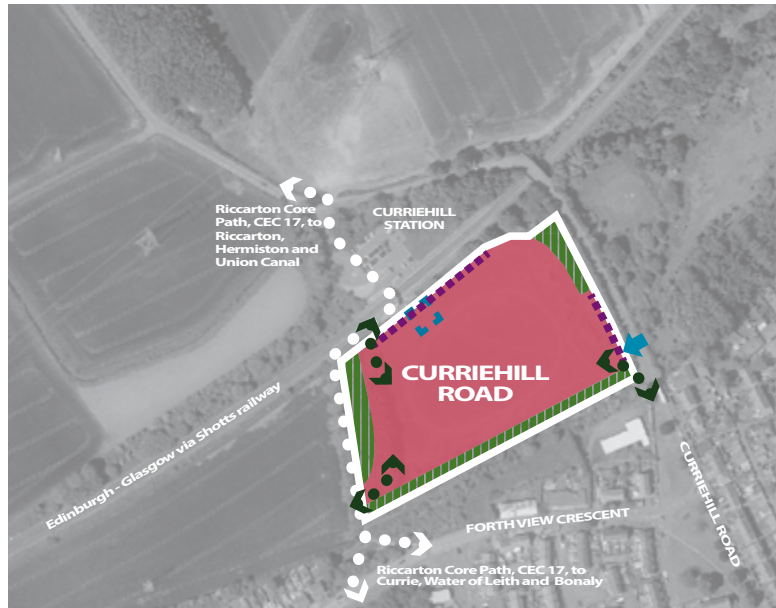
Dalmeny Development Principles (HSG 34)

- address the General Development Principles on transport and education for South Queensferry set out in paragraphs 134-136 above.
- upgrading of bus stops in Bankhead Road/Main Street
- vehicular access to be taken from Bankhead Road.
- pedestrian access to be provided from Main Street.
- street frontage and high quality stone boundary wall to be provided to Bankhead Road.
- retention of view corridors from Main Street to Forth Road and Rail Bridge.
- development subject to a height constraint of 1-1.5 storeys.
- the use of traditional materials and the continuation of traditional rural built form are considered essential.
- supplement tree and hedge planting to the north of the village to form a defensible green belt boundary.

Newmills Road, Balerno and Curriehill Road, Currie

-  site boundary
-  street improvement & frontage
-  housing
-  commercial / retail opportunities
-  vehicular access
- Green network:**
-  new woodland
-  new greenspace
-  new footpath / cyclepath
-  existing footpath / cyclepath

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Balerno and Currie Site Briefs

Curriehill Road Development Principles (HSG 36)

- address the General Development Principles for South-West Edinburgh (as set out in paragraphs 134-136)
- address any identified impacts on the safe operation of the local road network
- provide a new footway along the east boundary frontage (Curriehill Road) to link with existing footway network
- improve high quality pedestrian/cycle link to Curriehill Station (may involve upgrading existing link)
- help provide additional cycle parking at Curriehill Station
- upgrade existing bus stop facilities in Riccarton Avenue
- the finalised site capacity design and layout should be informed by an adequate flood risk assessment
- vehicular access to be taken from Curriehill Road.
- direct pedestrian links to be formed between Curriehill Road and Curriehill Station through the site.
- Connections also to be made to the Kirknewton Core Path to the west boundary of the site.
- development to provide a residential street frontage to the railway line and part way along Curriehill Road with part of the hedgerow removed.
- opportunity for flatted development and commercial/retail units to the north of the site by the railway line.
- retain hedgerow to the south and tree planting along the western edge of the site to provide an appropriate green belt boundary and undeveloped land adjacent to a minor watercourse.

Newmills Road Development Principles (HSG 37)

- address the General Development Principles for South-West Edinburgh (as set out in paragraphs 134-136)
- provide a new footway along the east frontage boundary
- address any identified impacts on the safe operation of the local road network
- improve pedestrian/cycle crossing facilities on A70, in vicinity of Newmills Road junction – may be requirement for signal control

- upgrade cycle routes between Newmills Road and Curriehill Station
- provide additional cycle parking at Curriehill Station
- provide a new bus stop facilities on A70, in vicinity of Newmills Road
- possible contribution to extended car park at Curriehill Station
- vehicular access to be taken from Newmills Road and Lanark Road West.
- new linear park (proposal GS11) of approximately 50m width to be formed to the western edge of the site as part of an off road, multi user path between the Water of Leith Walkway and Kirknewton, in addition to a local path connection to Addistoun Crescent. The new park will address the large greenspace deficiency to the north of Balerno, enhance connectivity of native broadleaf woodland habitat and integrate SUDs measures. It could also provide new allotments.
- access from Lanark Road West to run along outer eastern edge of linear park. Residential streets to front onto the proposed linear park to the west and Newmills Road to the east.
- new wooded green belt boundary to be formed on prominent break of slope to the north of the site of a minimum 30m depth.

Ravelrig Road Development Principles (HSG 38)

- address the General Development Principles on education and transport (as set out in paragraphs 134-136)
- address any required local road/junction improvements
- provide green network connections and a landscape framework with the layout and landscaping achieving integration with neighbouring housing sites
- create pedestrian and cycle connections to adjoining housing areas, particularly to the south and east
- substantial woodland edge to be retained with recreational access to form a new green belt boundary along the northern boundary of the site
- a Bird Hazard Management assessment and associated plan will be required to ensure the proposals address any required mitigation measures emerging
- secure any required archaeological works.

Part 2 Policies

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137 Planning applications will be assessed against the following policies to ensure that future development helps to meet the core aims of the plan. All relevant policies will be considered in assessing each application. Part 2 of the plan is set out in eight sections

1 Delivering the Strategy

2 Design Principles for New Development

3 Caring for the Environment

4 Employment and Economic Development

5 Housing and Community Facilities

6 Shopping and Leisure

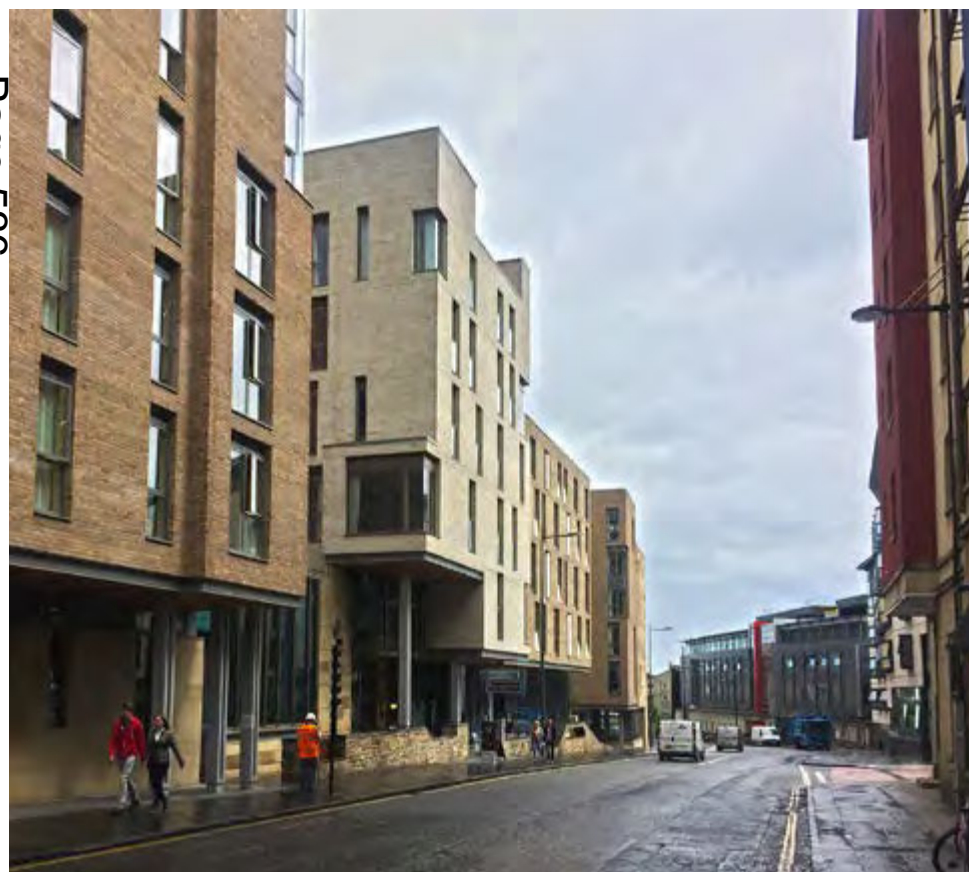
7 Transport

8 Resources and Services

138 Policies are often expressed positively, in terms of what kinds of development will be permitted or encouraged. Where a policy states that certain types of development will be permitted, it should also be understood that failure to meet the Council's expectations and aspirations may provide grounds for refusal of planning permission.

1 Delivering the Strategy

- 139 The policies in this section will play a key role in delivering the LDP strategy. It covers developer contributions towards the delivery of infrastructure provision and improvements, and provides specific area based policies for three parts of the city to guide major redevelopment and regeneration proposals – the City Centre, Edinburgh Waterfront and Edinburgh Park/South Gyle.



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Objectives

- To implement the Council's approach to infrastructure provision and improvements associated with development, taking account of current economic conditions.
- To ensure that developers make a fair and realistic contribution to the delivery of necessary infrastructure provision and improvement associated with development.
- To ensure that proposals for mixed use regeneration in the City Centre, Edinburgh Waterfront and Edinburgh Park/South Gyle are appropriate to the character of the area and bring maximum benefit to the city.

Developer Contributions

Policy Del 1 Developer Contributions and Infrastructure Delivery

1. Proposals will be required to contribute to the following infrastructure provision where relevant and necessary to mitigate* any negative additional impact (either on an individual or cumulative basis) and where commensurate to the scale of the proposed development:
 - a) The strategic infrastructure from SDP Fig. 2, the transport proposals and safeguards from Table 9 including the existing and proposed tram network, other transport interventions as specified in Part 1 Section 5 of the Plan and to accord with Policy Tra 8. Contribution zones will apply to address cumulative impacts.
 - b) Education provision including the new school proposals from Table 5 and the potential school extensions as indicated in Part 1 Section 5 of the Plan. Contribution zones will apply to address cumulative impact.

- c) Green space actions if required by Policy Hou 3, Env 18, 19 or 20. Contribution zones may be established where provision is relevant to more than one site.
 - d) Public realm and other pedestrian and cycle actions, where identified in the Council's public realm strategy, or as a site specific action. Contribution zones may be established where provision is relevant to more than one site.
2. Development should only progress subject to sufficient infrastructure already being available or where it is demonstrated that it can be delivered at the appropriate time.

In order to provide further detail on the approach to implementation of this policy and to provide the basis for future action programmes Supplementary Guidance** will be prepared to provide guidance including on:

- a) The required infrastructure in relation to specific sites and/or areas
- b) Approach to the timely delivery of the required infrastructure
- c) Assessment of developer contributions and arrangements for the efficient conclusion of legal agreements
- d) The thresholds that may apply
 - e) Mapping of the cumulative contribution zones relative to specific transport, education, public realm and green space actions.
 - f) The Council's approach should the required contributions raise demonstrable commercial viability constraints and/or where forward or gap funding may be required.

* Further assessments may be required to detail the required mitigation

** This guidance should be submitted to Ministers within one year from the date of adoption of this Plan. In the event that timing of the findings of the Cumulative Impact Transport and Land Use Appraisal Working Group would delay inclusion of details on cross boundary issues an interim approach will be detailed through the Supplementary Guidance to be confirmed through the replacement development plan.

140 This policy is intended to ensure that infrastructure is provided to facilitate new development.

Developer Contributions

141 Anticipated transport and schools requirements relative to specific areas (General Development Principles) and sites (Development Principles) are set out in Part 1 Section 5 of the plan. Appendix C details the provisions for which contributions would be sought. These include:

- School capacity increases including new schools
- Traffic management and other transport improvements to address the individual and cumulative impact of proposed development including on the Trunk Road Network.
- Green Space Actions

142 The Council has already forward funded the completed section of the tram network and contributions will continue to be sought from future development which impacts on or creates a need for this infrastructure. This approach to developer contributions may apply to other items of required infrastructure such as schools where advance provision is necessary to enable the development strategy.

143 Further detail of anticipated requirements and the approach to delivery including the use of cumulative contributions zones, a framework for consideration of financial viability issues and possible approaches to forward and gap funding will be set out through the Supplementary Guidance as referenced in Policy Del 1.

144 An Action Programme will then be rolled forward annually to monitor timescales and identify the need for further action and the parties responsible.

145 The Council recognises that the scale of proposed development may also impact on other infrastructure including health and community facilities. Policy Hou 10

is relevant in this respect. However, there is a current lack of information on the scale of such requirements and how they should be addressed. Whilst it may be appropriate to seek contributions for such provision any requirement would need to be considered on a case by case basis where a clear justification can be provided in the context of Circular 3/2012. The feasibility of including such additional contributions and the impact on development viability would also have to be assessed.

Area Specific Policies - Opportunities for major mixed use development/regeneration

146 Policies Del 2 - Del 4 will guide development in three major regeneration areas, the City Centre, Edinburgh Waterfront and Edinburgh Park/South Gyle. These policies aim to ensure that development and regeneration proposals incorporate an appropriate mix of uses consistent with the character of the wider area and its role in meeting the objectives of the plan.

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Policy Del 2 City Centre

Development which lies within the area of the City Centre as shown on the Proposals Map will be permitted which retains and enhances its character, attractiveness, vitality and accessibility and contributes to its role as a strategic business and regional shopping centre and Edinburgh's role as a capital city. The requirements in principle will be for:

- a) comprehensively designed proposals which maximise the potential of the site in accordance with any relevant development principles, development brief and/or other guidance
- b) a use or a mix of uses appropriate to the location of the site, its accessibility characteristics and the character of the surrounding area.
- c) Where practicable, major mixed use developments should provide offices,

particularly on upper floors. At street level, other uses may be more appropriate to maintain city centre diversity, especially retail vitality on important shopping frontages

- d) the creation of new civic spaces and traffic-free pedestrian routes where achievable.

Housing as part of mixed use development will be encouraged on appropriate sites to help meet housing need and create strong, sustainable communities.

147 This policy guides development in the City Centre to ensure proposals provide an appropriate mix of uses and are of a high quality of design taking account of the characteristics of the historic environment. Given the demand for office space in the City Centre and the importance of office jobs to the economy, the policy requires office provision to be included in major mixed use development proposals wherever possible. Development principles for the Fountainbridge, Edinburgh St James and New Street sites are provided in Table 10 (Part 1 Section 5).

Policy Del 3 Edinburgh Waterfront

Planning permission will be granted for development which will contribute towards the creation of new urban quarters at Leith Waterfront and Granton Waterfront (specifically EW 1a, b & c and EW 2 a -d on the Proposals Map). The requirements in principle will be for:

- a) comprehensively designed proposals which maximise the development potential of the area
- b) the provision of a series of mixed use sustainable neighbourhoods that connect to the waterfront, with each other and with nearby neighbourhoods
- c) proposals for a mix of house types, sizes and affordability
- d) the provision of open space in order to meet the needs of the local community, create local identity and a sense of place

- e) the provision of local retail facilities and leisure and tourism attractions, including water related recreation in and around retained harbours
- f) transport measures agreed with the Council, including a contribution to the proposed tram network and other necessary public transport improvements, the eastwards extension of Ocean Drive and the provision of a network of paths for pedestrians and cyclists, including an east-west path that will form part of the city-wide coastal promenade (safeguarded routes for these are shown on the Proposals Map).

In Seafield and Leith's northern and eastern docks (EW 1d and e), planning permission will be granted for industrial and port-related development and compatible uses provided it complies with other relevant policies in this plan.

Development should accord with the Leith Waterfront or Granton Waterfront Development Principles.

148 The purpose of this policy is to ensure the regeneration of Edinburgh's Waterfront comes forward in a planned manner within the context of a long term vision. It sets out key development principles to guide housing led regeneration on large parts of the site, with more detailed guidance provided in the relevant site briefs. The policy also recognises that some parts of the Waterfront will remain in business and industrial uses. Development Principles for Leith Waterfront and Granton Waterfront are set out in Table 11 (Part 1 Section 5).

Policy Del 4 Edinburgh Park/South Gyle

Within the boundary of Edinburgh Park/South Gyle as shown on the Proposals Map, planning permission will be granted for development which maintains the strategic employment role of the area and also introduces a wider mix of uses. The requirements in principle will be for;

- a) comprehensively designed proposals which maximise the development potential of the area
- b) development for office and other business uses as part of mixed use proposals
- c) housing as a component of business-led mixed use proposals
- d) the creation of a new commercial hub adjacent to Edinburgh Park Station
- e) additional leisure and community uses at Gyle shopping centre
- f) an extension of the existing green space corridor (known as the Lochans) space
- g) improved pedestrian and cycle links through the site and to provide strong, safe connections with services and facilities in the surrounding area

Development should accord with the Edinburgh Park/South Gyle Development Principles.

149 This policy aims to promote a better mix of uses in Edinburgh Park/South Gyle and still retain its important role as a strategic business location. The vision is to change the character of the Edinburgh Park/South Gyle area over time from a business dominated environment with limited evening and weekend activity to a thriving mixed use and well integrated part of the city. The Edinburgh Park/South Gyle Development Principles set out in Part 1 Section 5 provide guidance on how development can help deliver the long term vision for this area.

2 Design Principles for New Development

150 The Council encourages innovation and well designed developments that relate sensitively to the existing quality and character of the local and wider environment, generate distinctiveness and a sense of place, and help build stronger communities. Policies Des 1–Des 13 will be used to assess planning applications to meet the following objectives. More detailed advice on how to interpret and apply these policies can be found in Council guidance including in the Edinburgh Design Guidance document.



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Objectives

- a) To ensure that new development is of the highest design quality and respects, safeguards and enhances the special character of the city
- b) To ensure that the city develops in an integrated and sustainable manner
- c) To create new and distinctive places which support and enhance the special character of the city and meet the needs of residents and other users

Policy Des 1 Design Quality and Context

Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.

151 This policy applies to all new development, including alterations and extensions. The Council expects new development to be of a high standard of design. The Council's policies and guidelines are not to be used as a template for minimum standards. The purpose of the policy is to encourage innovation in the design and layout of new buildings, streets and spaces, provided that the existing quality and character of the immediate and wider environment are respected and enhanced and local distinctiveness is generated.

Policy Des 2 Co-ordinated Development

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.

152 This policy applies to all development involving one or more new buildings. The Council encourages a comprehensive approach to redevelopment and regeneration wherever possible, and the preparation of development frameworks or master plans, to identify the full design potential for creating successful places. Piecemeal development is less likely to lead to the creation of well-defined and cohesive networks of streets and spaces. In exceptional cases, it may be necessary for the Council to use its powers of compulsory purchase to assemble a site for development and enable a satisfactory outcome to be achieved.

Policy Des 3 Development Design - Incorporating and Enhancing Existing and Potential Features

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.

153 This policy is relevant for all new development involving one new building or more. Its aim is to ensure that development proposals are informed by a detailed analysis and understanding of the site. The incorporation of existing features including built structures, archaeology, trees and woodland, landscape character, views and biodiversity can enhance a development's sense of place and contribution to the wider habitat and green network. Where practicable, proposals should provide new habitat to further the conservation of biodiversity.

Policy Des 4 Development Design – Impact on Setting

Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- a) height and form
- b) scale and proportions, including the spaces between buildings
- c) position of buildings and other features on the site
- d) materials and detailing

154 This policy applies to all new development of one or more buildings. Where the built environment is of high quality and has a settled townscape character, new development proposals will be expected to have similar characteristics to the surrounding buildings and urban grain. Where the surrounding development is fragmented or of poor quality, development proposals should help repair the urban fabric, establish model forms of development and generate coherence and distinctiveness – a sense of place. The siting and design of development should also be guided by views within the wider landscape and an understanding of local landscape character, including important topographical features, e.g. prominent ridges, valleys and patterns of vegetation.

Policy Des 5 Development Design – Amenity

Planning permission will be granted for development where it is demonstrated that:

- a) the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook
- b) the design will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses
- c) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural surveillance over all footpaths and open areas
- d) a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms
- e) refuse and recycling facilities, cycle storage, low and zero carbon technology, telecommunications equipment, plant and services have been sensitively integrated into the design

155 This policy applies to all new development for one or more new buildings. Buildings must meet the needs of users and occupiers, with consideration given to impacts on neighbouring properties to ensure no unreasonable noise impact or loss of daylight, sunlight or privacy. Buildings should be designed to be flexible in use and interact closely with the street, providing continuity of urban frontage and natural surveillance. Cul-de-sac and single access residential layouts and gated communities should be avoided to help the integration of new development into the wider neighbourhood. Ancillary facilities must be sensitively integrated into the design of buildings to avoid impacting upon the surrounding townscape.

Policy Des 6 Sustainable Buildings

Planning permission will only be granted for new development where it has been demonstrated that:

- a) the current carbon dioxide emissions reduction target has been met, with at least half of this target met through the use of low and zero carbon generating technologies.
- b) other features are incorporated that will reduce or minimise environmental resource use and impact, for example:
 - i. measures to promote water conservation
 - ii. sustainable urban drainage measures that will ensure that there will be no increase in rate of surface water run-off in peak conditions or detrimental impact on the water environment. This should include green roofs on sites where measures on the ground are not practical
 - iii. provision of facilities for the separate collection of dry recyclable waste and food waste
 - iv. maximum use of materials from local and/or sustainable sources
 - v. measures to support and encourage the use of sustainable transport, particularly cycling, including cycle parking and other supporting facilities such as showers.

156 This policy applies to all development involving one or more new buildings. The purpose of this policy is to help tackle the causes and impacts of climate change, reduce resource use and moderate the impact of development on the environment.

157 Buildings account for a substantial proportion of total carbon emissions through the energy they consume. Local authorities, through their planning and building standards responsibilities have a key role in helping to meet the Scottish Government's target for nearly zero carbon homes and buildings by 2016. Scottish Building Standards set carbon dioxide emissions reduction targets. At March 2013,

the Building Standards target was a 30% carbon dioxide reduction from 2007 levels. This target figure is expected to rise over the LDP period.

- 158 To meet criterion a), proposals for new development must accord with the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards) and also demonstrate that at least half of this reduction will be met through low and zero carbon technologies. This specified requirement linked to the anticipated rising Building Standards targets meets the Council's obligations under Section 3F of the Town and Country Planning (Scotland) Act 1997.
- 159 Low and zero carbon technologies can be renewable energy sources such as solar panels and micro-wind, heat pumps, combined heat and power and district heating infrastructure, and equipment such as mechanical ventilation and heat recovery which uses fossil fuels but results in significantly lower carbon dioxide emissions overall. Existing technologies are able to meet half of the current Building Standards target and the above policy assumes that further innovation will enable such technologies to keep pace with the target as it rises.
- 160 The Council will set out the up-to-date requirement in the S1 Sustainability Form which applicants are required to complete to demonstrate compliance with the above policy. Further advice is available in Council guidance.
- 161 Steps must be taken to ensure that the rate of surface water run-off is not increased by the development proposed. This can be achieved by the use of sustainable urban drainage systems (SUDS) which is a comprehensive design approach to the management of water on a site, to delay run-off and encourage filtration through the use of porous surfaces, detention ponds, and swales in ways which enhance amenity and biodiversity and avoid pollution effects. Where ground SUDS cannot be provided for practical reasons, then building designs to manage heavy rainfall such as green roofs should be provided. It is also important that new developments create an environment that encourages more sustainable lifestyles, for example, by including waste management facilities that support recycling targets.

Policy Des 7 Layout Design

Planning permission will be granted for development where:

- a) a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces, services and SUDS features has been taken
 - b) new streets within developments are direct and connected with other networks to ensure ease of access to local centres and public transport and new public or focal spaces are created where they will serve a purpose
 - c) the layout will encourage walking and cycling, cater for the requirements of public transport if required and incorporate design features which will restrict traffic speeds to an appropriate level and minimise potential conflict between pedestrians, cyclists and motorised traffic
 - d) car and cycle parking areas and pedestrian and cycle paths are overlooked by surrounding properties
 - e) safe and convenient access and movement in and around the development will be promoted, having regard especially to the needs of people with limited mobility or special needs
 - f) public open spaces and pedestrian and cycle routes are connected with the wider pedestrian and cycle network including any off-road pedestrian and cycle routes where the opportunity exists.
- 162 This policy is relevant for all new development involving one or more new buildings. The layout of development should enhance community safety and urban vitality and provide direct and convenient connections on foot and by cycle. Where new road space is required as an integral and necessary part of new development, layouts should not encourage greater car use or cause or add to congestion in the surrounding area.

Policy Des 8 Public Realm and Landscape Design

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, and it has been demonstrated that:

- a) the design and the materials to be used are appropriate for their intended purpose, to the use and character of the area generally, especially where this has a special interest or importance
- b) the different elements of paving, landscaping and street furniture are coordinated to avoid a sense of clutter, and in larger schemes design and provision will be coordinated over different phases of a development
- c) particular consideration has been given, if appropriate, to the planting of trees to provide a setting for buildings, boundaries and road sides and create a robust landscape structure
- d) a satisfactory scheme of maintenance will be put in place.

163 This policy applies to all development proposing new public space as part of the overall scheme. High quality, well designed public spaces are crucial elements of the urban environment and in making successful places. The Council encourages the preparation of public realm strategies to coordinate design and provide information on future maintenance in other major development schemes.

Policy Des 9 Urban Edge Development

Planning permission will only be granted for development on sites at the green belt boundary where it:

- a) conserves and enhances the landscape setting and special character of the city
- b) promotes access to the surrounding countryside if appropriate
- c) includes landscape improvement proposals that will strengthen the green belt boundary and contribute to multi-functional green networks by improving amenity and enhance biodiversity.

164 This policy applies to all new development situated at the edge of the urban area. A clear demarcation between town and country is important to the defensibility of the Green Belt boundary and its objectives.

Policy Des 10 Waterside Development

Planning permission will only be granted for development on sites on the coastal edge or adjoining a watercourse, including the Union Canal, where the proposals:

- a) provides an attractive frontage to the water in question
- b) where appropriate, maintains, provides or improves public access to and along the water's edge
- c) maintains and enhances the water environment, its nature conservation or landscape interest including its margins and river valley
- d) if appropriate, promotes recreational use of the water.

165 This policy applies to all new development adjoining a watercourse. The city's several natural water courses add to the variety of scenery within the urban area and the city's biodiversity interest. They have considerable potential to enhance adjacent development by offering recreational value and contributing to the green network. Proposals along the Firth of Forth may also need to be assessed in terms of any impact on the internationally designated Natura 2000 site – see Policy Env13.

Policy Des 11 Tall Buildings – Skyline and Key Views

Planning permission will only be granted for development which rises above the building height prevailing generally in the surrounding area where:

- a) a landmark is to be created that enhances the skyline and surrounding townscape and is justified by the proposed use
- b) the scale of the building is appropriate in its context
- c) there would be no adverse impact on important views of landmark buildings, the historic skyline, landscape features in the urban area or the landscape setting of the city, including the Firth of Forth.

166 Proposals for development that would be conspicuous in iconic views of the city will be subject to special scrutiny. This is necessary to protect some of the city's most striking visual characteristics, the views available from many vantage points within the city and beyond, of landmark buildings, the city's historic skyline, undeveloped hillsides within the urban area and the hills, open countryside and the Firth of Forth which create a unique landscape setting for the city. In addition, the height of new buildings may need to be suppressed where necessary so that the city's topography and valley features continue to be reflected in roofscapes. This policy will play an important role in protecting the setting of the World Heritage Sites.

167 A study undertaken for the Council identifies key public viewpoints and is used in assessing proposals for high buildings. Further advice is provided in Council guidance.

Policy Des 12 Alterations and Extensions

Planning permission will be granted for alterations and extensions to existing buildings which:

- a) in their design and form, choice of materials and positioning are compatible with the character of the existing building
- b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties
- c) will not be detrimental to neighbourhood amenity and character

168 Every change to a building, street or space has the potential to enrich or, if poorly designed, impoverish a part of the public realm. The impact of a proposal on the appearance and character of the existing building and street scene generally must be satisfactory and there should be no unreasonable loss of amenity and privacy for immediate neighbours.

Policy Des 13 Shopfronts

Planning permission will be granted for alterations to shopfronts which are improvements on what already exists and relate sensitively and harmoniously to the building as a whole. Particular care will be taken over proposals for the installation of illuminated advertising panels and projecting signs, blinds, canopies, security grills and shutters to avoid harm to the visual amenity of shopping streets or the character of historic environments.

169 Shopfront design, shop designs and shopfront advertising play an important role in the visual environment of the city. Important traditional or original features on older buildings, such as stall risers, fascias and structural framing of entrances and shop windows, should be retained and incorporated into the design. In conservation areas and on listed buildings, design and materials used will be expected to be of a high standard, and not damaging to existing fabric of buildings or wider character. Detailed advice on shopfronts is provided in Council guidance.

3 Caring for the Environment

170 Protection of the historic and natural environment for the benefit of future generations is an important role of the planning system. The purpose and context of Edinburgh's most important environmental designations including the World Heritage Site, Conservation Areas and Green Belt are explained in Part 1 of the plan. Policies Env 1 – Env 22 will be used in assessing planning applications to meet the following objectives;

Objectives

- Page 546
- To ensure that the unique qualities of the city, its historic environment and the character of its urban areas are safeguarded for the future
 - To protect important landscape and natural features of the environment, including the city's Green Belt setting
 - To protect and enhance the nature conservation and biodiversity interest of the city
 - To protect natural resources



The Historic Environment

171 Policies Env 1 – Env 6 will be used to assess proposals affecting Edinburgh's world heritage sites, conservation areas and listed buildings. The Council's guidance on Conservation Areas and Listed Buildings provide further advice. Policy Env 7 relates to historic landscapes and policies Env 8 and 9 cover archaeological resources.

Policy Env 1 World Heritage Sites

Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh and/or the Forth Bridge as World Heritage Sites or would have a detrimental impact on a Site's setting will not be permitted.

172 This policy requires development to respect and protect the outstanding universal values of the World Heritage Sites and their settings. Setting may include sites in the immediate vicinity, viewpoints identified in the key views study and prominent landscape features throughout the city.

Policy Env 2 Listed Buildings - Demolition

Proposals for the total or substantial demolition of a listed building will only be supported in exceptional circumstances, taking into account:

- a) the condition of the building and the cost of repairing and maintaining it in relation to its importance and to the value to be derived from its continued use
- b) the adequacy of efforts to retain the building in, or adapt it to, a use that will safeguard its future, including its marketing at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.
- c) the merits of alternative proposals for the site and whether the public benefits to be derived from allowing demolition outweigh the loss.

Policy Env 3 Listed Buildings - Setting

Development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

Policy Env 4 Listed Buildings – Alterations and Extensions

Proposals to alter or extend a listed building will be permitted where

- a) those alterations or extensions are justified;
- b) there will be no unnecessary damage to historic structures or diminution of its interest; and
- c) where any additions are in keeping with other parts of the building.

172 **Page 547** In determining applications for planning permission or listed building consent, the Council is required to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest that it possesses. Applications for the demolition or substantial alteration of a listed building must be accompanied by a thorough structural condition report demonstrating that the proposals are necessary or justified. Information must be provided on the proposed replacement building; these should be of comparable quality in terms of construction and design. The loss of a listed building will only be justified in exceptional circumstances. Scottish Historic Environment Policy (SHEP) and Council guidance provide further advice for applications relating to Listed Buildings.

Policy Env 5 Conservation Areas – Demolition of Buildings

Proposals for the demolition of an unlisted building within a conservation area but which is considered to make a positive contribution to the character of the area will only be permitted in exceptional circumstances and after taking into account the considerations set out in Policy Env 2 above.

Proposals for the demolition of any building within a conservation area, whether listed or not, will not normally be permitted unless a detailed planning application is approved for a replacement building which enhances or preserves the character of the area or, if acceptable, for the landscaping of the site.

Policy Env 6 Conservation Areas - Development

Development within a conservation area or affecting its setting will be permitted which:

- a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal
- b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area and
- c) demonstrates high standards of design and utilises materials appropriate to the historic environment.

Planning applications should be submitted in a sufficiently detailed form for the effect of the development proposal on the character and appearance of the area to be assessed.

174 The purpose of the above policies is to protect and, where possible, enhance the character and appearance of Edinburgh's many conservation areas. By controlling the demolition of buildings and ensuring new development is of appropriate design and quality, their aim is to protect the City's heritage for future generations.

175 Applications for demolition will be permitted only where this does not erode the character and appearance of the conservation area. The general presumption will be in favour of retaining buildings that make a positive contribution to the conservation area, particularly where it can be demonstrated that the building is able to support a new viable use, or might be capable of such in the future. Conservation Area Consent may be subject to conditions or a legal agreement to link demolition works to the

provision of the proposed replacement building or, in exceptional circumstances, to require temporary landscaping.

- 176 Design statements are required for new developments in a conservation area. This statement should include reference to the relevant Conservation Area Character Appraisal and Council guidance on Conservation Areas and Listed Buildings and show how these have informed the proposed design.

Policy Env 7 Historic Gardens and Designed Landscapes

Development will only be permitted where there is no detrimental impact on the character of a site recorded in the Inventory of Gardens and Designed Landscapes, adverse effects on its setting or upon component features which contribute to its value. Elsewhere, adverse effects on historic landscape features should be minimised. Restoration of Inventory sites and other historic landscape features is encouraged.

- 177 This policy aims to protect sites included in the national Inventory of Gardens and Designed Landscapes (shown on the Proposals Map) and other historic landscape features elsewhere across the Council area. An understanding of how the landscape has evolved can help inform a development proposal. A historical landscape appraisal may be requested from applicants to allow full assessment of the implications of development and identify restoration opportunities.

Policy Env 8 Protection of Important Remains

Development will not be permitted which would:

- a) adversely affect a scheduled monument or other nationally important archaeological remains, or the integrity of their setting
- b) damage or destroy non-designated archaeological remains which the Council considers should be preserved in situ.

Policy Env 9 Development of Sites of Archaeological Significance

Planning permission will be granted for development on sites of known or suspected archaeological significance if it can be concluded from information derived from a desk-based assessment and, if requested by the Council, a field evaluation, that either:

- a) no significant archaeological features are likely to be affected by the development or
- b) any significant archaeological features will be preserved in situ and, if necessary, in an appropriate setting with provision for public access and interpretation or
- c) the benefits of allowing the proposed development outweigh the importance of preserving the remains in situ. The applicant will then be required to make provision for archaeological excavation, recording, and analysis, and publication of the results before development starts, all to be in accordance with a programme of works agreed with the Council.

- 178 The objective of the above policies is to protect and enhance archaeological remains, where possible by preservation in situ in an appropriate setting. In some cases, depending on the nature of the remains and character of the site, the Council may require provision for public access and interpretation as part of the proposed development. When preservation in situ is not possible, recording and/or excavation followed by analysis and publication of the results will be required.

- 179 Developers should seek early advice from the Council's Archaeologist for sites where historic remains are known or thought likely to exist. Where a development may affect a scheduled monument or its setting, early contact should be made with Historic Environment Scotland.

Natural Environment

180 Policies Env 10 to Env 16 will play an important role in ensuring development proposals protect and where possible enhance Edinburgh's natural heritage. Further advice can be found in Council guidance.

Policy Env 10 Development in the Green Belt and Countryside

Within the Green Belt and Countryside shown on the Proposals Map, development will only be permitted where it meets one of the following criteria and would not detract from the landscape quality and/or rural character of the area:

- Page 549
- a) For the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use.
 - b) For the change of use of an existing building, provided the building is of architectural merit or a valuable element in the landscape and is worthy of retention. Buildings should be of domestic scale, substantially intact and structurally capable of conversion.
 - c) For development relating to an existing use or building(s) such as an extension to a site or building, ancillary development or intensification of the use, provided the proposal is appropriate in type in terms of the existing use, of an appropriate scale, of high quality design and acceptable in terms of traffic impact.
 - d) For the replacement of an existing building with a new building in the same use provided:
 - 1) the existing building is not listed or of architectural / historic merit;
 - 2) the existing building is of poor quality design and structural condition,
 - 3) the existing building is of domestic scale, has a lawful use and is not a temporary structure; and

4) the new building is of a similar or smaller size to the existing one, lies within the curtilage of the existing building and is of high design quality.

- 181 It is necessary to control the type and scale of development in the green belt to enable it to fulfil its important role in terms of landscape setting and countryside recreation as described in Part 1. However, the purpose of the green belt is not to prevent development from happening. This policy sets out the circumstances in which development in the green belt can be supported.
- 182 In Edinburgh, Countryside areas i.e. land outwith existing settlements, which are not designated green belt are considered to be of equivalent environmental importance. For this reason, it is appropriate to apply the same level of protection to both green belt and Countryside areas.
- 183 The key test for all proposals in the green belt and Countryside areas will be to ensure that the development does not detract from the landscape quality and/or rural character of the area. The Council's guidance 'Development in the Countryside and Green Belt' provides more detailed advice.

Policy Env 11 Special Landscape Areas

Planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Areas shown on the Proposals Map

- 184 This policy aims to protect Edinburgh's unique and diverse landscape which contributes to the city's distinctive character and scenic value. Special Landscape Areas (SLA) are local designations, which safeguard and enhance the character and quality of valued landscapes across the Council area.
- 185 A Statement of Importance has been prepared for each SLA and can be viewed on the Council's website. This sets out the essential qualities and characteristics of the area and the potential for enhancement. The Statements of Importance should be

used to guide development proposals in SLAs and will be a material consideration in assessing planning applications. A landscape and visual impact assessment is likely to be needed in support of proposals affecting a SLA.

Policy Env 12 Trees

Development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention unless necessary for good arboricultural reasons. Where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

186 This policy recognises the important contribution made by trees to character, biodiversity, amenity and green networks. In assessing proposals affecting trees, the Council will consider their value, taking into account current Scottish Government guidance – presently contained in its Policy on Control of Woodland Removal and UK Forest Standard – and their status such as Tree Preservation Order, heritage tree, Ancient Woodland and Millennium Woodland, along with information from tree surveys.

187 Where necessary to protect trees, the Council will use its powers to make and enforce Tree Preservation Orders.

Nature Conservation

Policy Env 13 Sites of International Importance

Development likely to have a significant effect on a 'Natura 2000 site' will be permitted only if either:

- a) the development will not adversely affect the integrity of the area; or
- b) it has been demonstrated that:
- c) there are no alternative solutions and
- d) there are imperative reasons of overriding public interest for permitting the development, including reasons of a social or economic nature.
- e) **compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.**

188 The Plan area covers internationally important sites known as 'Natura 2000 sites', designated under the Conservation (Natural Habitats, &c) Regulations 1994. These are the Firth of Forth, Forth Islands (part), and Imperial Dock Lock Special Protection Areas. Where a proposal may affect an internationally protected site, the Council will carry out a Habitats Regulation Appraisal. If it considers the proposal is likely to have a significant effect, the Council must then undertake an appropriate assessment. The appropriate assessment will consider the implications of the development for the conservation interests for which the area has been designated. Applicants will be required to provide information to inform the appropriate assessment. Development which could harm any of these internationally important areas will only be approved in exceptional circumstances.

Policy Env 14 Sites of National Importance

Development which would affect a Site of Special Scientific Interest will only be permitted where an appraisal has demonstrated that:

- a) the objectives of the designation and the overall integrity of the area will not be compromised or
- b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.

189 Sites of Special Scientific Interest (SSSIs) are areas of land (including land covered by water) which are considered by Scottish Natural Heritage (SNH) to be of special interest by reason of their natural features, i.e. their flora, fauna or geological or geomorphological features. Development which could harm an SSSI will be required to demonstrate reasons which clearly outweigh the nature conservation interest of the site and justify a departure from the national policy to protect such sites.

Policy Env 15 Sites of Local Importance

Development likely to have an adverse impact on the flora, fauna, landscape or geological features of a Local Nature Reserve or a Local Nature Conservation Site will not be permitted unless it can be demonstrated that:

- a) the reasons for allowing the development are sufficient to outweigh the nature conservation interest of the site
- b) the adverse consequences of allowing the development for the value of the site have been minimised and mitigated in an acceptable manner.

190 The purpose of this policy is to protect sites of local nature conservation value and designated Local Nature Reserves from damaging development. The network of Local Nature Conservation sites and Local Nature Reserves is shown on the Proposals

Map. Many of these provide connectivity between internationally and nationally important sites and contribute to green networks. A Site Report has been prepared for each LNCS.

Policy Env 16 Species Protection

Planning permission will not be granted for development that would have an adverse impact on species protected under European or UK law, unless:

- a) there is an overriding public need for the development and it is demonstrated that there is no alternative
- b) a full survey has been carried out of the current status of the species and its use of the site
- c) there would be no detriment to the maintenance of the species at 'favourable conservation status'
- d) suitable mitigation is proposed

191 European Protected Species (EPS) are covered by the Habitats Regulations. EPS found in the Edinburgh area are bats, otters, and great crested newts. Other species-specific legislation to be taken into account includes the Protection of Badgers Act 1992 and those species listed in the Schedules of the Wildlife and Countryside Act 1981. If the presence of an EPS or other protected species is suspected, appropriate survey work must be carried out to enable the Council to assess the likely impact of development on the species.

* *The EU Habitats Directive defines 'favourable conservation status' as the distribution and population of the species being at least the same as when the Directive came into force in 1994.*

Countryside Access and Open Space

Policy Env 17 Pentlands Hills Regional Park

Development which supports the aims of the Pentlands Hills Regional Park will be permitted provided it has no unacceptable impact on the character and landscape quality of the Park.

192 This policy aims to ensure that proposals for outdoor recreation activities, whilst likely to be supported in principle, do not detract from the special rural character of the Regional Park. Proposals will also be assessed in terms of other relevant policies such as Env 10 Green Belt and Env 11 Landscape Quality.

Open Space

193 The Proposals Map shows the significant areas of open space identified in an audit of the city. The criteria in Policy Env 18 will be applied to development proposals affecting all such open spaces citywide. Proposals affecting a playing field will be considered against relevant criteria in both Policy Env 18 and Policy Env 19.

Policy Env 18 Open Space Protection

Proposals involving the loss of open space will not be permitted unless it is demonstrated that:

- a) there will be no significant impact on the quality or character of the local environment and
- b) 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 and
- c) the loss would not be detrimental to the wider network including its continuity or biodiversity value and either

- d) there will be a local benefit in allowing the development in terms of either alternative equivalent provision being made or improvement to an existing public park or other open space or
- e) the development is for a community purpose and the benefits to the local community outweigh the loss.

194 This policy aims to protect all open spaces, both public and privately owned, that contribute to the amenity of their surroundings and the city, provide or are capable of providing for the recreational needs of residents and visitors or are an integral part of the city's landscape and townscape character and its biodiversity. The Council will only support development on open space in exceptional circumstances, where the loss would not result in detriment to the overall network and to open space provision in the locality. Such circumstances tend to exist where large areas of residential amenity space have been provided without a clear purpose or sense of ownership. The Council's Open Space Strategy sets the standards to be met for open space provision across Edinburgh and will be used to assess whether there is an over provision of open space in the immediate area (criterion b). To accord with criterion d), proposals for alternative provision or improvements to open space should normally address an identified action in the Open Space Strategy.

Policy Env 19 Protection of Outdoor Sports Facilities

In addition to the requirements of Policy Env 18, the loss of some or all of a playing field or sports pitch will be permitted only where one of the following circumstances applies:

- a) The proposed development is ancillary to the principal use of the site as outdoor sports facilities
- b) The proposed development involves a minor part of outdoor sports facilities and would not adversely affect the use or potential of the remainder for sport and training
- c) An alternative outdoor sports facility is to be provided of at least equivalent

sporting value in a no less convenient location, or existing provision is to be significantly improved to compensate for the loss

- d) The Council is satisfied that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and the site can be developed without detriment to the overall quality of provision.

195 Outdoor sports facility provision must be considered as a city-wide resource and in terms of its contribution to local needs. The Council's assessment of provision in the city as a whole has concluded that the amount of pitches, whether or not in public ownership or publicly accessible, is equivalent to the need. However, there needs to be significant improvements in quality. On this evaluation, the loss of pitches to development cannot be justified in principle. However, the loss might be acceptable if alternative equivalent provision is to be made in an equally convenient location.

Development has been allowed where other pitches serving the local community are to be equipped with all-weather playing surfaces. The Open Space Strategy identifies the locations where such investment is to be concentrated in multi-pitch venues.

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Policy Env 20 Open Space in New Development

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 development proposed and the needs it will give rise to. In particular, the Council will seek the provision of extensions and/or improvements to the green network.

196 This policy ensures that development proposals (other than housing which is covered by Policy Hou 3) include appropriate open space provision and, where the opportunity arises, contribute to Edinburgh's green network. The term 'open space' covers green space and civic space.

Protection of Natural Resources

Policy Env 21 Flood Protection

Planning permission will not be granted for development that would:

- a) increase a flood risk or be at risk of flooding itself
- b) impede the flow of flood water or deprive a river system of flood water storage within the areas shown on the Proposals Map as areas of importance for flood management
- c) be prejudicial to existing or planned flood defence systems.

197 This purpose of this policy is to ensure development does not result in increased flood risk for the site being developed or elsewhere. Identified areas of importance for flood management are identified on the Proposals Map. It is essential to maintain strict control over development in these areas. Proposals will only be favourably considered if accompanied by a flood risk assessment demonstrating how compensating measures are to be carried out, both on and off the site, and that any loss of flood storage capacity is mitigated to achieve a neutral or better outcome. In some circumstances, sustainable flood management or mitigation measures may not be achievable.

198 Culverting of watercourses can exacerbate flood risk and have a detrimental effect on biodiversity. Any further culverting across the city will be opposed, and the removal of existing culverts will be sought when possible.

199 New development can add to flood risk if it leads to an increase in surface water run-off. It is also at risk from water flowing over land during heavy rainfall. Policy Des 6 states that these risks should be avoided by the use of sustainable drainage techniques (SUDs).

Policy Env 22 Pollution and Air, Water and Soil Quality

Planning permission will only be granted for development where:

- a) there will be no significant adverse effects for health, the environment and amenity and either
- b) there will be no significant adverse effects on: air, and soil quality; the quality of the water environment; or on ground stability
- c) appropriate mitigation to minimise any adverse effects can be provided.

200 Pollution can arise from many sources and activities including traffic and transport, domestic heating, industrial processes, agriculture, waste disposal and landfill. Air, soil and water quality can all be affected and harmed by some forms of development and land can present a potential pollution or safety threat if it has been contaminated or destabilised by previous activities. Air, noise and light pollution can also be a source of harm to health and amenity.

201 The potential risk and significance of pollution will be considered when assessing planning applications, in consultation where necessary with relevant agencies, such as Scottish Environment Protection Agency and the Health and Safety Executive. Proposals will be assessed to ensure development does not adversely affect air quality in identified Air Quality Management Areas (AQMAs) or, by cumulative impacts, lead to the creation of further AQMAs in the city.

4 Employment and Economic Development

202 The following policies aim to help deliver the Council's Economic Strategy by promoting economic development in sustainable locations, with a particular focus on opportunities for office development and Edinburgh's 'special employment areas'. The policies take full account of the need to protect and enhance environmental quality and to protect a range of existing business and industrial sites and premises.



Objectives

- To promote sustainable growth in jobs and investment in Edinburgh's economy
- To protect a range of existing business and industry locations of importance for a mixed and varied economy
- To maintain and enhance the diversity of jobs available in the city, paying special attention to small business needs

Offices

Policy Emp 1 Office Development

High quality office developments, including major developments, will be supported:

- a) in the City Centre as identified on the Proposals Map
- b) in the other strategic business centres identified on the Proposals Map at Edinburgh Park/South Gyle, the International Business Gateway and Leith, preferably as part of business led mixed use proposals
- c) in town or local centres as identified in Table 6 and on the Proposals Map (where of an appropriate scale).

Where it is demonstrated that sites in locations a-c above are unavailable or unsuitable, other accessible mixed use locations may be considered where:

- in proximity to public transport nodes, compatible with the accessibility of the location by public transport and with the character of the local environment and
- for any development exceeding 2,500 square metres an assessment of impact has been prepared which demonstrates that the impact on existing town centres is acceptable.

203 This policy supports a range of suitable locations for office development in recognition of the important role of the financial sector and other office based businesses in providing jobs and contributing to economic growth.

204 The city centre remains the prime location for office development, due to proximity to other office, service and transport hubs. There are a number of existing proposals

with planning permission which will provide additional office space in the City Centre including the Edinburgh St James, Caltongate, Haymarket, Fountainbridge and the Exchange District. To meet continuing demand for office space in the city centre, major redevelopment opportunities should include significant office provision, and where possible large, flexible floor-plates as part of the overall mix of uses. A development brief may be prepared when a redevelopment opportunity arises to ensure proposals incorporate an appropriate mix of uses to support economic growth and the important shopping and leisure role of the city centre.

205 The plan identifies three other strategic office locations at Edinburgh Park/SouthGyle, the International Business Gateway (IBG) and Leith. Each is different in character but all are in accessible locations providing readily available opportunities sites for office development. In order to create an attractive place in which to invest, work and visit, proposals should incorporate a mix of uses. Proposals in the IBG should be for international businesses.

206 To meet economic growth objectives, the plan applies a flexible approach to office proposals in other mixed use locations across the city. Such proposals will be supported provided the scale of development is appropriate in terms of accessibility by public transport and the character of the area.

Special Economic Areas

207 These are areas of national or strategic economic importance, providing or with the potential to provide a significant number of jobs. The 'special economic areas' are Edinburgh BioQuarter, Riccarton University Campus and Business Park, Edinburgh Airport, Royal Highland Centre, International Business Gateway and RBS Headquarters at Gogarburn. The growth of these areas, through new businesses and the expansion of existing businesses, will make a significant contribution towards meeting the plan's economic development objectives. Ancillary uses are likely to be supported in these areas to meet place-making objectives, help attract investment and complement the business uses. However, other uses must not undermine the main purpose of these areas as set out in Table 2 in Part 1 Section 3 and their contribution to the economy of the city region and, in some cases, Scotland as a whole.

Policy Emp 2 Edinburgh BioQuarter

Development within the boundary of Edinburgh BioQuarter as defined on the Proposals Map will be granted provided it accords with the BioQuarter Development Principles (Part 1 Section 5) to be further detailed through Supplementary Guidance.

208 Supplementary Guidance will be prepared to support the future development of the Edinburgh BioQuarter for Life Sciences research and directly related commercial developments. Proposals within the BioQuarter will be assessed against this guidance. Proposals will also be assessed against the BioQuarter Development Principles (Part 1 Section 5) and other relevant local plan policies, for example on matters such as design, accessibility, landscaping, biodiversity and relationship with the neighbouring green belt and the South East Wedge Parkland Green Space Proposal GS4.

Policy Emp 3 Riccarton University Campus and Business Park

Development for the following purposes will be supported within the boundary of Riccarton University Campus and Business Park, provided proposals accord with the approved master plan and other relevant local development plan policies.

- 1) Academic teaching and research.
- 2) Uses ancillary to the University, including student residential accommodation and sport and recreational facilities.
- 3) Business uses, including the research and development of products and processes, where a functional linkage with the University's academic activities can be demonstrated.

209 This policy support the future development of Heriot-Watt University and expansion of the adjacent business park for research and development and other business uses which have strong links to the University's academic activities. Proposals will also be assessed against other relevant local plan policies, for example on matters such as design, accessibility, landscaping, biodiversity and relationship with the green belt. This policy also supports the development of the National Performance Centre for Sport and directly related development.

Policy Emp 4 Edinburgh Airport

The development and enhancement of Edinburgh Airport will be supported within the airport boundary defined on the Proposals Map. The approved master plan will inform this process. Proposals for ancillary services and facilities will only be permitted where it can be demonstrated that these have strong and direct functional and locational links with the airport and are compatible with the operational requirements of the airport.

All development proposals within the airport boundary must accord with the West Edinburgh Strategic Design Framework (WESDF) and other relevant local development

plan policies. Supporting information will be required to demonstrate how proposals will contribute to meeting the mode share targets set out in the WESDF.

Land to the north of the existing airport boundary is safeguarded to provide a second main parallel runway, if required in the future, to meet air passenger growth forecasts. Within this area, green belt policy will apply (policy Env 10). Proposals which would prejudice the long-term expansion of Edinburgh Airport will not be supported.

210 The purpose of this policy is to guide proposals for airport expansion in accordance with National Planning Framework 3. Further planning guidance is set out in the West Edinburgh Strategic Design Framework (WESDF). The policy covers proposals for airport and related uses that require planning permission (some airport proposals are 'permitted development' i.e. planning permission is not needed). Compliance with the WESDF and other relevant local plan policies will ensure airport proposals are acceptable in terms of scale and location, accessibility by public transport, pedestrians and cyclists, traffic generation and car parking and other environmental considerations.

Policy Emp 5 Royal Highland Centre

The development and enhancement of the Royal Highland Centre (RHC) will be supported within the boundary defined on the Proposals Map, provided proposals accord with the approved master plan. Ancillary uses will only be permitted where it can be demonstrated that these are linked to the primary activities of the RHC.

All development proposals within the RHC boundary must accord with other local development plan policies, and the West Edinburgh Strategic Design Framework (WESDF) provides further guidance for such proposals. Supporting information will be required to demonstrate how proposals will contribute to meeting the mode share targets set out in the WESDF.

The site of the Royal Highland Centre may be required for airport uses in the long term to meet air passenger growth forecasts. Therefore, development which would

prejudice the long-term expansion of Edinburgh Airport will not be supported, except where it is compatible with the current use of the site by the Royal Highland Centre, in the context of this policy.

Land at Norton Park as shown on the Proposals Map is safeguarded for the future relocation of the RHC and its development as Scotland's National Showground. Within this area, green belt policy will apply (policy Env 10). Proposals which would prejudice the future development of the Norton Park site for showground purposes will not be permitted.

211 This policy guides proposals for the further development and enhancement of the Royal Highland Centre on land to the north of the A8. The policy also safeguards the site for the long term expansion of Edinburgh Airport, and in turn safeguards land at Norton Park to the south of the A8 for the long term relocation of the RHC, in accordance with National Planning Framework 3. Further planning guidance on the long term expansion of Edinburgh Airport is set out within the Edinburgh Airport Master plan. The Norton Park site will remain in the green belt until required for the relocation of the RHC. Compliance with the WESDF and other relevant local plan policies will ensure RHC proposals are acceptable in terms of scale and location, accessibility by public transport, pedestrians and cyclists, traffic generation and car parking, landscaping, sustainable building, drainage and flood management, habitat protection and enhancement, place-making and design and impact on setting and views, including wider townscape impacts.

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Policy Emp 6 International Business Gateway

Proposals for the development of an International Business Gateway (IBG) within the boundary defined on the Proposals Map will be supported. The following uses are supported in principle:

- International business development (as described below)

- Hotel and conference facilities;
- Uses ancillary to international business development, such as child nursery facilities, restaurants and health and sports clubs.
- Housing as a component of a business – led mixed use proposal subject to further consideration through the master plan process, appropriate infrastructure provision and where consistent with the objectives of the National Planning Framework 3.

All IBG proposals must accord with the IBG development principles and other relevant local development plan policies. The West Edinburgh Strategic Design Framework (WESDF), supported by master plans where appropriate, provides further guidance for development proposals, including guidance about the required contributions towards meeting the mode share targets.

212 The purpose of this policy is to support the development of this nationally important economic development opportunity and ensure proposals accord with National Planning Framework 3. Further planning guidance is set out in the West Edinburgh Strategic Design Framework (WESDF). The main purpose of the IBG is to attract inward investment and create new jobs for Scotland. New housing will support place-making and sustainability objectives. International business development may take various forms, including the development of global/European/UK headquarters and accommodation supporting high-value corporate functions for international organisations. Compliance with the WESDF, the IBG Development Principles (Part 1 Section 5) and other relevant local plan policies will ensure IBG proposals are acceptable in terms of scale and location, accessibility by public transport, pedestrians and cyclists, traffic generation and car parking, landscaping, sustainable building, drainage and flood management, habitat protection and enhancement, place-making and design and impact on setting and views, including wider townscape impacts.

Policy Emp 7 RBS Headquarters Gogarburn

Office and ancillary development will be supported within the boundary shown on the Proposals Map provided proposals are compatible with the existing function of the site, are acceptable in terms of impact on green belt objectives and accord with other relevant local development plan policies

- 213 This policy supports the future development of this site for economic development purposes, in recognition of its importance to Edinburgh's economy and financial sector in particular. Proposals will also be assessed against other relevant local plan policies, for example on matters such as design, accessibility, landscaping, biodiversity and green belt.

Other Business and Industry Sites

- 214 In addition to the special economic areas, other business and industry areas and individual sites play an important role in providing jobs, investment opportunities and valued local services. The plan supports proposals for economic development purposes on all existing employment sites, subject to relevant local development plan policies. A thriving city economy needs an adequate supply of land for business and industry. The plan therefore includes policies to control the redevelopment of employment sites for other uses. Policy Emp 8 covers business and industry areas identified on the Proposals Map. Policy Emp 9 relates to sites larger than one hectare last used for employment purposes - these are not specifically identified on the Proposals Map.

Policy Emp 8 Business and Industry Areas

Planning permission will be granted for business, industrial or storage development on sites identified on the Proposals Map as part of a 'Business and Industry Area'. Development, including change of use, which results in the loss of business, industrial or storage floorspace or potential will not be permitted in these areas.

- 215 This policy aims to retain a range of employment sites across the city where new and existing businesses can operate, expand or relocate. It applies to land at Leith Docks, large industrial areas such as Sighthill and Newbridge and other smaller estates dispersed across the city.
- 216 Leith Docks is of national economic importance, identified in the National Renewables Infrastructure Plan as an opportunity for manufacturing industry to support off shore renewable energy industry. Other business and industry areas are vital to the local economy and have been designed to cater for a diversity of uses and building sizes. Most are in locations which can be easily accessed by heavy goods vehicles which use the trunk road network. Small scale proposals for ancillary uses which support local businesses and provide services for their employees may be supported as an exception to this policy.

Policy Emp 9 Employment Sites and Premises

Proposals to redevelop employment sites or premises in the urban area for uses other than business, industry or storage will be permitted provided:

- a) the introduction of non-employment uses will not prejudice or inhibit the activities of any nearby employment use;
- b) the proposal will contribute to the comprehensive regeneration and improvement of the wider area;
- c) and, if the site is larger than one hectare, the proposal includes floorspace designed to provide for a range of business users.

Planning permission will be granted for the development for employment purposes of business and industrial sites or premises in the urban area.

- 217 This policy applies to sites or premises in the urban area currently or last in use for employment purposes not covered by Policies Emp 2 – Emp 8. It provides support

for such sites to remain in employment use but recognises the potential benefits of redevelopment for other uses.

- 218 The policy aims to help meet the needs of small businesses by ensuring that if where large (i.e. greater than one hectare) business or industry sites are to be redeveloped for other uses, proposals must include some new small industrial/business units. The justification for this criteria lies in the Edinburgh Small Business Study, updated in 2011, which identified that businesses with fewer than 10 employees, account for around 14% of the city's employees and that the current supply of suitable premises is insufficient to meet market demand.
- 219 Redevelopment proposals on all employment sites, regardless of size, need to take account of impact on the activities of neighbouring businesses and any regeneration proposals for the wider area.

Policy Emp 10 Hotel Development

Hotel development will be permitted:

- a) **in the City Centre where developments may be required to form part of mixed use schemes, if necessary to maintain city centre diversity and vitality, especially retail vitality on important shopping frontages**
 - b) **within the boundaries of Edinburgh Airport, the Royal Highland Centre and the International Business Gateway**
 - c) **in locations within the urban area with good public transport access to the city centre.**
- 220 Tourism is the third biggest source of employment in Edinburgh, providing jobs for over 31,000 people. Maintaining and developing this key sector in the city's economy relies upon sufficient provision of high-quality tourist accommodation. In 2006 a study looking at tourist accommodation demand and supply was commissioned by the Council and others. The study identified the particular importance of hotels to generating economic benefit from growth in tourism and satisfying the main sources of demand for accommodation. The study identified a theoretical requirement for 4,000 new hotel rooms in Edinburgh by 2015 to help meet predicted growth in demand. The city centre is the preferred location for most visitors, but accessible locations with good public transport accessibility within the urban area also offer opportunities for new hotel development.

5 Housing and Community Facilities

221 Edinburgh needs more housing to provide homes for an increasing population and support economic growth. More housing increases the need for community facilities such as schools, health care facilities and community centres in easily accessible locations. This plan looks beyond the amount of housing to be provided. It also aims to address issues of quality, affordability, environmental quality in existing housing areas and the housing needs of particular groups such as students, gypsies, travellers and travelling showpeople. Policies Hou 1 – Hou 10 will be used to assess planning applications to meet the following objectives



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Objectives

- To meet the requirement for additional housing in Edinburgh whilst protecting environmental quality in established housing areas
- To promote more sustainable, better balanced communities
- To ensure that provision is made for necessary community facilities

Policy Hou 1 Housing Development

- 1 **Priority will be given to the delivery of the housing land supply and the relevant infrastructure* as detailed in Part 1 Section 5 of the Plan including:**
 - a) sites allocated in this plan through tables 3 and 4 and as shown on the proposals map
 - b) as part of business led mixed use proposal at Edinburgh Park/South Gyle
 - c) as part of the mixed use regeneration proposals at Edinburgh Waterfront (Proposals EW1a-EW1c and EW2a-2d and in the City Centre)
 - d) on other suitable sites in the urban area, provided proposals are compatible with other policies in the plan
- 2 Where a deficit in the maintenance of the five year housing land supply is identified (as evidenced through the housing land audit) greenfield/greenbelt housing proposals may be granted planning permission where:
 - a) The development will be in keeping with the character of the settlement and the local area
 - b) The development will not undermine green belt objectives
 - c) Any additional infrastructure required* as a result of the development and to take account of its cumulative impact, including cross boundary impacts, is either available or can be provided at the appropriate time.
 - d) The site is effective or capable of becoming effective in the relevant timeframe.

e) The proposal contributes to the principles of sustainable development.

* This should be addressed in the context of Policy Del 1, Tra 8 and the associated Supplementary Guidance.

222 Policy Hou 1 reflects the emphasis on delivery of the identified land supply. However, it also sets out a mechanism through which to bring forward additional land if a 5 year supply is not maintained. The criteria which apply reflect the considerations already established through SESplan (Policy 7) as well as the Scottish Planning Policy presumption in favour of sustainable development. Whilst the green belt is established by the plan this should not automatically preclude housing development where the relevant balance of considerations points to approval and the objectives of the city wide designation of green belt are maintained.

Page 562 Policy Hou 2 Housing Mix

The Council will seek the provision of a mix of house types and sizes where practical, to meet a range of housing needs, including those of families, older people and people with special needs, and having regard to the character of the surrounding area and its accessibility.

223 It is important to achieve a good mix of dwelling types and sizes to avoid the creation of large areas of housing with similar characteristics. This approach supports more socially diverse and inclusive communities by offering a choice of housing and a range of house types to meet the needs of different population groups, from single-person households to larger and growing families.

Policy Hou 3 Private Green Space in Housing Development

Planning permission will be granted for development which makes adequate provision for green space to meet the needs of future residents.

- a) In flatted or mixed housing/flatted developments where communal provision will be necessary, this will be based on a standard of 10 square metres per flat (excluding any units which are to be provided with private gardens). A minimum of 20% of total site area should be useable greenspace.
- b) For housing developments with private gardens, a contribution towards the greenspace network will be negotiated if appropriate, having regard to the scale of development proposed and the opportunities of the site.

224 This policy ensures an appropriate level of greenspace provision in new housing developments.

225 This policy applies to mainstream housing, whether flatted or otherwise. All mainstream housing should be provided with either individual private gardens or communal areas of greenspace, or a combination of both. In some sites, some of the greenspace provision should be in the form of publicly accessible space to connect with the wider network. The site briefs for the new strategic housing proposals in West and South East Edinburgh show this type of provision.

226 The Council expects most housing development to meet these greenspace requirements in full within the site. However exceptions may be justifiable if there are good reasons why this cannot happen, for example where justified by the following policy on density. The Council's Open Space Strategy sets standards for publicly-accessible large and local greenspace and play space and identifies actions to address any deficiencies or meet other needs. A proposal which does not meet the full requirements of policy Hou 3 on-site may be supported if appropriate provision or financial contribution is made to implement an identified action in the Open Space Strategy which will address a deficiency in the area.

227 The policy does not apply to housing built for occupation by particular groups such as students or the elderly. In these circumstances, provision appropriate to their particular needs will be negotiated.

Policy Hou 4 Housing Density

The Council will seek an appropriate density of development on each site having regard to:

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

Higher densities will be appropriate within the City Centre and other areas where a good level of public transport accessibility exists or is to be provided. In established residential areas, proposals will not be permitted which would result in unacceptable damage to local character, environmental quality or residential amenity.

229 The aim of this policy is to promote an appropriate density of development, taking account of site characteristics and location. There are many benefits of higher density development – it makes efficient use of urban land, helps maintain the vitality and viability of local services and encourages the effective provision of public transport. However higher densities are not always appropriate. Particular care will be taken in established residential areas to avoid inappropriate densities.

Policy Hou 5 Conversion to Housing

Planning permission will be granted for the change of use of existing buildings in non-residential use to housing, provided:

- a) a satisfactory residential environment can be achieved
- b) housing would be compatible with nearby uses
- c) appropriate open space, amenity and car and cycle parking standards are met
- d) the change of use is acceptable having regard to other policies in this plan including those that seek to safeguard or provide for important or vulnerable uses.

229 A significant contribution to housing needs has been made over the years by the conversion of redundant commercial buildings to housing. This has included office buildings in the New Town which were originally houses, warehouses in Leith and vacant hospital and school buildings. The recycling of buildings achieves sustainability goals and provides the essential means by which the historic character of different localities can be maintained. It can help to create the high density, mixed use environments which are appropriate for central sites. It is an objective of the Plan to resist the conversion of empty shop units to residential use, and to safeguard these for shopping and small business use (see Policy Ret 10). However, conversions to residential use could be supported where the shop unit has been vacant for a significant period of time and been actively marketed, where there is local need and demand for a range of housing types and for town centre living.

Policy Hou 6 Affordable Housing

Planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed. For proposals of 20 or more dwellings, the provision should normally be on-site. Whenever practical, the affordable housing should be integrated with the market housing.

- 230 Government policy states that where a shortage of affordable housing has been identified, this may be a material consideration for planning and should be addressed through local development plans.
- 231 Affordable housing is defined as housing that is available for rent or for sale to meet the needs of people who cannot afford to buy or rent the housing generally available on the open market. Affordable housing is important in ensuring that key workers can afford to live in the city as well as helping meet the needs of people on low incomes.
- 232 A key aim is that affordable housing should be integrated with market housing on the same site and should address the full range of housing need, including family housing where appropriate. Provision on an alternative site may be acceptable where the housing proposal is for less than 20 units or if there are exceptional circumstances. Where planning permission is sought for specialist housing an affordable housing contribution may not always be required depending on the nature of the specialist housing being proposed and economic viability considerations.
- 233 Further information on affordable housing requirements is provided in planning guidance. The details of provision, which will reflect housing need and individual site suitability, will be a matter for agreement between the developer and the Council.

Policy Hou 7 Inappropriate Uses in Residential Areas

Developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted.

- 234 The intention of the policy is firstly, to preclude the introduction or intensification of non-residential uses incompatible with predominantly residential areas and secondly, to prevent any further deterioration in living conditions in more mixed use areas which nevertheless have important residential functions. This policy will be used to assess proposals for the conversion of a house or flat to a House in Multiple Occupation (i.e. for five or more people). Further advice is set out in Council Guidance

Policy Hou 8 Student Accommodation

Planning permission will be granted for purpose-built student accommodation where:

- a) The location is appropriate in terms of access to university and college facilities by walking, cycling or public transport
 - b) The proposal will not result in an excessive concentration of student accommodation (including that in the private rented sector) to an extent that would be detrimental to the maintenance of balanced communities or to the established character and residential amenity of the locality.
- 235 It is preferable in principle that student needs are met as far as possible in purpose-built and managed schemes rather than the widespread conversion of family

housing. Increasing the amount of purpose-built student accommodation assists the growth of the universities and the attractiveness of the city as a centre for Higher Education. In general such provision can take place at relatively high densities. Open space and car parking provision can be tailored to reflect the nature of the proposed use. However these considerations should not compromise design quality.

- 236 Developments should be close to the universities and colleges and accessible by public transport. In assessing the degree of concentration of student accommodation, the Council will take into account the nature of the locality in terms of mix of land use and housing types, the existing and proposed number of students in the locality. Further advice is provided in Council guidance.

Policy Hou 9 Sites for Gypsies, Travellers and Travelling Showpeople

The development of a site for caravans for gypsies, travellers and/or travelling showpeople will be permitted provided:

- a) it has been demonstrated that a site is needed in the location proposed
- b) the site would not detract from the character and appearance of the area
- c) the site would not detract from the amenity currently enjoyed by residents in the area
- d) the site can be adequately screened and secured and provided with essential services
- e) it has been demonstrated that the site will be properly managed.

- 237 To support the provision of a site or sites in appropriate locations for gypsies, travellers and travelling showpeople to meet their needs and help avoid the illegal and unmanaged use of land for this purpose, or the overnight parking of vehicles on roadside verges. There is a commitment to working in consultation with the gypsy and travelling community to identify an appropriate site(s) in the context of this policy.

Policy Hou 10 Community Facilities

Planning permission for housing development will only be granted where there are associated proposals to provide any necessary health and other community facilities relative to the impact and scale of development proposed. Development involving the loss of valuable health or other community facilities will not be allowed, unless appropriate alternative provision is to be made.

- 238 The intention of this policy is to ensure that new housing development goes hand in hand with the provision of a range of community facilities when this is practicable and reasonable, such as the development planned for regeneration areas. Facilities such as local doctor and dental surgeries, local shops, community halls and meeting rooms are necessary to foster community life. Equally, the Council will seek to retain facilities of proven value, if threatened by redevelopment proposals without prospect of replacement.

6 Shopping and Leisure

239 This section focuses on the important role of town, local and other centres in providing shopping, entertainment, places to eat and drink and local services in accessible locations. Centres which provide a strong mix of uses and a focal point for local residents contribute to creating and maintaining sustainable communities.

Objectives

- To sustain and enhance the city centre as the regional focus for shopping, entertainment, commercial leisure and tourism related activities and encourage appropriate development of the highest quality
- To maintain the existing and proposed broad distribution of centres throughout the city and sustain their vitality and viability
- To ensure that some basic convenience provision is made or retained within walking distance of all homes
- To improve the appearance, quality and attractiveness of all centres

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New Retail Development

240 In line with national and strategic planning policy, Policies Ret 1 – Ret 6 apply a sequential approach to the identification of preferred locations for new retail development. They provide policy guidance to assist the assessment of proposals for retail development at different locations throughout the plan area - the City Centre Retail Core, town centres, commercial centres, local centres and out-of-centre locations (see Table 6 in Part 1).

Policy Ret 1 Town Centres First Policy

Planning permission will be granted for retail and other uses which generate a significant footfall including commercial leisure use, offices, community and cultural facilities and where appropriate libraries, education and healthcare facilities following a town centre first sequential approach in the following order of preference:

- Town centres (including city and local centres)
- Edge of town centre
- Other commercial centres as identified in the plan
- Out of centre locations that are or can be made accessible by a choice of transport modes

Where a retail or leisure development with a gross floorspace over 2,500sq.m. or occasionally for smaller proposals, if proposed outwith a town centre and contrary to the development plan, a retail impact analysis will be required sufficient to demonstrate that there is no significant adverse effect on the vitality and viability of existing town centres. Town and local centres within adjoining council areas will also be considered when assessing retail impact if they fall within the intended catchment area of the proposal.

City Centre Retail Core

Policy Ret 2 City Centre Retail Core

Planning permission for retail development in the city centre retail core will be granted having regard to the following considerations:

- a) whether the proposal will provide high quality, commercially attractive units to a high standard of design that will strengthen the role of Edinburgh as a regional shopping centre, safeguard historic character and improve the appearance of the city centre
- b) whether the proposal will reinforce the retail vitality of the shopping streets in the retail core
- c) whether the proposal has paid special attention to upper floors if not to be used for retail purposes, and how these may be put to, or brought into beneficial use which will enhance city centre character
- d) whether the proposal will help to create a safe and attractive pedestrian environment, safeguard historic character and improve the appearance of the city centre including the public realm.

Planning permission will be granted for retail development on sites which adjoin or can form an effective extension to the city centre retail core if it is clear that no suitable sites are available within the city centre retail core, and subject to considerations a) to d) above.

241 This policy supports proposals for additional retailing floorspace in or adjacent to the city centre retail core. It recognises that the success of this regional shopping centre depends not just on the quantity and quality of shopping facilities but also the appearance of the shopping environment taking account of its historic character and ease of movement, by pedestrians in particular.

242 A number of non-statutory planning documents have been prepared to guide development proposals in the city centre retail core and will be a material consideration in the determination of planning applications. These identify key issues which retail development proposals should address, for example encouraging a mix of uses on upper floors, promoting evening activity, providing flexible retail floorplates and enhancing public realm.

Town Centres

Policy Ret 3 Town Centres

Planning permission will be granted for retail development within a town centre, where it has been demonstrated that:

- a) there will be no significant adverse effects on the vitality and viability of the city centre retail core or any other town centre
- b) the proposal is for a development that will be integrated satisfactorily into the centre and will help to maintain a compact centre
- c) the proposal is compatible, in terms of scale and type, with the character and function of the centre
- d) the proposal will reinforce the retail vitality and improve the appearance, including public realm
- e) or can form an effective extension to the centre by promoting linked trips with safe and easy access to the town centre, where it is clear the proposal will help to improve the accessibility of the centre for all transport modes.

Planning permission will be granted for retail development on sites which adjoin the boundary of a town centre or can form an effective extension to the centre, and if it is clear that no suitable sites are available within the town centre itself, and subject to considerations a) to e) above.

- 243 This policy applies to the following eight town centres – Corstorphine, Gorgie/Dalry, Leith/Leith Walk, Morningside/Bruntsfield, Nicolson Street/Clerk Street, Portobello, Stockbridge and Tollcross. The boundaries of each centre are shown on the Proposals Map and will be kept under review. Boundary changes may be recommended through the preparation of supplementary guidance
- 244 This policy supports proposals for retail development in or adjacent to Edinburgh's eight town centres in recognition of their important role in providing shopping and services in locations well served by public transport. Development opportunities are seldom available within town centres, especially to meet the requirements of larger stores, and are more likely to arise on edge of town centre sites. Edge of centre development should benefit rather than compete with the town centre. Such proposals will need to demonstrate how the development integrates with the existing centre in terms of appearance and pedestrian connections.

Commercial Centres

Policy Ret 4 Commercial Centres

Proposals for additional retail floorspace in a Commercial Centre (see Table 6 and Proposals Map) will not be supported unless it can be demonstrated that:

- a) the proposal will address a quantitative or qualitative deficiency within its catchment area, and will be restricted to a scale which makes good this deficiency
 - b) all potential town centre and edge of town centre options (including the city centre retail core) have been thoroughly assessed and can be discounted as unsuitable or unavailable
 - c) the proposal will not have significant adverse individual or cumulative impacts on any other town, local or commercial centre and, in particular, will not impact adversely on the strategy and objectives for enhancing the vitality and retail attractiveness of the city centre retail core
- d) the scale, format and type of development proposed is compatible with the future role of the centre as defined in relevant planning consents and outlined in Table 7.
 - e) the proposal will assist in making the centre more accessible by public transport, walking and cycling, contribute to less car travel, and will improve the appearance and environment of the centre.
- 245 Policy Ret 4 covers seven commercial centres in Edinburgh – Cameron Toll, Craighleith, Hermiston Gait, Meadowbank, Newcraighall/The Jewel (which includes Fort Kinnaird retail park and an Asda superstore) Ocean Terminal and The Gyle. The purpose of this policy is to indicate the circumstances in which additional retail floorspace in a commercial centre will be supported.
- 246 The plan supports and values the role of the commercial centres in providing shopping and leisure facilities. However, within a context of the economic downturn and anticipated decline in retail spending, there is not expected to be any significant gap in retail floorspace provision in the LDP period to justify expansion of any of the commercial centres.
- 247 The effect of this policy is to complement policies Ret 2 and Ret 3 by directing any new retail development to the city or town centres in the first instance. This approach will help support the role of the city centre and town centres and promote investor confidence in these locations.
- 248 Where there may be an opportunity for a centre to continue to evolve to meet the needs of the population it serves, this is indicated in Table 7 Commercial Centres.

Local Centres

Policy Ret 5 Local Centres

Planning permission for retail development in or on the edge of a local centre will be

permitted provided the proposal:

- a) can be satisfactorily integrated into the centre
- b) is compatible, in terms of scale and type, with the character and function of the centre
- c) makes a positive contribution to the shopping environment and appearance of the centre
- d) would not have a significant adverse impact on the city centre retail core or any town or local centre
- e) is easily accessible by public transport, foot and cycle.

Proposals for non-retail development in a local centre which would have a detrimental impact on the function of the centre will not be permitted.

249 Page 569 This policy applies to the local centres listed in Table 6 in Part 1 Section 3 and in Appendix B. It supports new retailing development of an appropriate scale and type in local centres and protects local centres from development which would threaten their future existence or undermine their role. 'Edge of local centre' will only apply to sites physically adjoining the existing boundary of the centre. This policy also protects the network of existing local centres as these help contribute to the overall LDP objective relating to sustainable communities and quality of life.

Out-of-Centre Development

250 New retail development should be in locations which can be easily accessed on foot, by cycle and by public transport as well as by car and preferably in close proximity to other local services and community facilities to allow linked trips. This helps explain why existing and proposed centres are the preferred locations for new retail development. Policy Ret 6 will be used to assess proposals for retail development in out-of-centre locations.

Policy Ret 6 Out-of-Centre Development

Proposals for retail development in an out-of-centre location will only be permitted provided it has been demonstrated that:

- a) the proposal will address a quantitative or qualitative deficiency or will meet the needs of an expanding residential or working population within its catchment area
- b) all potential sites, either within or on the edge of an identified centre (see Table 6), have been assessed and can be discounted as unsuitable or unavailable
- c) the proposal will not have a significant adverse effect, either individually or cumulatively with other developments, on the vitality and viability of any existing centre.
- d) the site is or can be made easily accessible by a choice of transport modes and will reduce the length and overall number of shopping trips made by car.

251 This policy recognises that in exceptional circumstances, there may be retail proposals that can justify an out of centre location, for example smaller units to meet the needs of a growing population or where a gap in provision can be demonstrated. Proposals for non-local provision, for example a free-standing retail warehouse which would trade over a wide area and provide essentially for car-borne shopping, would not be acceptable in terms of this policy.

252 There are benefits in providing small scale, convenience stores (up to 250sq.m. gross floorspace) in locations easily accessible on foot or by cycle. These will complement the role of the identified centres and therefore for such proposals it is not necessary to demonstrate that there is no site suitable and available in or adjacent to an identified centre (criterion b) in Policy Ret 6). The other requirements of Policy Ret 6 do need to be satisfied. This will allow, for example, large scale housing proposals to include local shopping facilities to serve new residents. This will also help meet create more sustainable communities, one of the overall objectives of the plan.

Entertainment and Leisure Uses

- 253 Policies Ret 7 and Ret 8 apply a sequential approach to the location of entertainment and leisure uses such as cinemas, theatres, restaurants, night clubs, ten pin bowling, bingo halls and soft play centres. These policies will also be applied to proposals for visitor attractions supporting Edinburgh's role as a major tourist destination and cultural centre of international importance.
- 254 The preferred locations for entertainment and leisure development are the City Centre (as shown on the Proposals Map), the eight nine town centres and as part of mixed use regeneration proposals at Leith Waterfront and Granton Waterfront.

Policy Ret 7 Entertainment and Leisure Developments - Preferred Locations

Planning permission will be granted for high quality, well designed arts, leisure and entertainment facilities and visitor attractions in the City Centre, at Leith and Granton Waterfront and in a town centre, provided:

- a) the proposal can be integrated satisfactorily into its surroundings with attractive frontages to a high quality of design that safeguards existing character
 - b) the proposal is compatible with surrounding uses and will not lead to a significant increase in noise, disturbance and on-street activity at unsocial hours to the detriment of living conditions for nearby residents
 - c) the development will be easily accessible by public transport, foot and cycle.
- 255 The purpose of this policy is to identify the preferred locations for entertainment and leisure development and to ensure that such proposals make a positive contribution in terms of the type of use and quality of design, are in accessible locations and do not introduce unacceptable noise and late night disturbance.
- 256 The City Centre has a mixed use character and provides a wide range of leisure

uses, arts and cultural establishments and pubs and restaurants. Whilst recognising the importance of such uses to the local and national economy, the policy takes account of potential impact on the environment and local residents.

- 257 Entertainment and leisure uses will be a key component of the major regeneration proposals at Leith Waterfront and Granton Waterfront and are also appropriate in town centres, contributing to the diversity and vitality.

Policy Ret 8 Entertainment and Leisure Developments – Other Locations

Planning permission will be granted for entertainment and leisure developments in other locations provided:

- a) all potential City Centre, or town centre options have been thoroughly assessed and can be discounted as unsuitable or unavailable
- b) the site is or will be made easily accessible by a choice of means of transport and not lead to an unacceptable increase in traffic locally
- c) the proposal can be integrated satisfactorily into its surroundings with attractive frontages to a high quality of design that safeguards existing character
- d) the proposal is compatible with surrounding uses and will not lead to a significant increase in noise, disturbance and on-street activity at unsocial hours to the detriment of living conditions for nearby residents.

- 258 This policy sets out criteria for assessing proposals for entertainment and leisure developments in other locations, such as commercial centres, local centres and elsewhere in the urban area. Key considerations include accessibility by public transport, design quality and impact on the character of the area and local residents.

Alternative Use of Shop Units

Policy Ret 9 Alternative Use of Shop Units in Defined Centres

In the City Centre Retail Core and town centres, change of use proposals which would undermine the retailing function of the centre will not be permitted. Detailed criteria for assessing proposals for the change of use of a shop unit to a non-shop use will be set out in supplementary guidance. Supplementary Guidance will detail an approach tailored to different parts of the city centre retail core and each town centre to be informed by town centre health checks which will assess the centres strengths, vitality and viability, weaknesses and resiliencies.

The change of use of a shop unit in a local centre to a non-shop use will be permitted provided:

- a) the change of use would not result in four or more consecutive non-shop uses and;
- b) the proposal is for an appropriate commercial, community or business use, which would complement the character of the centre and would not be detrimental to its vitality and viability.

259 This plan aims to protect the important retailing function of defined centres but recognises the benefits of a wide range of complementary service, leisure and other community uses. The right mix of shopping and other uses will vary in the different centres and in the case of the city and town centres, in different parts of the centre. The policy applies to ground floor units only or basement/first floor units that are directly accessed from the pavement.

260 Within the City Centre Retail Core, a strong, high quality retail offer is a key aspect of sustaining and enhancing the city centre and policies are required to ensure that shopping continues to be the predominant use. However in order to achieve a diverse, thriving and welcoming city, a more flexible approach to the introduction of

complementary uses that support the main shopping function and encourage use into the evening is proposed. Supplementary guidance will be prepared to guide the mix of uses in different parts of the City Centre Retail Core and set out criteria for assessing proposals for uses other than shops.

261 Previous local plans incorporated a standard approach to change of use applications in town centres based on identifying primary frontages where there should be a greater proportion of units in shop use. However, each town centre is different in terms of the current mix of uses and how well it is meeting the needs of those who live, work and shop in the surrounding area. In order to take account of these differences, this plan proposes a tailored approach for each town centre. Separate supplementary guidance will be produced to guide change of use applications in each of the nine town centres. The supplementary guidance may also recommend changes to the town centre boundaries to be included in the next Local Development Plan.

262 The policy aims to avoid areas of 'dead frontage' and reduced pedestrian flow which would detract from the character and vitality of the centre by requiring that at least one unit in every four is in shop use. Beyond this requirement, the policy applies a flexible approach to change of use applications in local centres provided the use will be beneficial to the local community such as providing services, hot food or entertainment facilities. In local centres, former shop units may also be suitable for business use, providing a beneficial use for vacant properties and opportunities for small start up businesses and job creation close to where people live.

Policy Ret 10 Alternative Use of Shop Units in Other Locations

Outwith defined centres, planning applications for the change of use of a shop unit will be determined having regard to the following:

- a) where the unit is located within a speciality shopping street (defined on the Proposals Map and in Appendix B), whether the proposal would be to the detriment of its special shopping character
- b) where the unit is located within a predominantly commercial area, whether the proposal would be compatible with the character of the area
- c) whether the proposal would result in the loss of premises suitable for small business use
- d) whether there is a clear justification to retain the unit in shop use to meet local needs
- e) where residential use is proposed, whether the development is acceptable in terms of external appearance and the standard of accommodation created.

263 The purpose of this policy is to guide proposals for change of use involving shop units not located within defined centres.

264 Independent and specialist retailers may be found in secondary locations throughout the city. But their concentration in some streets in the Old Town and on the fringes of the City Centre has given these a distinctive shopping character and interest worthy of protection. The defined speciality shopping streets are Cockburn Street; High Street (parts) Lawnmarket and Canongate; Victoria Street and West Bow, Grassmarket; Jeffrey Street and St Mary's Street; Stafford Street, William Street and Alva Street in the New Town. More detailed information on the frontages to which Policy Ret 10 applies is provided in Appendix B.

265 In parts of the city, mainly the City Centre and Leith, there are concentrations of commercial uses including retail, food and drink, and entertainment uses which, although not fulfilling the role of a local centre, do make a positive

contribution to the vibrancy of the city. Proposals incompatible with the commercial character of such areas will be resisted.

266 Single convenience shops and parades of small shops play an important role in meeting neighbourhood shopping needs and creating a sense of community, particularly in areas not well served by the network of shopping centres. It may be necessary to resist the loss of shop units to ensure local needs, particularly for people without access to car, are met

267 The Council's Guidance for Business provides advice on relevant design and amenity considerations for the conversion of shop units to residential use.

Policy Ret 11 Food and Drink Establishments

The change of use of a shop unit or other premises to a licensed or unlicensed restaurant, café, pub, or shop selling hot food for consumption off the premises (hot food take-away) will not be permitted:

- a) **if likely to lead to an unacceptable increase in noise, disturbance, on-street activity or anti-social behaviour to the detriment of living conditions for nearby residents or**
- b) **in an area where there is considered to be an excessive concentration of such uses to the detriment of living conditions for nearby residents.**

268 The provision of food and drink establishments in areas where people live is a recognisable component of urban living. However, such uses can cause a number of problems for local residents. Particular care will be taken to prevent an excessive concentration of hot food shops, pubs and bars in areas of mixed but essentially residential character. The Council's Guidance for Businesses identifies sensitive areas in this regard namely Tollcross, Grassmarket, Nicolson/Clerk Street and Broughton Place/Picardy Place and their environs.

7 Transport

269 The relationship between land uses and how people move between them is fundamental in promoting sustainable development. The policies in this section complement the Council's Local Transport Strategy.

Objectives

- To minimise the distances people need to travel
- To promote and prioritise travel by sustainable means i.e. walking, cycling and by public transport.
- To 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.

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Transport and New Development

270 All planning applications involving the generation of person-trips should provide information on the demands that will be made on the road network and transport system. A comprehensive Transport Assessment must be submitted with planning applications for proposals generating a significant amount of travel or in particularly traffic sensitive locations. The aim of an assessment is to ensure maximum feasible sustainable transport access to a development. It should include a prediction of the number of trips likely to be made to the development and the modal split, together with details of measures to improve or maximise access by public transport, walking and cycling and minimise and deal with impacts of car journeys associated with the proposal. The Assessment should include a reference to traffic reduction and mode share targets set out in the Local Transport Strategy, the LDP Transport Appraisal and other relevant transport studies current at the time of application. Where appropriate, Policy Del 1 will be used to secure developer contributions towards transport interventions necessary to mitigate the effects of development or meet sustainable travel targets.

Policy Tra 1 Location of Major Travel Generating Development

Planning permission for major development which would generate significant travel demand will be permitted on suitable sites in the City Centre. Where a non City Centre site is proposed, the suitability of a proposal will be assessed having regard to:

- a) the accessibility of the site by modes other than the car
- b) the contribution the proposal makes to Local Transport Strategy objectives and the effect on targets in respect of overall travel patterns and car use
- c) impact of any travel demand generated by the new development on the existing road and public transport networks.

In general, applicants should demonstrate that the location proposed is suitable with regard to access by walking, cycling and public transport and that measures will be

taken to mitigate any adverse effects on networks and bring accessibility by and use of non-car modes up to acceptable levels if necessary.

271 The policy applies to major offices, retail, entertainment, sport and leisure uses and other non-residential developments which generate a large number of journeys by employees and other visitors. These developments should be accessible by a choice of means of transport which offer real alternatives to the car. For this reason, a location in the City Centre will normally be preferable. Major travel generating developments will also be encouraged to locate in the identified town centres and employment centres, provided that the scale and nature of the development is such that it can be reached conveniently by a majority of the population in its catchment area by walking, cycling or frequent public transport services.

272 Out-of-centre development will only be acceptable where it can clearly be demonstrated that the location is suitable, and that access by sustainable forms of transport and car parking provision and pricing mean that the development will be no more reliant on car use than a town centre location. This means that good public transport, walking and cycling accessibility will still need to be assured.

273 Applications should be accompanied by travel plans to demonstrate how development, particularly in out of centre locations, will meet the requirements of Policy Tra 1. Travel plans should accord with Scottish Government guidance and will be monitored to assess their impact on reducing demand for car travel and maximising use of existing and new transport infrastructure. Travel plans may also be relevant when assessing residential applications in terms of Policy Hou 4 Housing Density or Policy Tra 2 Private Car Parking.

Car and Cycle Parking

Policy Tra 2 Private Car Parking

Planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance. Lower provision will be pursued subject to consideration of the following factors:

- a) whether, in the case of non-residential developments, the applicant has demonstrated through a travel plan that practical measures can be undertaken to significantly reduce the use of private cars to travel to and from the site
- b) whether there will be any adverse impact on the amenity of neighbouring occupiers, particularly residential occupiers through on-street parking around the site and whether any adverse impacts can be mitigated through control of on-street parking
- c) the accessibility of the site to public transport stops on routes well served by public transport, and to shops, schools and centres of employment by foot, cycle and public transport
- d) the availability of existing off-street parking spaces that could adequately cater for the proposed development
- e) whether the characteristics of the proposed use are such that car ownership and use by potential occupiers will be low, such as purpose-built sheltered or student housing and 'car free' or 'car reduced' housing developments and others providing car sharing arrangements
- f) whether complementary measures can be put in place to make it more convenient for residents not to own a car, for example car sharing or pooling arrangements, including access to the city's car club scheme.

- 274 The purpose of this policy is to ensure car parking provided as part of development proposals accords with the Council standards which are tailored to local circumstances, including location, public transport accessibility and economic needs, but generally fulfil the wider strategy of encouraging sustainable, non-car modes. The standards express the maximum amount of car parking that different types of development may provide.
- 275 The policy sets out the circumstances in which a lesser amount of car parking than the standards require may be appropriate to help reduce car use. This is only likely to be acceptable in locations where there are existing or planned on-street parking controls.
- 276 At least half the space saved by omitting or reducing car parking should be given over to landscape features and additional private open space (see Policy Hou 3), so that residents will have the amenity benefits of a car-free environment.

Policy Tra 3 Private Cycle Parking

Planning permission will be granted for development where proposed cycle parking and storage provision complies with the standards set out in Council guidance.

- 277 The provision of adequate cycle parking and storage facilities is important in meeting the objective of the Local Transport Strategy to increase the proportion of journeys made by bicycle. The Council's parking standards set out the required levels of provision of cycle parking and storage facilities in housing developments and a range of non-residential developments.

Policy Tra 4 Design of Off-Street Car and Cycle Parking

Where off-street car parking provision is required or considered to be acceptable, the following design considerations will be taken into account:

- a) surface car parks should not be located in front of buildings where the building would otherwise create an active frontage onto a public space or street, and

main entrances to buildings should be located as close as practical to the main site entrance

- b) car parking should preferably be provided at basement level within a building and not at ground or street level where this would be at the expense of an active frontage onto a public street, public space or private open space
- c) the design of surface car parks should include structural planting to minimise visual impact
- d) the design of surface car parking or entrances to car parking in buildings should not compromise pedestrian safety and should assist their safe movement to and from parked cars, for example, by the provision of marked walkways.
- e) Space should be provided for small-scale community recycling facilities in the car parking area in appropriate development, such as large retail developments.

Cycle parking should be provided closer to building entrances than general car parking spaces and be designed in accordance with the standards set out in Council guidance.

- 278 This policy sets out important design considerations for car and cycle parking provision including environmental quality, pedestrian safety and security. Poorly located or designed car parking can detract from the visual appearance and vitality of the surrounding area. Car parking in front of supermarkets which widely separates entrances from main roads, is an added discouragement to public transport use and walking, and detracts from urban vitality and safety. A high standard of design for surface car parking will be sought, with landscaping to soften its visual impact, and in larger car parks the provision of marked walkways for ease of pedestrian movement and safety. New off-street car parking provides an opportunity to expand the city's network of small recycling points to complement larger community recycling centres. Provision of well located high quality cycle parking suitable to the type of development and to users is an essential component of the Council's efforts to encourage cycling.

Policy Tra 5 City Centre Public Parking

Planning permission will be granted for well-designed, short-stay, public off-street car parks at suitable locations in the City Centre to meet the needs of shoppers and leisure visitors, provided there will be no adverse effects for the historic environment.

- 279 Additional purpose-built off-street car parking can be justified in the city centre, to meet the needs of shoppers and leisure visitors primarily, to boost the city centre's shopping functions and enable it to compete more effectively with other shopping centres. Off-street car parking provision is also to be preferred to the wide-spread use of streets in the city centre for parking; it is less visible and obtrusive and could enable pavements to be widened. The west and north-west edges of the city centre retail core have in particular been identified as areas where short- and medium-stay public off-street parking would be beneficial and reduce the amount of traffic circulating and seeking spaces to park. However, the location and design of built car parks in Edinburgh city centre's historic environment is challenging. New off street car parks should include provision for motorcycles and cycles.

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Policy Tra 6 Park and Ride

Park and ride facilities will be permitted on sites closely related to public transport corridors and railway stations provided visual impacts can be mitigated through careful design and landscaping.

- 280 Safe, convenient and secure park and ride facilities linked to efficient public transport services can help reduce congestion. Planning permission has been granted for an extension to the park and ride facilities at Hermiston. This policy sets out criteria which will be used to assess proposals for any additional new park and ride facilities. Where a green belt location can be justified to meet transport objectives, the Council will minimise any adverse effects on landscape setting through careful siting, design and landscaping.

Transport Proposals and Safeguards

- 281 The LDP identifies a number of transport proposals and safeguards. These are shown on the Proposals Map with details set out in Table 9 in Part 1. These proposals relate to the significant known transport infrastructure which is required to accommodate new development (and in particular housing development) proposed in the local development plan, and where land needs to be safeguarded by the plan in order to allow the transport interventions to take place. In addition, other more local potential transport interventions relating to specific development proposals are set out within the development principles and site briefs for these proposals, and these are generally intended to inform the master plan process for the particular development proposals concerned. Policy Tra 8 below ensures that development proposals address these transport interventions.

Policy Tra 7 Public Transport Proposals and Safeguards

Planning permission will not be granted for development which would prejudice the implementation of the public transport proposals and safeguards listed in Table 9 and shown indicatively on the Proposals Map.

- 282 To ensure that development proposals take account of committed and potential public transport proposals. These are required to reduce reliance on travel by private car and help meet climate change targets and sustainable development objectives.

Policy Tra 8 Provision of Transport Infrastructure

Development proposals relating to major housing or other development sites, and which would generate a significant amount of traffic, shall demonstrate through an appropriate transport assessment and proposed mitigation that:

- a) Identified local and city wide individual and cumulative transport impacts can be timeously addressed in so far as this is relevant and necessary for the proposal

- b) Any required transport infrastructure in Table 9 and in the general and site specific development principles has been addressed as relevant to the proposal.
- c) The overall cumulative impact of development proposals throughout the SESplan area (including development proposals in West Lothian, East Lothian and Midlothian) has been taken into account in so far as relevant to the proposal. Assessment should draw on the findings of the Cumulative Impact Transport and Land Use Appraisal Working Group once these become available.

283 The approach to the delivery of the required transport infrastructure is set out in Policy Del 1 (Developer Contributions and Infrastructure Delivery), and will be detailed within the Supplementary Guidance required through the policy.

284 Policy 8 of the SDP requires local development plans to take into account the cross boundary transport implications of all policies and proposals. Policy 9 of the SDP requires local development plans to provide policy guidance that will require sufficient infrastructure to be available, or its provision to be committed, before development can proceed, and pursue the delivery of infrastructure through developer contributions, funding from infrastructure providers or other appropriate means.

285 The proposals in Table 9 and transport interventions in the development principles and site briefs take into account the cumulative impact of development proposals within the Edinburgh Local Development Plan as far as known at this time. However, further assessment is required to inform the detail of the necessary transport proposals and other interventions. In addition, the effects of development elsewhere within the city region are being considered within the study by the Cumulative Impact Transport and Land Use Appraisal Working Group, which is led by Transport Scotland and involves the constituent authorities within the SESplan area.

286 The outcome of this study will inform local development plans about the cumulative effect of development on major roads within the city region, including the M9, M8/

A8, A720 (city bypass) and A1. Transport Scotland has identified potential transport improvements to the trunk road network which are detailed in the plan through the general development principles.

287 The Supplementary Guidance proposed through Policy Del 1 will address the delivery of the infrastructure required for the strategy of the plan in accordance with the SDP. The Council will update its action programme annually in order to detail the actions required, those responsible and the relevant timescales.

288 It will also detail the need for further transport assessment to address cumulative impacts and the suitability of any proposed mitigation setting out a robust framework for assessment of development on sites allocated in the plan, and development which may separately come forward, including housing development on windfall sites progressed through Policy Hou 1. The guidance will take into account the findings of the cross boundary Cumulative Impact Transport and Land Use Appraisal Working Group. In the event that the findings of the Cumulative Impact Transport and Land Use Appraisal Working Group are not available when the guidance is being prepared the guidance will set out an interim approach to ensure these matters are taken into account pending further consideration in the next review of the Local Development Plan.

Policy Tra 9 Cycle and Footpath Network

Planning permission will not be granted for development which would:

- a) prevent the implementation of proposed cycle paths/footpaths shown on the Proposals Map
- b) be detrimental to a path which forms part of the core paths network or prejudice the continuity of the off-road network generally
- c) obstruct or adversely affect a public right of way or other route with access rights unless satisfactory provision is made for its replacement

d) prejudice the possible incorporation of an abandoned railway alignment into the off-road path network

289 Encouragement of walking and cycling is at the heart of government and Council proposals to promote more sustainable travel improve health and provide equally for people who for whatever reason do not own a car. Edinburgh has an extensive, highly attractive and, in some parts, relatively well connected off-road network based on abandoned railway alignments, paths along river banks and the canal towpath. Many of these are included in the Council's Core Paths Plan. In addition to existing well-established paths, the Core Paths Plan identifies opportunities for extensions and connections.

290 This policy ensures that development proposals do not obstruct or damage existing cycle paths and footpaths and other routes with access rights and do not prejudice the future implementation of potential additions or improvements to off-road routes across the city.

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Policy Tra 10 New and Existing Roads

Planning permission will not be granted for development which would prejudice the proposed new roads and road network improvements listed in Table 9 and shown indicatively on the Proposals Map.

291 The Council does not generally support new road construction or road improvements aimed at increasing capacity on the road network. However in some cases roads proposals are necessary to mitigate the effects of development on the road network or to improve existing congestion levels. The details of planned new roads and improvements to the road network across the LDP area are set out in Table 9. This policy ensures that future development does not prejudice the implementation of these roads proposals.

Policy Tra 11 Rail Freight

Planning permission will not be granted for development which would prejudice the retention of viable freight transfer facilities at Seafield and Portobello.

292 There are rail freight transfer facilities at a limited number of locations in Edinburgh: Powderhall, Portobello and in Leith Waterfront. The Powderhall facility is used only for road-to-rail waste transfer. If this use stops, the site is safeguarded for other potential waste management roles. The re-designation of Leith Docks for industrial purposes assumes that a rail-sea freight transfer capability will be retained. Keeping a reduced general freight rail head to the east in Seafield will complement the safeguard for a waste management facility in that location (see Policy RS 3). It is also prudent to retain the rail freight capability at Portobello.

Policy Tra 12 Edinburgh Airport Public Safety Zones

Development will not be permitted within the Airport Public Safety Zones, as defined on the Proposals Map. This includes new or replacement houses, mobile homes, caravan sites or other residential buildings. Depending on the circumstances of individual proposals, the following types of development may be permitted as an exception to this general policy:

- a) extensions and changes of use or
- b) new or replacement development which would be associated with a low density of people living, working or congregating.

In assessing applications, the Council will take account of the detailed guidance and assessment criteria in Circular 8/2002: Control of Development in Public Safety Zones.

293 Public Safety Zones are identified at either end of Edinburgh Airport's main runway. In these zones, special development restrictions apply to control the number of people on the ground at risk of death or injury in the event of an aircraft accident on take-off or landing.

8 Resources and Services

294 The following policies relate to development proposals for the use of natural resources or for provision of certain services. Policies protecting natural resources are in Section 2 – Caring for the Environment. The policy requiring carbon reduction measures and space for recycling in new development is in Section 1 – Design Principles.

Objectives

- To support appropriate energy generation and waste management development to help meet national targets
- To support the provision of other necessary resources and services: mineral extraction, water and drainage and telecommunications.



Sustainable Energy

Policy RS 1 Sustainable Energy

Planning permission will be granted for development of low and zero carbon energy schemes such as small-scale wind turbine generators, solar panels and combined heat and power/district heating/energy from waste plants and biomass/woodfuel energy systems provided the proposals:

- do not cause significant harm to the local environment, including natural heritage interests and the character and appearance of listed buildings and conservation areas
- will not unacceptably affect the amenity of neighbouring occupiers by reason of, for example, noise emission or visual dominance.

295 This policy is intended to support developments of appropriately sited and designed freestanding wind turbines. All wind turbine proposals will be assessed for their individual and cumulative effect on the landscape and biodiversity, taking account of other turbines proposals approved or proposed in the surrounding area. Given the importance of protecting the landscape setting of the city, it is unlikely that wind turbines located in the green belt will accord with Policy RS1 and Policy Env 10.

296 Proposals to fit micro-generation equipment onto existing buildings will be assessed using the above policy and non-statutory guidance for householders.

297 Where development for energy from waste or biomass is proposed, the Council expects the opportunity for local reuse of heat energy to be explored. Where potential uses for such heat are firmly identified, the necessary connections should either be implemented or safeguarded. Such proposals will be assessed for their

impact on air quality using Policy Env 22. Supplementary Guidance will be prepared regarding heat mapping and consideration of the potential to establish district heating and/or cooling networks and associated opportunities for heat storage and energy centres - as well as regarding how implementation of such initiatives could best be supported.

Waste

Policy RS 2 Safeguarding of Existing Waste Management Facilities

Development in the area immediately surrounding an existing or safeguarded waste management facility (as identified on the Proposals Map) will only be allowed if it is demonstrated that there will be no adverse implications for the approved waste handling operations.

Policy RS 3 Provision of New Waste Management Facilities

Planning permission for new waste management facilities will be granted:

- a) on the existing sites safeguarded through Policy RS 2
- b) on land designated 'Business and Industry' on the Proposals Map
- c) on other suitable sites within the urban area provided there will be no significant adverse impact on residential amenity or the environment
- d) on operational or former quarries including those identified through Policy RS 5, provided the waste management operation would not sterilise the identified mineral extraction potential.

Seafield is designated EW 1d on the Proposals Map for a waste management facility incorporating thermal treatment with energy recovery. Other development proposals at Seafield will only be permitted if they do not adversely affect this waste management option.

Policy RS 4 Waste Disposal Sites

Planning permission for new landfill or land raise sites will not be granted. An exception may be made where it is demonstrated that there will be significant environmental benefits and no dis-benefits and the proposal will address an identified shortfall in landfill capacity established at the national or regional level.

- 298 Policy RS 2 continues the safeguarding of the existing three Community Recycling Centres (Craigmillar, Seafield, Sighthill) and Powderhall Waste Transfer Station. It also safeguards an existing waste management site at Braehead Quarry, off Craigs Road, where there is sufficient separation from the new housing proposed in this Plan. The policy also applies to development proposals in the immediate vicinity of the safeguarded sites and is intended to ensure that such development does not introduce conflict between uses, for example in terms of noise or air quality.
- 299 Policy RS 3 supports the principle of new facilities at those sites. Modern waste management facilities are highly controlled and can be similar in impact to general or light industrial processes. Many waste management facilities would be appropriate in locations designated for industrial or storage and distribution uses. Accordingly, Policy RS 3 continues to support new facilities in industrial areas and introduces the scope for low impact waste management uses on suitable sites elsewhere in the urban area. These may include a fourth community recycling centre.
- 300 Land at Seafield (identified as EW 1d) has unique locational advantages: it is sufficiently remote from housing areas; it has the benefit of rail access; and it has an outlet in nearby regeneration and potentially industrial uses for energy recovered after thermal treatment. Accordingly, its potential as a location for energy from waste and combined heat and power uses should be retained in any development proposals.
- 301 Policy RS 3 identifies quarries as opportunities to locate new waste management facilities which comply with the minerals policy below. This could be done by

establishing such facilities on a temporary basis or by siting and designing them in a way which does not sterilise the mineral resource or significantly constrain quarrying operations.

- 302 This Plan does not identify opportunities for the disposal of residual municipal waste or other forms of waste to landfill sites. It similarly opposes (through Policy RS 4) land raise operations unless there will be demonstrable benefits to the appearance of the environment and no harmful impacts and the need for additional relevant landfill capacity in the Plan area has been established at the national or regional level.

Minerals

Policy RS 5 Minerals

Planning permission will be granted for development to extract minerals from the quarries identified on the Proposals Map: Hillwood, Bonnington Mains, Ravelrig and Craigiehall Quarry. Development which would prevent or significantly constrain the potential to extract minerals from these sites with economically viable mineral deposits will not be allowed.

- 303 It is important to protect economically viable mineral deposits from sterilisation by permanent development. The only mineral resource within the area likely to be economically viable in the Plan period is hard rock. There are three operational quarries in the LDP area - Hillwood (dormant), Bonnington Mains and Ravelrig. The above policy is intended to protect that resource, and to ensure that new development does not introduce conflict which would prejudice mineral operations.
- 304 The Plan area also includes deposits of coal in the west and south east and small areas of peat in the south west. Proposals for their extraction will be assessed for their environmental and traffic impact using other policies in this Plan. An additional consideration, when assessing proposals affecting peat, is its role as a carbon sink.

Water Supply and Drainage

Policy RS 6 Water and Drainage

Planning permission will not be granted where there is an inadequate water supply or sewerage available to meet the demands of the development and necessary improvements cannot be provided.

- 305 Scottish Water has replaced the main storage and treatment facilities in Edinburgh, at Fairmilehead and Alnwickhill, with a new facility at Glencorse in Midlothian. Further, smaller scale, enhancements of the water supply and sewerage network may be needed to serve new development. For larger developments this will be identified and delivered as described in Policy Del 1.

Telecommunications

Policy RS 7 Telecommunications

Planning permission will be granted for telecommunications development provided:

- a) the visual impact of the proposed development has been minimised through careful siting, design and, where appropriate, landscaping
- b) it has been demonstrated that all practicable options and alternative sites have been considered, including the possibility of using existing masts, structures and buildings and/or site sharing
- c) the proposal would not harm the built or natural heritage of the city.

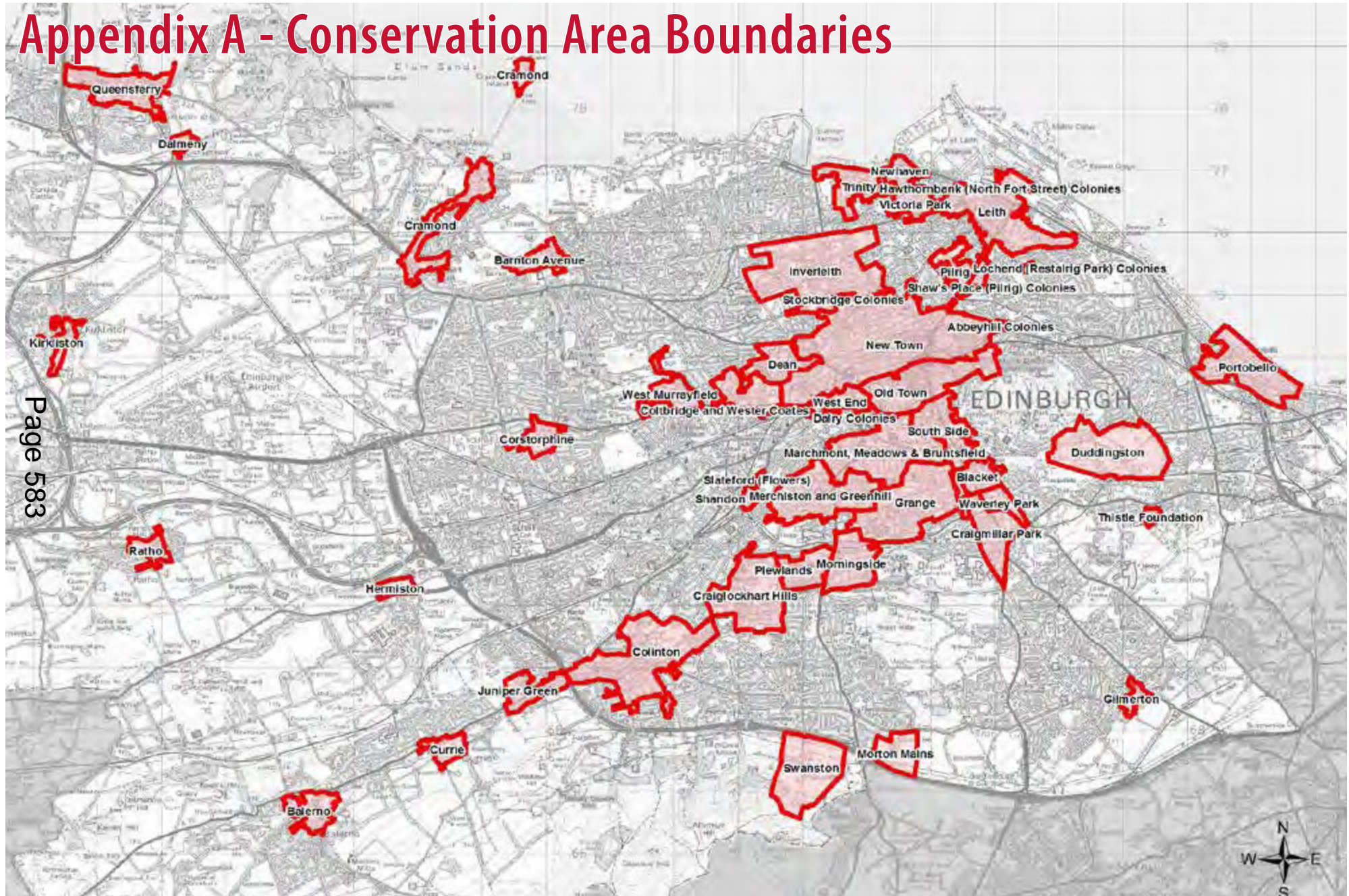
- 306 The provision of new telecommunications infrastructure is essential to economic competitiveness. The telecommunications industry must be enabled to expand and diversify, but this must be undertaken sensitively and imaginatively, and with minimum environmental impact. Telecommunications equipment such as antennas, mobile phone masts and base stations can have a significant visual

impact in both urban and rural areas. Telecommunications operators are therefore required to demonstrate that all practicable options to minimise impact have been explored, and the best solution identified.

307 There will be a limited number of locations, including city landmarks such as Arthur's Seat and Salisbury Crag, where the impact of an installation cannot be satisfactorily minimised, and where it will therefore be unacceptable in principle. In other locations, individual proposals may be acceptable but where there is a concentration of these uses, consideration will be given to the cumulative visual impact. Conditions will be imposed on any consent, requiring the removal of any mast or apparatus and the reinstatement of a site to its former condition when it becomes redundant.

308 Edinburgh is one of ten UK cities to receive early delivery of high speed broadband and large areas of wireless connectivity in public areas. The latter will require installation of new equipment, some of which may require planning permission or conservation area / listed building consent. These will be assessed using the above policy if appropriate and a separate non-statutory guideline on telecommunications.

Appendix A - Conservation Area Boundaries



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There are currently 49 Conservation Areas

Abbeyhill Colonies	Balerno	Barnton Avenue	Blacket	Colinton	Coltbridge & Wester Coates	Corstorphine
Craiglockhart Hills	Craigmillar Park	Cramond	Currie	Dalmeny	Dalry Colonies	Dean
Duddingston	Gilmerton	Grange	Hawthornbank(North Fort St) Colonies	Hermiston	Inverleith	Juniper Green
Kirkliston	Leith	Lochend (Restalrig Park) Colonies	Marchmont, Meadows & Bruntsfield	Merchiston & Greenhill	Morningside	Morton Mains
New Town	Newhaven	Old Town	Pilrig	Plewlands	Portobello	Queensferry
Ratho	Rosebank Colonies	Shandon	Shaw's Place (Pilrig) Colonies	Slateford (Flowers) Colonies	South Side	Stockbridge Colonies
Swinton	Thistle Foundation Village	Trinity	Victoria Park	Waverley Park	West End	West Murrayfield

Appendix B - Shopping Centres

The extent of the City Centre Retail Core, town centres, local centres and speciality streets are shown on the Proposals Map. This is appendix lists the properties included within the boundaries of these shopping areas to assist in the use of the policies in Part 2 Section 6 Shopping and Leisure

City Centre Retail Core

1-3 Alva Street	12 Calton Road
4-33 Castle St	7 Charlotte Lane
14-16, 24 Elder Street	1 Elder Street Lane
6a-36 Frederick Street	3a-31 Frederick Street
33a-111a George Street	30-108 George Street
2-56 Hanover Street	3-55 Hanover Street
2-9 Hope Street	27 James Craig Walk
5-11 Leith Street	2 Melville Street
1-27 Multrees Walk	18 North Bridge
3-5 North Castle Street	1a-3 Princes Street
1-147 Princes Street	1-21 Queensferry Street
23-46 Queensferry Street	12-13 Randolph Place
2-204 Rose Street	3-167 Rose Street
31, 65-69, 87-89, 101-103 Rose Street North Lane	36-44, 52, 70-78, 90 Rose Street North Lane
71, 101, 127-129 Rose Street Lane South	120-122, 146-150 Rose Street Lane South
7-99 Shandwick Place	2-56 Shandwick Place
1-13 South Charlotte Street	3-19 South St Andrew Street
8-20 South St Andrew Street	7-21 South St David Street
1-2, 8 St Andrew Square	30-42 St Andrew Square
1-111 St James Centre	3 Thistle Street South West Lane
1-19 Waterloo Place	2-14 Waterloo Place
3 Waverley Bridge	1-9 Waverley Steps
16, 28-50 West Register Street	1, 5-9, 13-19 West Register Street

Town Centres

Bruntsfield / Morningside	2 Bruntsfield Avenue	78-226 Bruntsfield Place
	103-219 Bruntsfield Place	1 Cannan Lane
	7-23 Church Hill Place	6-16 Church Hill Place
	2 Colinton Road	1 Falcon Road West
	42 Forbes Road	90 Lemington Terrace
	1A Maxwell Street	1-3 Merchiston Place
Corstorphine	1 Millar Crescent	145-265 Morningside Road
	33-95 Morningside Road,	302-426 Morningside Road
	4-216 Morningside Road	
	3-5, 2 Viewforth	
Gorgie/Dalry	5-9 Clermiston Road	5-5A Featherhall Avenue 1-4
	1-17 Glasgow Road	Gylemuir Road
	2-4 Manse Road	1-12 Ormiston Terrace
	16-30 Meadow Place Road	38-160 St John's Road
	109-309 St John's Road	3 Station Road
Gorgie/Dalry	2- 8 Alexander Drive	4 Caledonian Place
	6 – 8 Caledonian Road	
	15 -191 Dalry Road	18 -128 Dalry Road
	87 – 345 Gorgie Road	92 – 306 Gorgie Road
	99 Gorgie Park Road	340 -390 Gorgie Road
	1-3 Wardlaw Street	3,4 Orwell Place
	4 Wardlaw Street	8 Orwell Terrace
	1 Westfield Road	
	39 Westfield Road	

Town Centres

Leith & Leith Walk	1-31 Albert Place	3 Balfour Street
	3-5 Bangour Road	1-10 Brunswick Place
	107-117 Brunswick Street	88-96 Brunswick Street
	170-174 Constitution Street	2-5 Crichton Place
	1-10 Croall Place	
	5-7 Dalmeny Street	6 Dalmeny Street
	1-17 Duke Street	2-22 Duke Street
	1-201 Great Junction Street	1-75 Elm Row
	9-41 Haddington Place	2-174 Great Junction Street
	2 Henderson Street	
		1-5 Henderson Street
	2-4 Leith Walk	4 Jane Street
	1-381 Leith Walk	
	6 Middlefield	68-378 Leith Walk
	10 Montgomery Street	4 Manderston Street
	3 Pirrie Street	1 Montgomery Street
		2-42 Newkirkgate
Nicolson Street / Clerk Street	1 Chambers Street	2-66 Clerk Street
	5-85 Clerk Street	9 Hunter Square
	18 Hope Park Terrace	
	5-45 Newington Road	59-115 Newington Road
	2-88 Newington Road	
	2-140 Nicolson Street	1-129 Nicolson Street
	1-24 St Patrick Square	1-9 St Patrick Street
	1-67 South Bridge	78-108 South Bridge
	2-98 South Clerk Street	1-75 South Clerk Street
	6-8 Salisbury Place	21, 44 West Crosscauseway
	19-20 West Preston Street	

Town Centres

Portobello	4-10 Bath Street	3-19 Brighton Place
	49-51 Pipe Street	79-205 Portobello High Street
	62-332 Portobello High Street	
Stockbridge	2-10 Baker's Place	5-7 Baker's Place
	1-21 Comely Bank Road	2-36 Deanhaugh Street
	1-6 Glanville Place	8 Gloucester Street
	6-62 Hamilton Place	9-11 Mary's Place
	11-20 North West Circus Place	34-36 North West Circus Place
	1-77 Raeburn Place	2-110 Raeburn Place
	2&3 St Stephen Place	7-63 St Stephen Street
	2-78 St Stephen Street	
Tollcross	1-11 Earl Grey Street	2-48 Earl Grey Street
	73 Fountainbridge	48-50 East Fountainbridge
	2 Gillespie Crescent	1-10 Gillespie Place
	1-69 Home Street,	2-66 Home Street
	105-141 Lauriston Place	4-52 Lochrin Buildings
	1-43 Leven Street	2-44 Leven Street
	3, 4 Lochrin Place	118-144 Lothian Road
	125-165 Lothian Road	

Local Centres

Ashley Terrace	30 - 36 Ashley Terrace	37 - 50 Ashley Terrace
Balgreen Road	472 - 480 Gorgie Road	191 - 229 Balgreen Road
Blackhall	5 - 1 Craigcrook Place 16 Marischal Place	1 Craigcrook Terrace 232 - 248 Queensferry Road
Boswall Parkway	2 - 14 Wardieburn Drive	31 - 53 Boswall Parkway
Broughton Street	10 - 40 Broughton Street 42 - 76 Broughton Street 2 Picardy Place 1 Forth Street 2a Broughton Place 1 - 9 East London Street	1 - 7 Barony Street 42 - 54 London Street 19 - 45 Broughton Street 49 - 87 Broughton Street 91 - 115 Broughton Street
Bryce Road, Currie	120 - 124 Lanark Road West	56, 60 - 62 Bryce Road
Buckstone Terrace	2 - 16 Buckstone Terrace	
Chesser	536 - 560 Gorgie Road	1 Chesser Avenue
Chesser Avenue	1 - 9 Hutchison Terrace 1 - 9 Fruitmarket Place	1 - 11 Newmarket Road
Colinton	7 - 23 Bridge Road	10 - 64 Bridge Road
Comiston Road	2 - 34 Comiston Road 1 - 19 Comiston Road 6 - 22 Morningside Drive	36 - 42 Comiston Road 1 - 23 Morningside Drive
Corslet Place, Currie	13 - 17 Bryce Road	1 - 11 Corslet Place
Craiglockhart	2 - 4 Craiglockhart Road North	118 - 142 Colinton Road
Craigmillar	1 - 2 Craigmillar Castle Road 1 - 13 Niddrie Mains Road 196 - 200 Peffermill Road	3 - 9 Craigmillar Castle Road 2 - 106 Niddrie Mains Road 161 Duddingston Road West

Local Centres

Dalkeith Road	152 - 218 Dalkeith Road	
Davidsons Mains	36 - 38 Cramond Road South 8 - 14 Main Street 15 - 51 Main Street	51 - 55 Quality Street 44 - 80 Main Street 61 - 89 Main Street
Drylaw	645 - 683 Ferry Road	20 - 26 & 28 - 40 Easter Drylaw Place
Drumbrae	24 - 42 Duart Crescent	
Dundas Street	122 - 160 Dundas Street	3-23 Henderson Row
Dundee Street	137 - 183 Dundee Street	
East Craigs	1 - 4 Bughtlin Market	
Easter Road	1 - 107 Easter Road 1 Maryfield - 10 Earlston Place (London Road) 3 - 28 East Norton Place (London Road) 1 - 21 Cadzow Place (London Road)	4 - 162 Easter Road
Ferry Road (East)	1 - 53 Ferry Road 2 - 12 North Junction Street	28 - 44 Ferry Road 86 - 90 Coburg Street
Ferry Road (West)	109 - 147 Ferry Road 120 - 142 (excluding 122) Ferry Road	27 - 28 Summerside Place 144 - 162 Ferry Road
Forrest Road	1 - 6 Greyfriars Place 4 - 32 Forrest Road	1 - 61 Forrest Road 1 - 22 Teviot Place
Gilmerton	1 - 13 Drum Street 8 - 38 Drum Street	27 - 55 Drum Street 2 Ferniehill Road
Goldenacre	1 Inverleith Gardens 1 Goldenacre Terrace 1 - 27 Montagu Terrace	1 - 2 Bowhill Terrace 58 - 66 Inverleith Row
Gracemount	1 - 21 Gracemount Drive 2 Gracemount Drive	62 Captains Road

Local Centres

Hillhouse Rd/Telford Rd	2 - 14 Telford Road 1 - 9 Telford Road	12 - 34 Hillhouse Road 2 - 4 Strachan Road
Jocks Lodge	1 - 5 Wolseley Place 1 - 18 Willowbrae Road	1 - 7 Wolseley Terrace 15 - 23 Jocks Lodge; 23a - 25 Jocks Lodge; 27, 29 Jocks Lodge; 35 Jocks Lodge
Juniper Green	574 - 606 Lanark Road 534 - 546d Lanark Road	553 - 573 Lanark Road 529 - 539 Lanark Road
Liberton Brae	129 - 149 Liberton Brae	
Main Street, Balerno	6 - 48 Main Street	15 - 29 Main Street
Main Street, Kirkliston	22 - 28, 66, 74 - 86 Main Street 1 - 5 Station Road	27 - 35 Main Street
Marchmont North	39 - 43 Warrender Park Road 26 - 34 Warrender Park Road 48 - 60 Warrender Park Road 27a - 35 Marchmont Road 22 - 30 Marchmont Crescent 15 - 30 Argyle Place	2 - 8 Warrender Park Road 22 - 36 Marchmont Road 23 - 29 Marchmont Crescent 26 - 28 Roseneath Place 5 - 17 Roseneath Street
Marchmont South	94 - 110 Marchmont Road 123 - 129 Marchmont Road 2 - 4 Spottiswoode Road 20 - 21 Strathearn Road	126 - 146 Marchmont Road 1 - 5 Spottiswoode Road 92 - 104 Marchmont Crescent 2 - 10 Beaufort Road
Mayfield Road	55 - 69 Mayfield Road	
Milton Road West	2 - 10 Milton Road West	96 - 98 Duddingston Park
Moredun Park Road	70 - 92 Moredun Park Road	101 - 117 Moredun Park Road
Muirhouse / Pennywell	39 - 47 Pennywell Road 1 - 15 Pennywell Court	49 - 63 Pennywell Road 2 - 16 Pennywell Court

Local Centres

Oxgangs	1 - 18 Oxgangs Broadway	2 Oxgangs Bank 343 Oxgangs Road North 345 Oxgangs Road North 4 Oxgangs Path
Parkhead	283 - 291 Calder Road 8 - 10 Parkhead Gardens	299 - 345 Calder Road
Pentland View Court, Currie	1 - 9 Pentland View Court	
Piershill	4 - 42 Piersfield Terrace 89 Northfield Broadway	161 - 177 Piersfield Terrace 88 - 100 Northfield Broadway
Polwarth Gardens	1 - 7 Polwarth Gardens 2 - 14 Polwarth Crescent	2 - 18 Polwarth Gardens 38 - 44 Merchiston Avenue
Queensferry (Centre)	1 - 52, High Street, South Queensferry (odd and even) 2 - 6 Hopetoun Road (even) 15 & 19 West Terrace 12 & 14A West Terrace	23 - 45 Hopetoun Road (odd) 5 & 7 Mid Terrace 1 Old Post Office Close (now part of Orocco Pier Hotel)
Ratcliffe Terrace	44 - 78 Ratcliffe Terrace 27 - 63 Ratcliffe Terrace	2 Fountainhall Road 1 Grange Loan
Restalrig Road	133 - 165 Restalrig Road	
Rodney Street	1 - 25 Rodney Street	2 - 54 Rodney Street
Roseburn Terrace	1 - 59 Roseburn Terrace	2 - 28 Roseburn Terrace
Saughton Road North	73 - 89 Saughton Road North	A - H 100 Saughton Road North
Scotstoun Grove, Queensferry	1 - 7, 9 Scotstoun Grove	
Sighthill	483 - 501 Calder Road	

Local Centres

Stenhouse Cross	1 - 12 Stenhouse Cross	
Viewforth	1 - 12 St Peters Buildings	119 - 139 Gilmore Place
Walter Scott Avenue	62 - 104 Walter Scott Avenue	
Waterfront Broadway	3 Waterfront Broadway	
West Maitland Street	1 - 14 West Maitland Street 1 - 3 Grosvenor Street	5 - 32 West Maitland Street
Western Corner	1 - 7 Western Corner 127 - 31 Corstorphine Road	113 - 125 Corstorphine Road 50 - 84 Corstorphine Road
Whitehouse Road	185 - 199 Whitehouse Road	
Wester Hailes	1 & 2 Westside Plaza	3 - 34 & 36 Wester Hailes Centre (odd and even)

Proposed new Local Centres:

Fountainbridge
 Western Harbour
 Granton Waterfront
 Brunstane

Speciality Shopping Streets

Cockburn Street	11 - 71 Cockburn Street	2 - 54 Cockburn Street
Grassmarket	1 - 9 Grassmarket 8 - 98 Grassmarket 1 - 13 Cowgatehead	15 - 29 Grassmarket 65 - 89 Grassmarket
High Street/ Lawnmarket/ Canongate	94 - 112 Canongate 154 - 172 Canongate 246 - 278 Canongate 1 - 137 High Street 124 - 180 High Street 351 - 381 High Street 322 - 346 Lawnmarket	97 - 145 Canongate 175 - 223 Canongate 259 - 299 Canongate 2 - 60 High Street 205 - 219 High Street 435 - 521 Lawnmarket
Jeffery Street/ St Mary's Street	1 - 37 Jeffery Street 2 - 68 St Mary's Street	2 - 16 Jeffery Street
Victoria Street/ West Bow	1 - 9 Victoria Street 80 - 118 West Bow	8 - 46 Victoria Street 87 - 105 West Bow
William Street/ Stafford Street/ Alva Street	3 - 31 William Street 2 - 26 William Street 14 - 18 Stafford Street 34 - 36 Alva Street	33 - 51 William Street 28 - 38 William Street 11 - 15 Stafford Street

Appendix C - Table of Financial and Other Contributions

Infrastructure items for which financial or other contributions may be sought include those set out in the following table:

Item	Circumstances	• Types of development - Location
School capacity, including new schools	<ul style="list-style-type: none"> • Housing developments - Citywide, including in contribution zones and other locations if required by Policies Del 1 	
Traffic management, including junction improvements	<ul style="list-style-type: none"> • Local, major & national development (specific scale thresholds may be set in guidance) - Citywide including in contribution zones and other locations if required by Policies Del 1 	
Edinburgh Tram Project	<ul style="list-style-type: none"> • Local, major & national development (specific scale thresholds set in guidance) - In identified contribution zone 	
Public realm and other pedestrian and cycle actions	<ul style="list-style-type: none"> • Local, major & national development (specific scale thresholds may be set in guidance) - Citywide, including in contribution zones and other locations if required by Policies Del 1. Where identified in Council's public realm strategy*, or as site specific action in Action Programme. 	
Other transport improvements	<ul style="list-style-type: none"> • Local, major & national development (specific scale thresholds may be set in guidance) - Citywide, including in contribution zones and other locations if required by Policies Del 1 	
Primary healthcare infrastructure capacity	<ul style="list-style-type: none"> • Housing, care homes and student housing developments - In identified contribution zones* 	
Green space actions	<ul style="list-style-type: none"> • Housing developments if required by Policy Hou 3. Other local, major or national development if required by Policy Env 18, 19 or 20. - Citywide, including in contribution zones 	

* No relevant actions identified prior to Plan's adoption.

Appendix D - CEC Land Ownership Schedule

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
City Centre			
Land to north of Canongate, east of New Street	326309	673763	Proposal CC 2 New Street - mixed use development New Street Development Principles
Land to south of East Market Street, east of New Street	326158	673775	Proposal CC 2 New Street - mixed use development New Street Development Principles
Land at junction between Brandfield Street and Grove Street	324419	672949	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land between Upper Grove Place and Grove Street	324388	673036	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land between Fountainbridge and Union Canal	324326	672715	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land adjacent to 18 Gilmore Place	324767	672740	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land at 5-11 Gilmore Place	324885	672807	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land at 8-14 Gilmore Place	324870	672834	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Land at 2-6 Gilmore Place	324884	672836	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land at Thornybauk, north of Cameo Cinema	324866	672896	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land at West Tollcross, south of fire station	324856	672922	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land at Tollcross Primary School	324750	672911	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land north of Tollcross Primary School	324725	672972	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land between Dunbar Street and Ponton Street	324821	672989	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land east of Ponton Street	324784	672979	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land at Thornybauk, south of 89-95 Fountainbridge	324766	673007	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Land at Thornybauk, south of 83-87 Fountainbridge	324798	673009	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land between Gibson Terrace and Dorset Place	324146	672532	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land south of Fountain Park, north of Dundee Street	324146	672639	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land adjacent to Western Approach Road between Dalry Road and Grove Street	324237	672942	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Narrow strip of with north-south orientation between Dundee Street and Caledonian Crescent	323939	672690	Proposal CC 3 Fountainbridge – mixed use development Fountainbridge Development Principles
Land between Western Approach Road and Dalry Road (Dalry Park)	323783	672641	Proposal GS 1 Dalry Community Park – extension and enhancement of park
Edinburgh Waterfront			
Strip of land to north of Lindsay Place	325844	676994	Proposal EW 1a Leith Waterfront (Western Harbour) – housing led mixed use development Leith Waterfront Development Principles
Land between Chancelot Mill and Lindsay Road	326109	676933	Proposal EW 1b Leith Waterfront (Central Leith) – Mixed Use development Leith Waterfront Development Principles
Land at North Leith Sands	326302	676914	Proposal EW 1b Leith Waterfront (Central Leith) – Mixed Use development Leith Waterfront Development Principles

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Small strip of land to north of Travelodge, off Ocean Drive	326519	676862	Proposal EW 1b Leith Waterfront (Central Leith) – Mixed Use development Leith Waterfront Development Principles
Land at Ocean Drive/ Ocean Way, north of Constitution Place, east of Victoria Bridge	327294	676749	Proposal EW 1b Leith Waterfront (Central Leith) – Mixed Use development Leith Waterfront Development Principles
Land at and to west of Tower Street	327485	676530	Proposal EW 1b Leith Waterfront (Central Leith) – Mixed Use development Leith Waterfront Development Principles
Land to north of Leith Links, including Mary's RC Primary School	327745	676001	Proposal EW 1c Leith Waterfront (Salamander Place) – housing led mixed use development Leith Waterfront Development Principles
Land at Carron Place	327895	676110	Proposal EW 1c Leith Waterfront (Salamander Place) – housing led mixed use development Leith Waterfront Development Principles
Small area of land to south-east of Salamander Yards	328072	675981	Proposal EW 1c Leith Waterfront (Salamander Place) – housing led mixed use development
Strip of land to east of West Shore Road, west of Inchcolm House	321983	677221	Proposal EW 2a Granton Waterfront (Forth Quarter) -housing led mixed use development Granton Waterfront Development Principles
Small area to east of West Shore Road, east of Inchcolm House	322140	677186	Proposal EW 2a Granton Waterfront (Forth Quarter) -housing led mixed use development Granton Waterfront Development Principles
Strip of land to east of Marine Drive	321815	676655	Proposal EW 2b Granton Waterfront (Forth Quarter) -housing led mixed use development Granton Waterfront Development Principles

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Small area of land immediately to west of Granton Square	323651	677097	Proposal EW 2b Granton Waterfront (Forth Quarter) -housing led mixed use development Granton Waterfront Development Principles
Land between West Granton Road and West Harbour Road	323440	677165	Proposal EW 2b Granton Waterfront (Central Development Area) -housing led mixed use development Granton Waterfront Development Principles
Area of land to north of West Shore Road	322898	677417	Proposal EW 2b Granton Waterfront (Central Development Area) -housing led mixed use development Granton Waterfront Development Principles
Land to north of junction between Crewe Road North and West Granton Road	322763	676754	Proposal EW 2b Granton Waterfront (Central Development Area) -housing led mixed use development Granton Waterfront Development Principles
Land to south of West Harbour Road	323447	676165	Proposal EW 2b Granton Waterfront (Central Development Area) -housing led mixed use development Granton Waterfront Development Principles
Land to north and south of West Shore Road	322359	677322	Proposal EW 2d Granton Waterfront (North Shore) - housing led mixed use development Granton Waterfront Development Principles
Area of land to west of Caroline Park Avenue	322599	677123	Proposal SCH 4 North of Waterfront Avenue, Granton -new primary school Granton Waterfront Development Principles
Area of land between Leith Links and Salamander Street	327914	676101	Proposal GS 3 – Leith Links Seaward Extension-Housing –led redevelopment of former industrial land east of Salamander Place Granton Waterfront Development Principles

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
West Edinburgh			
Land to north of Gogar Roundabout	317321	672700	Policy Emp 6 International Business Gateway – special economic area IBG Development Principles
Land at Eastfield Road (park and ride site)	315384	672583	Policy Emp 6 International Business Gateway – special economic area IBG Development Principles
Land adjacent to Gogarburn	315960	672762	Policy Emp 6 International Business Gateway – special economic area IBG Development Principles
Small area of land at Gogar Farm	316824	672529	Policy Emp 6 International Business Gateway – special economic area IBG Development Principles
Area of land between Castle Gogar and west of Gogar Burn	316594	672793	Proposal GS 6 IBG Open Space – Strategic Landscape Design and Open Space IBG Development Principles
Area of land to east of East Mains of Ingliston	315402	672892	Proposal GS 6 IBG Open Space – Strategic Landscape Design and Open Space IBG Development Principles
Narrow strip of land at Edinburgh Park and land to south of it	319091	671496	Policy Del 5 Edinburgh Park and South Gyle - business led mixed uses Edinburgh Park and South Gyle Principles
Land to south and east of Premier Inn, Edinburgh Park	318413	671310	Policy Del 5 Edinburgh Park and South Gyle - business led mixed uses Edinburgh Park and South Gyle Principles
Triangle of land to south of Ettrick House, South Gyle	318463	671439	Policy Del 5 Edinburgh Park and South Gyle - business led mixed uses Edinburgh Park and South Gyle Principles

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Land between South Gyle Crescent and Edinburgh –Glasgow railway line	319092	671489	Policy Del 5 Edinburgh Park and South Gyle - business led mixed uses Edinburgh Park and South Gyle Principles
Land to east of Cultins Road, south of South Gyle Crescent	318662	671410	Policy Del 5 Edinburgh Park and South Gyle - business led mixed uses Edinburgh Park and South Gyle Principles
Land between South Gyle Crescent and South Gyle Crescent Lane	318640	671622	Policy Del 5 Edinburgh Park and South Gyle - business led mixed uses Edinburgh Park and South Gyle Principles
Land between South Gyle Crescent and Braidway Park	318878	671621	Policy Del 5 Edinburgh Park and South Gyle - business led mixed uses Edinburgh Park and South Gyle Principles
Land to east of South Gyle Crescent, opposite Diamond House	318536	671804	Policy Del 5 Edinburgh Park and South Gyle - business led mixed uses Edinburgh Park and South Gyle Principles
Narrow strip of land to east of Cammo Walk	317846	674586	Proposal HSG 20 Cammo housing led development Maybury and Cammo Site Principles
South East			
Land to east of Edinburgh Royal Infirmary	329520	670523	Policy Emp 2 Edinburgh Bioquarter –Special Economic Area Bioquarter Development Principles
Land at Peffer Place	328979	671926	Policy Emp 8 Business and Industry Areas (Peffer Industrial Estate/Castlebrae)
Narrow band of land to north of Kings Haugh, adjacent to Braid Burn	328603	672044	Policy Emp 8 Business and Industry Areas (Peffermill Industrial Estate/Prestonfield Park)
Land to south of Kings Haugh at Peffermill Industrial Estate	328452	671818	Policy Emp 8 Business and Industry Areas (Peffermill Industrial Estate/Prestonfield Park)

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Land between Niddrie Mains Road and cycle track to north	329339	671831	Proposal HSG 14 Niddrie Mains – Housing
Land at Castlebrae Community High School	329275	671282	Proposal HSG 15 Greendykes Road – Housing
Land bounded by Greendykes Avene/ Tudsbury Avenue and Greendykes Road	329689	671146	Proposal HSG 17 Greendykes – Housing
Land to west of Greendykes Road	329592	671003	Proposal HSG 18 New Greendykes – Housing
Strip of land located to south-east of Niddrie Burn Parkland	330190	671078	Proposal HSG 18 New Greendykes – Housing
Land to south-west of Cloverfoot Cottages, off The Wisp	330190	671078	Proposal HSG 18 New Greendykes – Housing
Land adjacent to Wauchope Place	329286	671721	Proposal SCH 2 High School, Craigmillar – new high school
Land in south-west corner of Hunters Hall Public Park	330188	671069	Proposal SCH 3 New Greendykes – new two stream primary schools
Land to north of Niddrie Mains Road, east of Craigmillar Police Station	329036	671695	Proposal S 1 Niddrie Mains Road – Enhancement of Craigmillar Local Centre
Large area of land between The Wisp and Edinburgh Bioquarter	330148	670455	Proposal GS 4 South East Wedge Parkland
Area of land to west of The Wisp, near Cloverfoot Cottages	330470	671060	Proposal GS 4 South East Wedge Parkland

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Strip of land running between Hunters Hall Public Park to south of New Greendykes	329918	670985	Proposal GS 5 Niddrie Burn Parkland
Land at Craigmillar Castle Waste Management Site	328441	670916	Policy RS 2 Craigmillar Castle Waste Management Site
ELSEWHERE			
Strip of land at Sighthill Industrial Estate bounded by Edinburgh Glasgow railway line to north and Cultins Road to west	3189920	671331	Policy Emp 8 Business and Industry Areas (Sighthill)
Area of land at Sighthill Industrial Estate to east of Backhead Drive	319374	671023	Policy Emp 8 Business and Industry Areas (Sighthill)
Area of land to north of M89 at Newbridge Roundabout	312367	672771	Policy Emp 8 Business and Industry Areas (Newbridge)
Small area of land on east side of Newbridge roundabout at intersection between M8 and A8	312592	672619	Policy Emp 8 Business and Industry Areas (Newbridge)
Small area of land at Harvest Road, Lochend Industrial Estate, north of Bathgate Junction	312644	672187	Policy Emp 8 Business and Industry Areas (Newbridge)
Land adjoining Cliftonhall Road at Newbridge Estate between Huly Hill and the Edinburgh Glasgow railway line	312441	672228	Policy Emp 8 Business and Industry Areas (Newbridge)

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Land at Lochend Industrial Estate between A8 and Queen Ann Drive	312117	672563	Policy Emp 8 Business and Industry Areas (Newbridge)
Land between Harvest Drive and Hillwood Primary School	312943	672258	Policy Emp 8 Business and Industry Areas (Newbridge)
Land between Claylands Road and Airdrie Bathgate railway line at Newbridge Industrial Estate	312077	671699	Policy Emp 8 Business and Industry Areas (Newbridge)
Land between Edinburgh Glasgow Line to the north and Airdrie Bathgate railway line to the south bisected by Cliftonhall Road at Newbridge Industrial Estate	311484	671893	Policy Emp 8 Business and Industry Areas (Newbridge)
Land between Newcraighall Road and Whitehill Road, Newcraighall Industrial Estate	331195	671602	Policy Emp 8 Business and Industry Areas (Newcraighall)
Land at Edinburgh Park and Ride to south of Newcraighall Road	331825	671653	Policy Emp 8 Business and Industry Areas (Newcraighall)
Land between Newcraighall Road and south suburban line, adjacent to A1 trunk road, Newcraighall Industrial Estate	331496	671928	Policy Emp 8 Business and Industry Areas (Newcraighall)

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Land to south of Sir Harry Lauder Road, A1 Industrial Park/ Freightliner Terminal, Portobello	330761	673485	Policy Emp 8 Business and Industry Areas (Portobello)
Narrow strip of land to west of Sir Harry Lauder Road at Telferton Industrial Estate, Portobello	329954	673232	Policy Emp 8 Business and Industry Areas (Portobello)
Land to south of Glasgow Road	313617	672476	Proposal HSG 4 Hillwood Road, Ratho Station – Housing development and community facilities
Land between South Gyle Access and Broomhouse Road	319490	671765	Proposal HSG 6 South Gyle Wynd -Housing development
Small area of land to south of Arneil Place	322879	676036	Proposal HSG 8 Telford College - Redevelopment of former college site.
Land between Pilton Drive and West Winnelstrae	323460	675966	Proposal HSG 9 City Park - Housing development
Land bounded by Edinburgh City Bypass and Wester Hailes Road	320327	669186	Proposal HSG 29 Curriemuirend – Housing and allotments Curriemuirend Development Principles
Land between Moredunvale Road and Moredunpark Road	328838	669810	Proposal HSG 30 Moredunvale – Housing development and open space improvements Moredundale Development Principles
Land at Portobello Public Park, off Milton Road	330603	673113	Proposal SCH 1 Portobello High School – Replacement High School
Area of land between Inverleith Park and Grange Cricket Ground	324352	675002	Proposal GS 8 Inverleith Depot – Green Space

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Land to south-east of Clovenstone Drive, Curriemuirend	320634	669269	Proposal GS 10 Curriemuirend –Enhance existing open space in conjunction with housing
Land site bounded by Turnhouse Golf Club to west and Craigs Road to south	317409	673787	Policy RS 2 Braehead Quarry, Craigs Road – Waste Management Facility Safeguard
Land at Sighthill Industrial Estate bounded by Bankhead Crossway North and Bankhead Avenue	319365	671066	Policy RS 2 Sighthill Recycling Centre-Waste Management Facility Safeguard
Land between Water of Leith and Broughton Road, west of Redbraes Park	352842	675554	Policy RS 2 Powderhall Waste Management Site - Waste Management Facility Safeguard
Land to west of Seafield Road East, east of sewage pumping station, off Fillyside Road	329160	675467	Policy RS 3 Seafield Waste Management Site - Waste Management Facility Safeguard
Transport Infrastructure			
Land to south of Huly Hill, Newbridge to north of Edinburgh Interchange	312314	672579	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land adjacent to Alexandra Business Park, Newbridge	312405	672186	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land to north of Bathgate Junction, Lochend Industrial Estate, Newbridge	312649	672189	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land off Harvest Road to south-east of Connect Business Park	313030	672236	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Land to south-east of Hillwood Rise, Ratho Station	313579	672257	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land off A8 to west of Ingliston Castle	313997	672455	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land between East Mains of Ingliston and Hilton Hotel, Edinburgh Airport	315399	672854	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land between East Mains of Ingliston and Gogar Burn, north of Gogarburn Junction	316146	672755	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land between Gogar Burn and Gogar Burn Junction	316768	672642	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land surrounding 194 Gogar Road	316824	672533	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land to north of Glasgow Road at Gogar Roundabout	317339	672709	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Area of land between Gyle Shopping Centre to north of Fife railway line at Edinburgh Park	317900	671903	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land between Novotel Hotel at Edinburgh Park and Jenners Depository, off Balgreen Road	320548	671805	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land on either side of Water of Leith at Murrayfield	322289	672538	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Land between Russell Road/Balbirnie Place and junction between west Granton Road and Waterfront Broadway	322361	674615	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land between Balbirnie Place and Haymarket Station	323647	673048	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land between Princes Street and Queen Street	325657	674125	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land at Ocean Drive, east of Tower Place Leith	327296	676745	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land between Trinity Road and Wardie Square	324532	677061	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land between Edinburgh Bioquarter and New Greendykes	329685	670643	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land between Green Dykes and New Greendykes	329816	670912	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Land between Newcraighall Road adjacent to Newcraighall railway station (park and ride site)	331814	671703	Proposal T 1 Edinburgh Tram –Phase 1 between airport and city centre and safeguards for long-term extensions
Small area of land to south-east of Royal Elizabeth Yard	314297	676075	Proposal T 2 Edinburgh Glasgow Improvement Project Safeguards –Almond Chord
Small area of land at New Greendykes, south-east of Greendykes Road	329866	670797	Proposal T 6 Greendykes Public Transport Link-Improvement to link ERI and Bioquarter

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Area of land at Lang Loan on north side of Edinburgh City Bypass	327892	667014	Proposal T 8 various off-road cycle/footpath links
Land between Guardwell Crescent and Burdiehouse Burn	328343	669567	Proposal T 8 various off-road cycle/footpath links
Land to east of A1 trunk road at Brunstane	331359	672146	Proposal T 8 various off-road cycle/footpath links
Land west of Gilbertstoun, Brunstane	331458	672317	Proposal T 8 various off-road cycle/footpath links
Land on seafront, Eastfield, Portobello	332561	673285	Proposal T 8 various off-road cycle/footpath links
Land east of Liberton Dams, east of Liberton Road	327187	670483	Proposal T 8 various off-road cycle/footpath links
Land at Chesser to east of West of Leith walkway near New Mart Gardens	321877	670976	Proposal T 8 various off-road cycle/footpath links
Land between Powderhall Depot and Redbraes Park	325897	675590	Proposal T 8 various off-road cycle/footpath links
Land near junction of Fillyside Road and Seafield Road East	329433	675353	Proposal T 8 various off-road cycle/footpath links
Land to east of Craigentenny Avenue North	328983	675330	Proposal T 8 various off-road cycle/footpath links
Land to south of Citadel Place, Leith	326666	676598	Proposal T 8 various off-road cycle/footpath links
Land at Granton seafront, north of West Shore Road, west of Hanging Craig	322338	677443	Proposal T 8 various off-road cycle/footpath links

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Land between Ferry Road path and West Winnelstrae	323505	676006	Proposal T 8 various off-road cycle/footpath links
Land between Western Approach Road and Caledonian Crescent	324050	672798	Proposal T 8 various off-road cycle/footpath links
Land to north and east of St Augustine's RC High School	319386	671921	Proposal T 8 various off-road cycle/footpath links
Land to north-east of Gogar Roundabout	317579	672741	Proposal T 8 various off-road cycle/footpath links
Land between Silverknowes Dell and Silverknowes Road East	320947	675573	Proposal T 8 various off-road cycle/footpath links
Land to north of Western Approach Road between 209 Dalry Road and Edinburgh-Glasgow Central Railway Line	323529	672711	Proposal T 8 various off-road cycle/footpath links
Land between Sauchiebank and Russell Road	323396	672836	Proposal T 8 various off-road cycle/footpath links
Land to south of Balbirnie Place	323319	672954	Proposal T 8 various off-road cycle/footpath links
Land to north and south of Western Approach Road between Edinburgh-Glasgow Central Railway Line and South Suburban feeder line (east)	323094	672681	Proposal T 8 various off-road cycle/footpath links

Description of land owned by the planning authority	Grid X	Grid Y	Reference to policies, proposals or views contained in the local development plan which relate to the occurrence of development of the land
Land to north and south of Western Approach Road between and south suburban railway feeder line (east) and south suburban railway feeder line (west)	322754	672654	Proposal T 8 various off-road cycle/footpath links
Small area of land south of 478 Lanark Road West, Balerno	316607	667023	Proposal T 8 various off-road cycle/footpath links
Land in north-east corner of Pilrig Park	326543	675799	Proposal T 8 various off-road cycle/footpath links
Land at East Mains of Ingliston	315392	672810	Proposal T 10 Gogar Link Road –single carriageway through IBG to allow public transport priority
Land to south of Castle Gogar	316496	672773	Proposal T 10 Gogar Link Road –single carriageway through IBG to allow public transport priority
Land west of Gogar Roundabout	317220	672657	Proposal T 10 Gogar Link Road –single carriageway through IBG to allow public transport priority
Land to south of A8, east of Ratho Station	313733	672554	Proposal T 11 A8 Additional road junction
Most of land at Gogar Roundabout	317491	672589	Proposal T 13 Improvements to Gogar Roundabout
Land on western side of Sheriffhall Roundabout	331781	667985	Proposal T 14 Sheriffhall Junction Upgrade -Grade separation of existing roundabout
Land at junction between Drum Street and Newtoft Street	329248	668679	Proposal T 20 Gilmerton Crossroads- Junction reconfiguration

Appendix E - Glossary

ACTIVE FRONTAGE

Ground floor building frontage designed to allow people to see and walk inside and out.

AFFORDABLE HOUSING

Housing that is for sale or rent, to meet the identified needs of people who cannot afford to buy or rent housing generally available on the open market.

AIR QUALITY MANAGEMENT AREAS

Designated parts of the city where the Council considers that air quality objectives are unlikely to be achieved

BIODIVERSITY

The variety of life on earth, both plant and animal species, commonplace and rare, and the habitats in which they are found.

BIODIVERSITY DUTY

A duty placed upon every public sector body and office-holder to further the conservation of biodiversity in line with the Scottish Biodiversity Strategy. [Introduced by the Nature Conservation (Scotland) Act 2004]

BROWNFIELD

Land which has been previously developed. The term includes derelict land and land occupied by redundant buildings.

BULKY GOODS

Goods of such a size that they could not normally be transported by customers traveling by foot, cycle or bus and therefore need to be carried away by car or delivered to customers, and which require large areas to display them.

BUSINESS USE

Class 4 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 which includes general office, light industry or research and development which can be carried out without detriment to the amenity of any residential area.

COMMERCIAL CENTRES

Centres of strategic importance which have a more specific focus on shopping or shopping/leisure uses and do not have the diverse mix of uses found in town centres.

COMMUNITY

The term community includes individuals and groups, and can be based on location (for example people who live in, work in or use an area) or common interest (for example businesses, sports or heritage groups)

CONSERVATION AREA

An area designated under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as being of special architectural or historic interest, the character and interest of which it is desirable to preserve or enhance.

CORE PATHS

Under the terms of the Land Reform (Scotland) Act 2003, the Council has prepared a plan for a system of 'core paths' to give people reasonable access throughout their area for walking, cycling, horse riding and to inland water.

COUNCIL GUIDANCE

Guidance (other than that which is supplementary guidance), prepared, consulted on and approved by the Council on a range of planning matters. Council guidance will be a material consideration in determining planning applications.

COUNTRYSIDE

References to the 'Countryside' (with a capital letter) relate specifically to the 'Countryside Policy Area' shown on the Proposals Map. References to 'countryside' relate to open land in the rural area and may include both 'green belt' and 'Countryside Policy Area'

COUNTRYSIDE RECREATION

Passive or active outdoor recreational pursuits or land uses. This may involve very limited buildings, which do not, of themselves, disrupt the peace and tranquility of the countryside (or neighbouring urban area) or threaten the character and amenity of the landscape and its enjoyment by others.

DENSITY

The floorspace or number of dwellings in a development divided by its land area.

DEVELOPMENT BRIEF

A document approved by the Council providing guidance on how a specific site of significant size or sensitivity should be developed in line with the relevant

planning and design policies. It will usually contain some indicative vision of future development form.

EFFECTIVE HOUSING LAND SUPPLY

Land identified for housing which is free or expected to be free of development constraints in the period up to 2026 and will therefore be available for the construction of housing.

EMPLOYMENT USE

Generally businesses, general industry or storage and distribution uses, each defined in the Town and Country Planning (Use Classes)(Scotland) Order 1997.

EUROPEAN LANDSCAPE CONVENTION

A treaty which promotes the protection, management and planning of European landscapes and organises European co-operation on landscape issues.

GREEN BELT

Land defined in adopted local plans or local development plans which protects and enhances the landscape setting and identity of Edinburgh and protects and gives access to open space around the city and smaller settlements.

GREENFIELD

Land which has not previously been developed, or fully-restored formerly derelict land which has been brought back into active or beneficial use for agriculture, forestry, environmental purposes, or outdoor recreation.

GREEN NETWORK

The linking together of natural, semi-natural and man-made open spaces to create an interconnected network that extends outwith the urban area and provides

recreational opportunities, improves accessibility and enhances biodiversity and the character of the landscape and townscape.

GREENSPACE

Any vegetated land or structure, water or geological feature in the urban area including playing fields, grassed areas, trees, woodlands and paths

HOUSING IN MULTIPLE OCCUPATION (HMO)

The term 'house in multiple occupancy' in relation to houses, means accommodation which is the only or principal residence of more than five unrelated people. This approach also applies, in general, to flat accommodation, although in smaller properties, proposals involving more than four unrelated people living together may be considered to constitute a HMO.

HOUSING LAND AUDIT

Assessment of housing land across The City of Edinburgh Council, East Lothian, Midlothian and West Lothian as at 31 March each year. It is undertaken jointly by the four councils in consultation with housing providers.

INFRASTRUCTURE

Physical networks which serve development such as roads, paths, street lighting, supplies of water, gas, electricity and waste water drainage and services for occupants of developments such as public transport measures, schools and healthcare.

LIFE SCIENCES

The scientific study of living things – plants, animals and humans

LISTED BUILDING

A building identified by Historic Environment Scotland as being of special architectural or historical interest as set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Categorized A, B, C(s) to reflect their relative importance.

LOCAL NATURE RESERVES

Area of nature conservation interest with value for education and informal enjoyment designated by a local authority under the National Parks and Access to the Countryside Act (1949) as amended.

LOCAL NATURE CONSERVATION SITES

Sites considered by the Council to be of local importance for wildlife or for their geological or geomorphological interest, usually following consultation with local voluntary nature conservation organisations, and therefore worthy of a measure of protection in this local plan.

LOCAL CENTRE

For the purposes of this Plan a local centre is a shopping centre, usually of 10 units or greater, serving a local retail function. The local centres are listed in Table 6. In some instances, centres of less than 10 units have been included in order to provide a local centre within 15 minutes walk of residents where possible.

LOCAL TRANSPORT STRATEGY

Document prepared by the Council setting out its transport objectives and an implementation programme.

LOW AND ZERO CARBON TECHNOLOGY

Equipment provided on-site or integrated into buildings and which use solely

renewable sources, resulting in zero carbon dioxide emissions, or which include use of fossil fuels but with significantly lower carbon dioxide emissions overall, which may include combined heat and power (CHP) and/or a range of other methods.

MAJOR OFFICE DEVELOPMENT

Proposals for office development exceeding 1,000 sq.m. gross floorspace, and those proposals of less than 1,000 sq.m., which could be linked to existing or proposed developments on adjacent sites, to create combined developments which together exceed 1,000 sq.m.

MASTER PLAN

A detailed document that explains how a site or sites will be developed, usually prepared by or on behalf of the landowner, including a representation of the three-dimensional form of proposals and an implementation programme.

MATERIAL CONSIDERATION

Any consideration relevant to the use and development of land taken into account when determining a planning application.

MODE SHARE TARGET

The percentage of journeys made by different types of transport.

NATIONAL PLANNING FRAMEWORK 3 (NPF)

NPF 3 is the Scottish Government's statutory strategy for Scotland's long term spatial development.

NATIONAL RENEWABLES INFRASTRUCTURE PLAN (N-RIP)

A document prepared by Scottish Enterprise and Highlands and Islands Enterprise

to assist the development of a globally competitive off-shore renewables industry in Scotland through the creation of infrastructure to support large scale manufacturing, assembly, deployment and operations, and maintenance of offshore renewable energy devices.

NATURA 2000

Sites selected by the European Commission for designation as Special Areas of Conservation (SACs) under the Habitats Directive or classified as Special Protection Areas (SPAs) under the Wild Birds Directive are referred to collectively in the Regulations as European sites. The network of sites across the European Community is known as Natura 2000.

NON-SHOP USES

Defined as uses not covered by Class 1 of the Town and Country Planning (Use Classes) (Scotland) Order 1997.

OPEN SPACE

Includes 'greenspace' (see definition) and 'civic space' consisting of squares, market places and other paved or hard landscaped areas with a civic function.

PLACE-MAKING

This is the process of creating better places, places that people enjoy being in. It is achieved through developers, public sector agencies and local communities working together.

PLANNING ADVICE NOTES (PAN)

A series of documents, produced by the Scottish Government, to provide advice and information on technical planning matters.

PLANNING CONDITIONS

Conditions attached to a planning permission that are enforced through planning legislation.

PUBLIC REALM

The parts of the city (whether publicly or privately owned) that are available for everyone to see and use without charge 24 hours a day, including streets, squares and parks.

PUBLIC TRANSPORT NODE

A point of interchange on the public transport network.

RENEWABLE ENERGY

Natural energy from sources which will never run out such as sunlight, wind, rain, tides, waves and geothermal heat.

SCHEDULED ANCIENT MONUMENTS

Section 1 of the Ancient Monuments and Archaeological Areas Act, 1979 requires the Secretary of State for Scotland to maintain a schedule of monuments of national importance and to publish from time to time a list of such monuments (referred to as Scheduled Monuments). This responsibility passed to Scottish Ministers on 1 July 1999.

SCOTLAND'S LANDSCAPE CHARTER

A voluntary charter which encourages action from all sectors of society to fulfil its vision that, within a generation, we can be proud of all our landscapes.

SCOTTISH GEODIVERSITY CHARTER

A voluntary charter which encourages signatories, including the City of Edinburgh Council, to raise awareness of geodiversity and integrate it into policy and decision-making.

SCOTTISH PLANNING POLICY (SPP)

SPP is the statement of the Scottish Government's policy on nationally important land use matters.

SHOP UNIT

Premises accessed directly from the street and designed primarily for shop use.

SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI)

Areas of land or water that are of special interest by reason of their flora, fauna or geological or physiographical features. Designated by SNH under the provisions of the Wildlife and Countryside Act 1981 and in accordance with specific guidelines to protect the special interest of the site from damage or deterioration.

SOUTH-EAST WEDGE

The South-East Wedge refers to the area to the south of the existing built-up areas of Craigmillar and Niddrie, east of Little France, and north and east of Danderhall. It includes parts of the City of Edinburgh and Midlothian Council areas.

SPECIAL LANDSCAPE AREAS (SLA)

An area designated by a local authority in development plans as being of special landscape character requiring special protection against inappropriate forms of development.

SPECIAL PROTECTION AREA (SPA)

An area of international importance for rare, threatened or migratory species

of birds. Proposed developments must be considered against the risk to the ecological integrity of the site under the terms of EU Directive 79/409/EEC on the Conservation of Wild Birds (commonly known as the Birds Directive).

STRATEGIC DEVELOPMENT PLAN

In Scotland's four city regions, Strategic Development Plans provide a long term vision, a spatial strategy and strategic policies and proposals, setting clear parameters for Local Development Plans.

SUPPLEMENTARY GUIDANCE

Guidance prepared, consulted on and adopted by the Planning Authority to deal with further information or detail in respect of particular LDP issues. Supplementary guidance must be expressly identified in the LDP and be submitted to Scottish Ministers. Once adopted, supplementary guidance forms part of the development plan.

SUSTAINABLE DEVELOPMENT

Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

SUSTAINABLE URBAN DRAINAGE

A comprehensive approach to surface water management which aims through a combination of design measures to minimise the quantity and improve the quality of water before it is discharged from a development site so as to help prevent flooding and pollution.

TOWN CENTRE

Centres that provide a diverse and sustainable mix of activities and land uses

which create an identity that signals the function and wider role.

TOWNSCAPE

The urban equivalent of landscape; for example, the appearance of streets.

TRANSPORT ASSESSMENT

Transport Assessment concerns person trips, not car trips. It is a comprehensive assessment that should enable all the potential transport impacts of a proposed development or redevelopment to be fully understood. The objective should be to encourage sustainable travel in relation to the transport mode hierarchy. The assessment should be presented in clear language so that lay people can understand the implications.

TRAVEL PLAN

Tool for an organisation to manage its transport needs to encourage safe, healthy and sustainable travel options. It is site based, reflecting the different needs and problems of different locations. The principal objective of a plan is typically to minimise car use associated with a development.

TREE PRESERVATION ORDER (TPO)

Made by a local authority under the Town and Country Planning (Scotland) Act 1997 to protect trees of importance for amenity.

URBAN AREA

The built up parts of the Council area i.e. the city and smaller settlements. The urban area is shown on the Proposals Map as those parts of the Council area not covered by green belt or countryside policy area designations.

URBAN DESIGN FRAMEWORK

Urban design frameworks show how planning and design policies should be implemented, and what principles should be followed by developers and their designers. They may be used to co-ordinate more detailed master plans and are likely to be prepared for any area where the likelihood of significant change calls for co-ordinated action.

VITALITY AND VIABILITY (OF TOWN CENTRES)

Vitality is a measure of how lively and busy a town centre is. Viability is a measure of its capacity to attract ongoing investment, for maintenance, improvement and adaptation to changing needs.

WASTE/WASTE MANAGEMENT

Includes any substance that constitutes a scrap material or an effluent or other unwanted surplus substance arising from the application of any process; and any substance or article that requires to be disposed of as being broken, worn out, contaminated or otherwise spoiled (but does not include explosives).

WINDFALL

A site which becomes available for development during the plan period which was not anticipated when the plan was being prepared

WORLD HERITAGE SITE

A cultural or natural site considered by UNESCO World Heritage Committee to be of 'outstanding universal value' and therefore one that needs to be preserved as part of the world heritage of humankind. The historic core of Edinburgh, essentially the Old and New Town, was inscribed in 1995. The Forth Bridge was inscribed in 2015.

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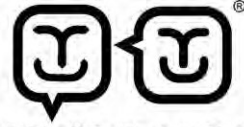
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You can find out more about the LDP at www.edinburgh.gov.uk/localdevelopmentplan



HAPPY TO TRANSLATE

ترجمہ کے لئے حاضر آماندہدےر سےہے انوباد کرہہہ

بسعنا توفیر للترجمة MOZEMY PRZETŁUMACZYĆ 很樂意翻譯

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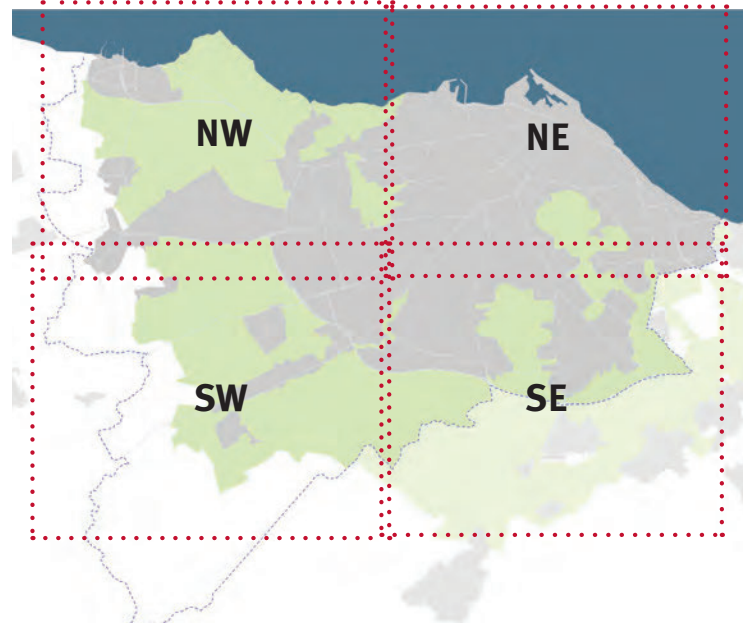
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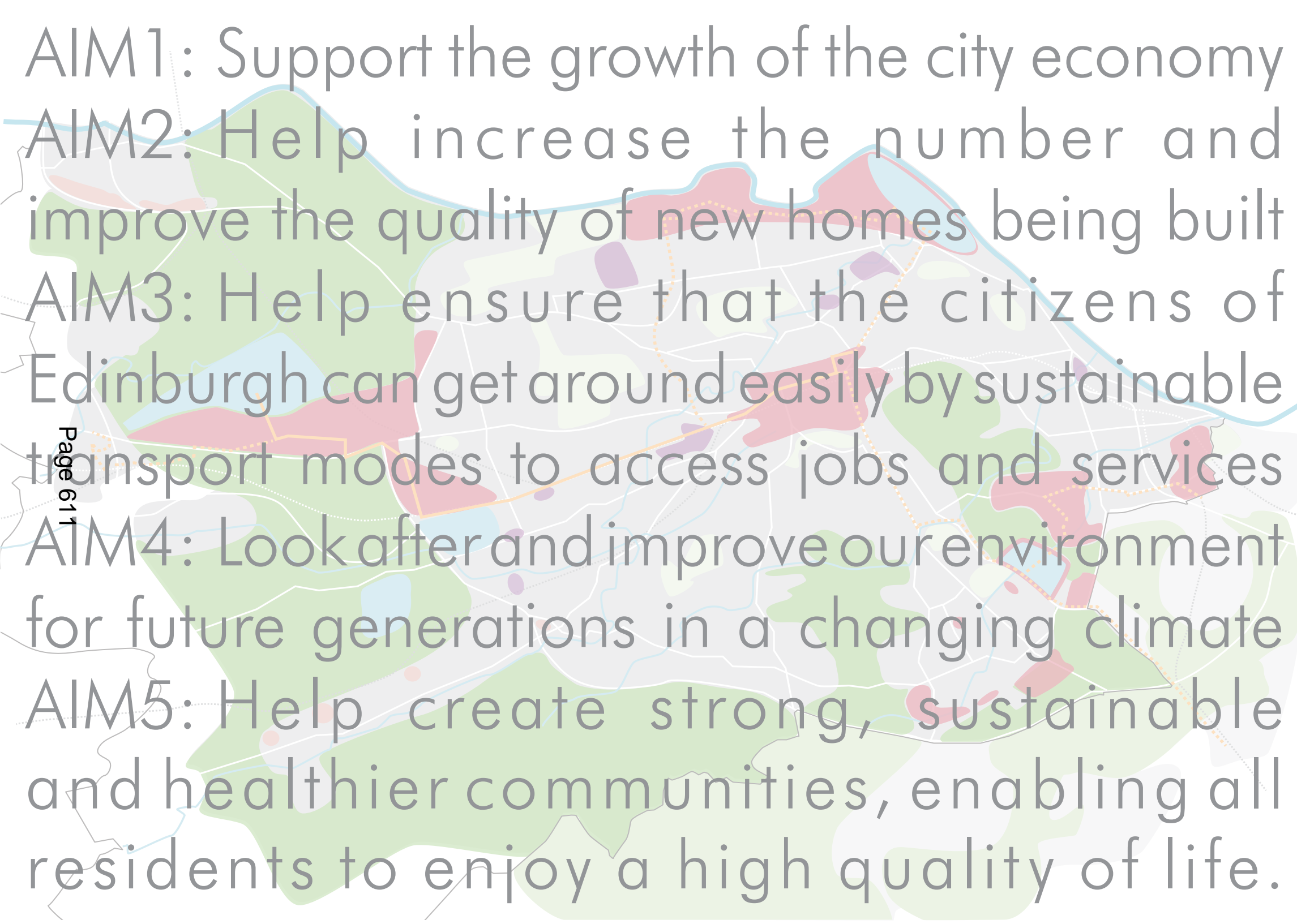
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View the Proposals Map online at:
www.edinburgh.gov.uk/localdevelopmentplan





AIM1: Support the growth of the city economy

AIM2: Help increase the number and improve the quality of new homes being built

AIM3: Help ensure that the citizens of Edinburgh can get around easily by sustainable transport modes to access jobs and services

AIM4: Look after and improve our environment for future generations in a changing climate

AIM5: Help create strong, sustainable and healthier communities, enabling all residents to enjoy a high quality of life.



Scottish Planning Policy

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Scottish Planning Policy

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Planning Series

The Scottish Government series of Planning and Architecture documents are material considerations in the planning system.

Planning and Architecture Policy



Planning and Design Advice and Guidance



Further information is available at: www.scotland.gov.uk/planning

This SPP replaces SPP (2010) and Designing Places (2001)

statutory

non-statutory

Scottish Planning Policy (SPP)

Purpose

i. The purpose of the SPP is to set out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development¹ and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

Status

ii. The SPP is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. It is non-statutory. However, Section 3D of the Town and Country Planning (Scotland) 1997 Act requires that functions relating to the preparation of the National Planning Framework by Scottish Ministers and development plans by planning authorities must be exercised with the objective of contributing to [sustainable development](#). Under the Act, Scottish Ministers are able to issue guidance on this requirement to which planning authorities must have regard. The Principal Policy on Sustainability is guidance under section 3E of the Act.

iii. The 1997 Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. As a statement of Ministers' priorities the content of the SPP is a material consideration that carries significant weight, though it is for the decision-maker to determine the appropriate weight in each case. Where development plans and proposals accord with this SPP, their progress through the planning system should be smoother.

¹ The Planning (Scotland) Act 2006 extends the definition of development to include marine fish farms out to 12 nautical miles.

iv. The SPP sits alongside the following Scottish Government planning policy documents:

- the [National Planning Framework](#) (NPF)², which provides a statutory framework for Scotland's long-term spatial development. The NPF sets out the Scottish Government's spatial development priorities for the next 20 to 30 years. The SPP sets out policy that will help to deliver the objectives of the NPF;
- [Creating Places](#)³, the policy statement on architecture and place, which contains policies and guidance on the importance of architecture and design;
- [Designing Streets](#)⁴, which is a policy statement putting street design at the centre of placemaking. It contains policies and guidance on the design of new or existing streets and their construction, adoption and maintenance; and
- [Circulars](#)⁵, which contain policy on the implementation of legislation or procedures.

v. The SPP should be read and applied as a whole. Where 'must' is used it reflects a legislative requirement to take action. Where 'should' is used it reflects Scottish Ministers' expectations of an efficient and effective planning system. The Principal Policies on Sustainability and Placemaking are overarching and should be applied to all development. The key documents referred to provide contextual background or more detailed advice and guidance. Unless otherwise stated, reference to Strategic Development Plans (SDP) covers Local Development Plans outwith SDP areas. The SPP does not restate policy and guidance set out elsewhere. A [glossary](#) of terms is included at the end of this document.

2 www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Framework

3 www.scotland.gov.uk/Publications/2013/06/9811/0

4 www.scotland.gov.uk/Publications/2010/03/22120652/0

5 www.scotland.gov.uk/Topics/Built-Environment/planning/publications/circulars

Introduction

The Planning System

1. The planning system has a vital role to play in delivering high-quality places for Scotland. Scottish Planning Policy (SPP) focuses plan making, planning decisions and development design on the Scottish Government's Purpose of creating a more successful country, with opportunities for all of Scotland to flourish, through increasing [sustainable economic growth](#).
2. Planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources.
3. Further information and guidance on planning in Scotland is available at www.scotland.gov.uk/planning⁶. An explanation of the planning system can be found in [A Guide to the Planning System in Scotland](#)⁷.

Core Values of the Planning Service

4. Scottish Ministers expect the planning service to perform to a high standard and to pursue continuous improvement. The service should:
 - focus on outcomes, maximising benefits and balancing competing interests;
 - play a key role in facilitating sustainable economic growth, particularly the creation of new jobs and the strengthening of economic capacity and resilience within communities;
 - be plan-led, with plans being up-to-date and relevant;
 - make decisions in a timely, transparent and fair way to provide a supportive business environment and engender public confidence in the system;
 - be inclusive, engaging all interests as early and effectively as possible;
 - be proportionate, only imposing conditions and obligations where necessary; and
 - uphold the law and enforce the terms of decisions made.

People Make the System Work

5. The primary responsibility for the operation of the planning system lies with strategic development planning authorities, and local and national park authorities. However, all those involved with the system have a responsibility to engage and work together constructively and proportionately to achieve quality places for Scotland. This includes the Scottish Government and its agencies, public bodies, statutory consultees, elected members, communities, the general public, developers, applicants, agents, interest groups and representative organisations.

⁶ www.scotland.gov.uk/Topics/built-environment/planning

⁷ www.scotland.gov.uk/Publications/2009/08/11133705/0

6. Throughout the planning system, opportunities are available for everyone to engage in the development decisions which affect them. Such engagement between stakeholders should be early, meaningful and proportionate. Innovative approaches, tailored to the unique circumstances are encouraged, for example charrettes or mediation initiatives. Support or concern expressed on matters material to planning should be given careful consideration in developing plans and proposals and in determining planning applications. Effective engagement can lead to better plans, better decisions and more satisfactory outcomes and can help to avoid delays in the planning process.

7. Planning authorities and developers should ensure that appropriate and proportionate steps are taken to engage with communities during the preparation of development plans, when development proposals are being formed and when applications for planning permission are made. Individuals and **community** groups should ensure that they focus on planning issues and use available opportunities for engaging constructively with developers and planning authorities.

8. Further information can be found in the following:

- [Town and Country Planning \(Scotland\) Act 1997](#)⁸ as amended, plus associated legislation: sets out minimum requirements for consultation and engagement
- [Circular 6/2013: Development Planning](#)⁹
- [Circular 3/2013: Development Management Procedures](#)¹⁰
- [The Standards Commission for Scotland: Guidance on the Councillors' Code of Conduct](#)¹¹
- [Planning Advice Note 3/2010: Community Engagement](#)¹²
- [A Guide to the Use of Mediation in the Planning System in Scotland \(2009\)](#)¹³

Outcomes: How Planning Makes a Difference

9. The Scottish Government's Purpose of creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth is set out in the Government Economic Strategy. The aim is to ensure that the entire public sector is fully aligned to deliver the Purpose. The relationship of planning to the Purpose is shown on page 8.

10. The Scottish Government's [16 national outcomes](#)¹⁴ articulate in more detail how the Purpose is to be achieved. Planning is broad in scope and cross cutting in nature and therefore contributes to the achievement of all of the national outcomes. The pursuit of these outcomes provides the impetus for other national plans, policies and strategies and many of the principles and policies set out in them are reflected in both the SPP and NPF3.

8 www.legislation.gov.uk/ukpga/1997/8/contents

9 www.scotland.gov.uk/Publications/2013/12/9924/0

10 www.scotland.gov.uk/Publications/2013/12/9882/0

11 www.standardscommissionscotland.org.uk/webfm_send/279

12 www.scotland.gov.uk/Publications/2010/08/30094454/0

13 www.scotland.gov.uk/Publications/2009/03/10154116/0

14 www.scotland.gov.uk/About/Performance/scotPerforms/outcome

11. NPF3 and this SPP share a single vision for the planning system in Scotland:

We live in a Scotland with a growing, low-carbon economy with progressively narrowing disparities in well-being and opportunity. It is growth that can be achieved whilst reducing emissions and which respects the quality of environment, place and life which makes our country so special. It is growth which increases solidarity – reducing inequalities between our regions. We live in sustainable, well-designed places and homes which meet our needs. We enjoy excellent transport and digital connections, internally and with the rest of the world.

12. At the strategic and local level, planning can make a very important contribution to the delivery of [Single Outcome Agreements](#)¹⁵, through their shared focus on ‘place’. Effective integration between land use planning and community planning is crucial and development plans should reflect close working with [Community Planning Partnerships](#)¹⁶.

13. The following four planning outcomes explain how planning should support the vision. The outcomes are consistent across the NPF and SPP and focus on creating a successful sustainable place, a low carbon place, a natural, resilient place and a more connected place. For planning to make a positive difference, development plans and new development need to contribute to achieving these outcomes.

Outcome 1: A successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed, sustainable places.

14. NPF3 aims to strengthen the role of our city regions and towns, create more vibrant rural places, and realise the opportunities for sustainable growth and innovation in our coastal and island areas.

15. The SPP sets out how this should be delivered on the ground. By locating the right development in the right place, planning can provide opportunities for people to make sustainable choices and improve their quality of life. Well-planned places promote well-being, a sense of identity and pride, and greater opportunities for social interaction. Planning therefore has an important role in promoting strong, resilient and inclusive communities. Delivering high-quality buildings, infrastructure and spaces in the right locations helps provide choice over where to live and style of home, choice as to how to access amenities and services and choice to live more active, engaged, independent and healthy lifestyles.

16. Good planning creates opportunities for people to contribute to a growing, adaptable and productive economy. By allocating sites and creating places that are attractive to growing economic sectors, and enabling the delivery of necessary infrastructure, planning can help provide the confidence required to secure private sector investment, thus supporting innovation, creating employment and benefiting related businesses.

Outcome 2: A low carbon place – reducing our carbon emissions and adapting to climate change.

¹⁵ www.scotland.gov.uk/Topics/Government/PublicServiceReform/CP/SOA2012

¹⁶ www.scotland.gov.uk/Topics/Government/PublicServiceReform/CP

17. NPF3 will facilitate the transition to a low carbon economy, particularly by supporting diversification of the energy sector. The spatial strategy as a whole aims to reduce greenhouse gas emissions and facilitate **adaptation** to climate change.

18. The Climate Change (Scotland) Act 2009 sets a target of reducing greenhouse gas emissions by at least 80% by 2050, with an interim target of reducing emissions by at least 42% by 2020. Annual greenhouse gas emission targets are set in secondary legislation. Section 44 of the Act places a duty on every public body to act:

- in the way best calculated to contribute to the delivery of emissions targets in the Act;
- in the way best calculated to help deliver the Scottish Government’s climate change adaptation programme; and
- in a way that it considers is most sustainable.

19. The SPP sets out how this should be delivered on the ground. By seizing opportunities to encourage mitigation and adaptation measures, planning can support the transformational change required to meet emission reduction targets and influence climate change. Planning can also influence people’s choices to reduce the environmental impacts of consumption and production, particularly through energy efficiency and the reduction of waste.

Outcome 3: A natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use.

20. NPF3 emphasises the importance of our environment as part of our cultural identity, an essential contributor to well-being and an economic opportunity. Our spatial strategy aims to build resilience and promotes protection and sustainable use of our world-class environmental assets.

21. The SPP sets out how this should be delivered on the ground. By protecting and making efficient use of Scotland’s existing resources and environmental assets, planning can help us to live within our environmental limits and to pass on healthy ecosystems to future generations. Planning can help to manage and improve the condition of our assets, supporting communities in realising their aspirations for their environment and facilitating their access to enjoyment of it. By enhancing our surroundings, planning can help make Scotland a uniquely attractive place to work, visit and invest and therefore support the generation of jobs, income and wider economic benefits.

Outcome 4: A more connected place – supporting better transport and digital connectivity.

22. NPF3 reflects our continuing investment in infrastructure, to strengthen transport links within Scotland and to the rest of the world. Improved digital connections will also play a key role in helping to deliver our spatial strategy for sustainable growth.

23. The SPP sets out how this should be delivered on the ground. By aligning development more closely with transport and digital infrastructure, planning can improve sustainability and connectivity. Improved connections facilitate accessibility within and between places – within Scotland and beyond – and support economic growth and an inclusive society.

SG Purpose	To focus government and public services on creating a more successful country, with opportunities for all to flourish, through increasing sustainable economic growth.										
SG National Outcomes	The planning system and service contribute to all 16 National Outcomes										
SG National Plans, Policies & Strategies	Government Economic Strategy										
	Infrastructure Investment Plan										
	Scotland's Digital Future	Electricity & Heat Generation Policy Statements	2020 Challenge for Scotland's Biodiversity	Scottish Historic Environment Strategy and Policy	Housing Strategy	National Planning Framework & Scottish Planning Policy	Land Use Strategy	Low Carbon Scotland: Report of Proposals and Policies	National Marine Plan	Regeneration Strategy	National Transport Strategy
Planning Vision	We live in a Scotland with a growing, low carbon economy with progressively narrowing disparities in well-being and opportunity. It is growth that can be achieved whilst reducing emissions and which respects the quality of environment, place and life which makes our country so special. It is growth which increases solidarity – reducing inequalities between our regions. We live in sustainable, well-designed places and homes which meet our needs. We enjoy excellent transport and digital connections, internally and with the rest of the world.										
Planning Outcomes	Planning makes Scotland a successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed places.			Planning makes Scotland a low carbon place – reducing our carbon emissions and adapting to climate change.			Planning makes Scotland a natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use.			Planning makes Scotland a connected place – supporting better transport and digital connectivity.	
National Planning	Scottish Planning Policy (SPP)										
	Principal Policies										
	Sustainability										
	Subject Policies										
	Town Centres	Heat and Electricity	Natural Environment Green Infrastructure	Travel	Digital Connectivity	National Planning Framework (NPF)				Cities and Towns Rural Areas Coast and Islands National Developments	
Rural Development											
Homes											
Business & Employment	Zero Waste		Aquacultural	Minerals	National Planning Framework (NPF)		National Planning Framework (NPF)				
Historic Environment	Flooding & Drainage										
	COMMUNITY PLANNING										
Strategic	Strategic Development Plans										
Local	Local Development Plans										
Site	Master Plans										

Principal Policies

Sustainability

NPF and wider policy context

24. The Scottish Government's central purpose is to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing **sustainable economic growth**.

25. The Scottish Government's commitment to the concept of **sustainable development** is reflected in its Purpose. It is also reflected in the continued support for the five guiding principles set out in the UK's shared framework for sustainable development. Achieving a sustainable economy, promoting good governance and using sound science responsibly are essential to the creation and maintenance of a strong, healthy and just society capable of living within environmental limits.

26. The NPF is the spatial expression of the Government Economic Strategy (2011) and sustainable economic growth forms the foundations of its strategy. The NPF sits at the top of the development plan hierarchy and must be taken into account in the preparation of strategic and local development plans.

27. The Government Economic Strategy indicates that sustainable economic growth is the key to unlocking Scotland's potential and outlines the multiple benefits of delivering the Government's purpose, including creating a supportive business environment, achieving a low carbon economy, tackling health and social problems, maintaining a high-quality environment and passing on a sustainable legacy for future generations.

Policy Principles

This SPP introduces a presumption in favour of development that contributes to sustainable development.

28. The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.

29. This means that policies and decisions should be guided by the following principles:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;

- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting [climate change mitigation](#) and [adaptation](#) including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the [historic environment](#);
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

Key Documents

- [National Planning Framework](#)¹⁷
- [Government Economic Strategy](#)¹⁸
- [Planning Reform: Next Steps](#)¹⁹
- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)²⁰
- [UK’s Shared Framework for Sustainable Development](#)²¹

Delivery

Development Planning

30. Development plans should:

- be consistent with the policies set out in this SPP, including the presumption in favour of development that contributes to sustainable development;
- positively seek opportunities to meet the development needs of the plan area in a way which is flexible enough to adapt to changing circumstances over time;
- support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area;
- be up-to-date, place-based and enabling with a spatial strategy that is implemented through policies and proposals; and
- set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achieved.

¹⁷ www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Framework

¹⁸ www.scotland.gov.uk/Publications/2011/09/13091128/0

¹⁹ www.scotland.gov.uk/Publications/2012/03/3467

²⁰ www.scotland.gov.uk/Publications/2011/03/17091927/0

²¹ <http://archive.defra.gov.uk/sustainable/government/documents/SDFramework.pdf>

31. Action programmes should be actively used to drive delivery of planned developments: to align stakeholders, phasing, financing and infrastructure investment over the long term.

Development Management

32. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and this SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.

33. Where relevant policies in a development plan are out-of-date²² or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP. The same principle should be applied where a development plan is more than five years old.

34. Where a plan is under review, it may be appropriate in some circumstances to consider whether granting planning permission would prejudice the emerging plan. Such circumstances are only likely to apply where the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new developments that are central to the emerging plan. Prematurity will be more relevant as a consideration the closer the plan is to adoption or approval.

35. To support the efficient and transparent handling of planning applications by planning authorities and consultees, applicants should provide good quality and timely supporting information that describes the economic, environmental and social implications of the proposal. In the spirit of planning reform, this should be proportionate to the scale of the application and planning authorities should avoid asking for additional impact appraisals, unless necessary to enable a decision to be made. Clarity on the information needed and the timetable for determining proposals can be assisted by good communication and project management, for example, use of processing agreements setting out the information required and covering the whole process including planning obligations.

²² Development plans or their policies should not be considered out-of-date solely on the grounds that they were adopted prior to the publication of this SPP. However, the policies in the SPP will be a material consideration which should be taken into account when determining applications.

Placemaking

NPF and wider policy context

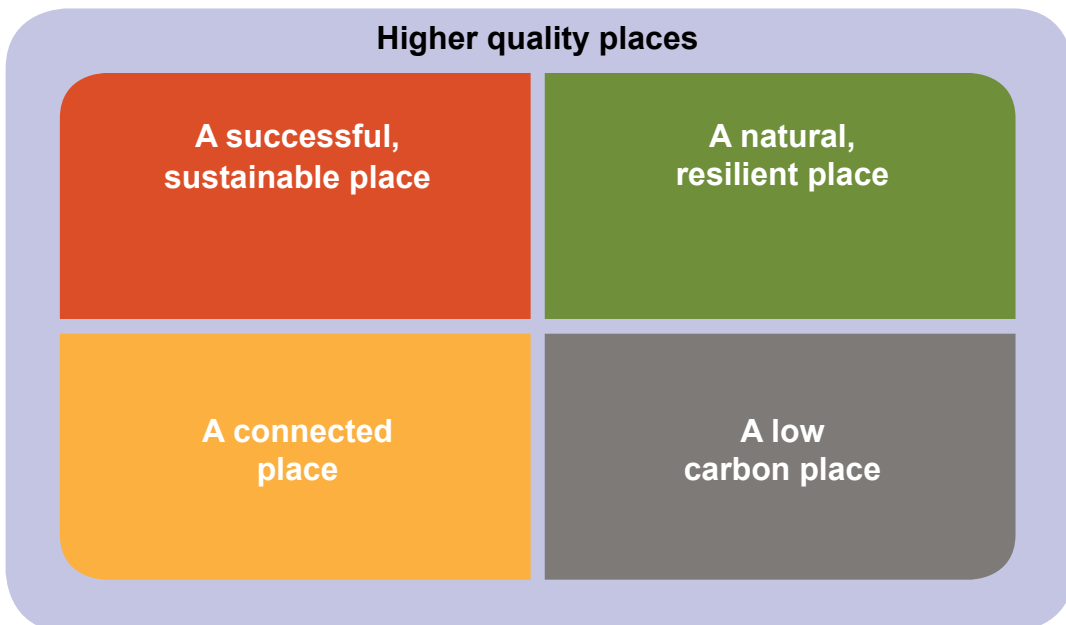
36. Planning’s purpose is to create better places. Placemaking is a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments. The outcome should be sustainable, well-designed places and homes which meet people’s needs. The Government Economic Strategy supports an approach to place that recognises the unique contribution that every part of Scotland can make to achieving our shared outcomes. This means harnessing the distinct characteristics and strengths of each place to improve the overall quality of life for people. Reflecting this, NPF3 sets out an agenda for placemaking in our city regions, towns, rural areas, coast and islands.

37. The Government’s policy statement on architecture and place for Scotland, Creating Places, emphasises that quality places are successful places. It sets out the value that high-quality design can deliver for Scotland’s communities and the important role that good buildings and places play in promoting healthy, sustainable lifestyles; supporting the prevention agenda and efficiency in public services; promoting Scotland’s distinctive identity all over the world; attracting visitors, talent and investment; delivering our environmental ambitions; and providing a sense of belonging, a sense of identity and a sense of community. It is clear that places which have enduring appeal and functionality are more likely to be valued by people and therefore retained for generations to come.

Policy Principles

Planning should take every opportunity to create high quality places by taking a design-led approach.

38. This means taking a holistic approach that responds to and enhances the existing place while balancing the costs and benefits of potential opportunities over the long term. This means considering the relationships between:



39. The design-led approach should be applied at all levels – at the national level in the NPF, at the regional level in strategic development plans, at the local level in local development plans and at site and individual building level within master plans that respond to how people use public spaces.

Planning should direct the right development to the right place.

40. This requires spatial strategies within development plans to promote a sustainable pattern of development appropriate to the area. To do this decisions should be guided by the following policy principles:

- optimising the use of existing resource capacities, particularly by co-ordinating housing and business development with infrastructure investment including transport, education facilities, water and drainage, energy, heat networks and digital infrastructure;
- using land within or adjacent to settlements for a mix of uses. This will also support the creation of more compact, higher density, accessible and more vibrant cores;
- considering the re-use or re-development of **brownfield land** before new development takes place on greenfield sites;
- considering whether the permanent, temporary or advanced greening of all or some of a site could make a valuable contribution to green and open space networks, particularly where it is unlikely to be developed for some time, or is unsuitable for development due to its location or viability issues; and
- locating development where investment in growth or improvement would have most benefit for the amenity of local people and the vitality of the local economy.

Planning should support development that is designed to a high-quality, which demonstrates the six qualities of successful place.

- ***Distinctive***

41. This is development that complements local features, for example landscapes, topography, ecology, skylines, spaces and scales, street and building forms, and materials to create places with a sense of identity.

- ***Safe and Pleasant***

42. This is development that is attractive to use because it provides a sense of security through encouraging activity. It does this by giving consideration to crime rates and providing a clear distinction between private and public space, by having doors that face onto the street creating active frontages, and by having windows that overlook well-lit streets, paths and open spaces to create natural surveillance. A pleasant, positive sense of place can be achieved by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement.

- **Welcoming**

43. This is development that helps people to find their way around. This can be by providing or accentuating landmarks to create or improve views, it can be locating a distinctive work of art to mark places such as gateways, and it can include appropriate signage and distinctive lighting to improve safety and show off attractive buildings.

- **Adaptable**

44. This is development that can accommodate future changes of use because there is a mix of building densities, tenures and typologies where diverse but compatible uses can be integrated. It takes into account how people use places differently, for example depending on age, gender and degree of personal mobility and providing versatile greenspace.

- **Resource Efficient**

45. This is development that re-uses or shares existing resources, maximises efficiency of the use of resources through natural or technological means and prevents future resource depletion, for example by mitigating and adapting to climate change. This can mean denser development that shares infrastructure and amenity with adjacent sites. It could include siting development to take shelter from the prevailing wind; or orientating it to maximise solar gain. It could also include ensuring development can withstand more extreme weather, including prolonged wet or dry periods, by working with natural environmental processes such as using landscaping and natural shading to cool spaces in built areas during hotter periods and using sustainable drainage systems to conserve and enhance natural features whilst reducing the risk of flooding. It can include using durable materials for building and landscaping as well as low carbon technologies that manage heat and waste efficiently.

- **Easy to Move Around and Beyond**

46. This is development that considers place and the needs of people before the movement of motor vehicles. It could include using higher densities and a mix of uses that enhance accessibility by reducing reliance on private cars and prioritising sustainable and active travel choices, such as walking, cycling and public transport. It would include paths and routes which connect places directly and which are well-connected with the wider environment beyond the site boundary. This may include providing facilities that link different means of travel.

Key Documents

- [National Planning Framework](#)²³
- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)²⁴
- [Creating Places –A Policy Statement on Architecture and Place for Scotland](#)²⁵
- [Designing Streets](#)²⁶
- [Planning Advice Note 77: Designing Safer Places](#)²⁷
- [Green Infrastructure: Design and Placemaking](#)²⁸

23 www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Framework

24 www.scotland.gov.uk/Publications/2011/03/17091927/0

25 www.scotland.gov.uk/Publications/2013/06/9811/0

26 www.scotland.gov.uk/Publications/2010/03/22120652/0

27 www.scotland.gov.uk/Publications/2006/03/08094923/0

28 www.scotland.gov.uk/Publications/2011/11/04140525/0

Delivery

47. Planning should adopt a consistent and relevant approach to the assessment of design and place quality such as that set out in the forthcoming Scottish Government Place Standard.

Development Planning

48. Strategic and local development plans should be based on spatial strategies that are deliverable, taking into account the scale and type of development pressure and the need for growth and regeneration. An urban capacity study, which assesses the scope for development within settlement boundaries, may usefully inform the spatial strategy, and local authorities should make use of land assembly, including the use of [compulsory purchase powers](#)²⁹ where appropriate. Early discussion should take place between local authorities, developers and relevant agencies to ensure that investment in necessary new infrastructure is addressed in a timely manner.

49. For most settlements, a green belt is not necessary as other policies can provide an appropriate basis for directing development to the right locations. However, where the planning authority considers it appropriate, the development plan may designate a green belt around a city or town to support the spatial strategy by:

- directing development to the most appropriate locations and supporting regeneration;
- protecting and enhancing the character, landscape setting and identity of the settlement; and
- protecting and providing access to open space.

50. In developing the spatial strategy, planning authorities should identify the most sustainable locations for longer-term development and, where necessary, review the boundaries of any green belt.

51. The spatial form of the green belt should be appropriate to the location. It may encircle a settlement or take the shape of a buffer, corridor, strip or wedge. Local development plans should show the detailed boundary of any green belt, giving consideration to:

- excluding existing settlements and major educational and research uses, major businesses and industrial operations, airports and Ministry of Defence establishments;
- the need for development in smaller settlements within the green belt, where appropriate leaving room for expansion;
- redirecting development pressure to more suitable locations; and
- establishing clearly identifiable visual boundary markers based on landscape features such as rivers, tree belts, railways or main roads³⁰. Hedges and field enclosures will rarely provide a sufficiently robust boundary.

52. Local development plans should describe the types and scales of development which would be appropriate within a green belt. These may include:

- development associated with agriculture, including the reuse of historic agricultural buildings;
- development associated with woodland and forestry, including community woodlands;
- horticulture, including market gardening and directly connected retailing;

²⁹ www.scotland.gov.uk/Topics/archive/National-Planning-Policy/themes/ComPur

³⁰ Note: where a main road forms a green belt boundary, any proposed new accesses would still require to meet the usual criteria.

- recreational uses that are compatible with an agricultural or natural setting;
- essential infrastructure such as digital communications infrastructure and electricity grid connections;
- development meeting a national requirement or established need, if no other suitable site is available; and
- intensification of established uses subject to the new development being of a suitable scale and form.

53. The creation of a new settlement may occasionally be a necessary part of a spatial strategy, where it is justified either by the scale and nature of the housing land requirement and the existence of major constraints to the further growth of existing settlements, or by its essential role in promoting regeneration or rural development.

54. Where a development plan spatial strategy indicates that a new settlement is appropriate, it should specify its scale and location, and supporting infrastructure requirements, particularly where these are integral to the viability and deliverability of the proposed development. Supplementary guidance can address more detailed issues such as design and delivery.

55. Local development plans should contribute to high-quality places by setting out how they will embed a design-led approach. This should include:

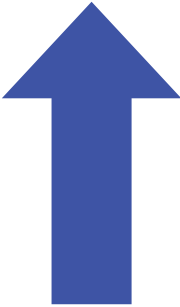

- reference to the six qualities of successful places which enable consideration of each place as distinctly different from other places and which should be evident in all development;
- using processes that harness and utilise the knowledge of communities and encourage active participation to deliver places with local integrity and relevance; and
- specifying when design tools, such as those at paragraph 57 should be used.

Development Management

56. Design is a material consideration in determining planning applications. Planning permission may be refused and the refusal defended at appeal or local review solely on design grounds.

Tools for Making Better Places

57. Design tools guide the quality of development in and across places to promote positive change. They can help to provide certainty for stakeholders as a contribution to sustainable economic growth. Whichever tools are appropriate to the task, they should focus on delivering the six qualities of successful places and could be adopted as supplementary guidance.

Scale	Tool
<p style="text-align: center;">STRATEGIC</p> <div style="text-align: center;">  </div> <div style="text-align: center;">  </div> <p style="text-align: center;">SITE SPECIFIC</p>	<p>Design Frameworks</p> <p>For larger areas of significant change, so must include some flexibility.</p> <p>To address major issues in a co-ordinated and viable way.</p> <p>May include general principles as well as maps and diagrams to show the importance of connections around and within a place.</p>
	<p>Development Briefs</p> <p>For a place or site, to form the basis of dialogue between the local authority and developers.</p> <p>To advise how policies should be implemented.</p> <p>May include detail on function, layout, plot sizes, building heights and lines, and materials.</p>
	<p>Master Plans</p> <p>For a specific site that may be phased so able to adapt over time.</p> <p>To describe and illustrate how a proposal will meet the vision and how it will work on the ground.</p> <p>May include images showing the relationship of people and place.</p> <p>See Planning Advice Note 83: Masterplanning³¹</p>
	<p>Design Guides</p> <p>For a particular subject, e.g. shop fronts.</p> <p>To show how development can be put into practice in line with policy.</p> <p>Includes detail, e.g. images of examples.</p>
	<p>Design Statements</p> <p>Required to accompany some planning applications.</p> <p>To explain how the application meets policy and guidance, for example by close reference to key considerations of street design with Designing Streets.</p> <p>See Planning Advice Note 68: Design Statements³²</p>

31 www.scotland.gov.uk/Publications/2008/11/10114526/0

32 www.scotland.gov.uk/Publications/2003/08/18013/25389

Subject Policies

A Successful, Sustainable Place

Promoting Town Centres

NPF and wider context

58. NPF3 reflects the importance of town centres as a key element of the economic and social fabric of Scotland. Much of Scotland's population lives and works in towns, within city regions, in our rural areas and on our coasts and islands. Town centres are at the heart of their communities and can be hubs for a range of activities. It is important that planning supports the role of town centres to thrive and meet the needs of their residents, businesses and visitors for the 21st century.

59. The town centre first principle, stemming from the Town Centre Action Plan, promotes an approach to wider decision-making that considers the health and vibrancy of town centres.

Policy Principles

60. Planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into town centres. The planning system should:

- apply a town centre first policy³³ when planning for uses which attract significant numbers of people, including retail and commercial leisure, offices, community and cultural facilities;
- encourage a mix of uses in town centres to support their vibrancy, vitality and viability throughout the day and into the evening;
- ensure development plans, decision-making and monitoring support successful town centres; and
- consider opportunities for promoting residential use within town centres where this fits with local need and demand.

Key Documents

- [National Review of Town Centres External Advisory Group Report: Community and Enterprise in Scotland's Town Centres](#)³⁴
- [Town Centre Action Plan – the Scottish Government response](#)³⁵
- [Planning Advice Note 59: Improving Town Centres](#)³⁶
- [Planning Advice Note 52: Planning and Small Towns](#)³⁷

³³ A town centre first policy is intended to support town centres, where these exist, or new centres which are supported by the development plan. Where there are no town centres in the vicinity, for example in more remote rural and island areas, the expectation is that local centres will be supported. The town centre first policy is not intended to divert essential services and developments away from such rural areas. See section on Rural Development.

³⁴ www.scotland.gov.uk/Resource/0042/00426972.pdf

³⁵ www.scotland.gov.uk/Publications/2013/11/6415

³⁶ www.scotland.gov.uk/Publications/1999/10/pan59-root/pan59

³⁷ www.scotland.gov.uk/Publications/1997/04/pan52

- [Town Centres Masterplanning Toolkit](#)³⁸

Development Plans

61. Plans should identify a network of centres and explain how they can complement each other. The network is likely to include city centres, town centres, local centres and commercial centres and may be organised as a hierarchy. Emerging or new centres designated within key new developments or land releases should also be shown within the network of centres. In remoter rural and island areas, it may not be necessary to identify a network.

62. Plans should identify as town centres those centres which display:

- a diverse mix of uses, including shopping;
- a high level of accessibility;
- qualities of character and identity which create a sense of place and further the well-being of communities;
- wider economic and social activity during the day and in the evening; and
- integration with residential areas.

63. Plans should identify as commercial centres those centres which have a more specific focus on retailing and/or leisure uses, such as shopping centres, commercial leisure developments, mixed retail and leisure developments, retail parks and factory outlet centres. Where necessary to protect the role of town centres, plans should specify the function of commercial centres, for example where retail activity may be restricted to the sale of bulky goods.

64. Local authorities, working with community planning partners, businesses and community groups as appropriate, should prepare a town centre health check. Annex A sets out a range of indicators which may be relevant. The purpose of a health check is to assess a town centre's strengths, vitality and viability, weaknesses and resilience. It will be used to inform development plans and decisions on planning applications. Health checks should be regularly updated, to monitor town centre performance, preferably every two years.

65. Local authorities, working with partners, should use the findings of the health check to develop a strategy to deliver improvements to the town centre. Annex A contains guidance on key elements in their preparation.

66. The spatial elements of town centre strategies should be included in the development plan or supplementary guidance. Plans should address any significant changes in the roles and functions of centres over time, where change is supported by the results of a health check. Plans should assess how centres can accommodate development and identify opportunities.

67. There are concerns about the number and clustering of some non-retail uses, such as betting offices and high interest money lending premises, in some town and local centres. Plans should include policies to support an appropriate mix of uses in town centres, local centres and high streets. Where a town centre strategy indicates that further provision of particular activities would undermine the character and amenity of centres or the well-being of communities, plans should include policies to prevent such over-provision and clustering.

³⁸ <http://creatingplacescotland.org/people-communities/policy/town-centre-masterplanning-toolkit#overlay-context=people-communities/policy>

68. Development plans should adopt a sequential town centre first approach when planning for uses which generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities and, where appropriate, other public buildings such as libraries, and education and healthcare facilities. This requires that locations are considered in the following order of preference:

- town centres (including city centres and local centres);
- edge of town centre;
- other commercial centres identified in the development plan; and
- out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes.

69. Planning authorities, developers, owners and occupiers should be flexible and realistic in applying the sequential approach, to ensure that different uses are developed in the most appropriate locations. It is important that community, education and healthcare facilities are located where they are easily accessible to the communities that they are intended to serve.

Development Management

70. Decisions on development proposals should have regard to the context provided by the network of centres identified in the development plan and the sequential approach outlined above. New development in a town centre should contribute to providing a range of uses and should be of a scale which is appropriate to that centre. The impact of new development on the character and amenity of town centres, local centres and high streets will be a material consideration in decision-making. The aim is to recognise and prioritise the importance of town centres and encourage a mix of developments which support their vibrancy, vitality and viability. This aim should also be taken into account in decisions concerning proposals to expand or change the use of existing development.

71. Where development proposals in edge of town centre, commercial centre or out-of-town locations are contrary to the development plan, it is for applicants to demonstrate that more central options have been thoroughly assessed and that the impact on existing town centres is acceptable. Where a new public building or office with a gross floorspace over 2,500m² is proposed outwith a town centre, and is contrary to the development plan, an assessment of the impact on the town centre should be carried out. Where a retail and leisure development with a gross floorspace over 2,500m² is proposed outwith a town centre, contrary to the development plan, a retail impact analysis should be undertaken. For smaller retail and leisure proposals which may have a significant impact on vitality and viability, planning authorities should advise when retail impact analysis is necessary.

72. This analysis should consider the relationship of the proposed development with the network of centres identified in the development plan. Where possible, authorities and developers should agree the data required and present information on areas of dispute in a succinct and comparable form. Planning authorities should consider the potential economic impact of development and take into account any possible displacement effect.

73. Out-of-centre locations should only be considered for uses which generate significant footfall³⁹ where:

- all town centre, edge of town centre and other commercial centre options have been assessed and discounted as unsuitable or unavailable;

³⁹ As noted at paragraph 69, a flexible approach is required for community, education and healthcare facilities.

- the scale of development proposed is appropriate, and it has been shown that the proposal cannot reasonably be altered or reduced in scale to allow it to be accommodated at a sequentially preferable location;
- the proposal will help to meet qualitative or quantitative deficiencies; and
- there will be no significant adverse effect on the vitality and viability of existing town centres.

Promoting Rural Development

NPF Context

74. NPF3 sets out a vision for vibrant rural, coastal and island areas, with growing, sustainable communities supported by new opportunities for employment and education. The character of rural and island areas and the challenges they face vary greatly across the country, from pressurised areas of countryside around towns and cities to more remote and sparsely populated areas. Between these extremes are extensive intermediate areas under varying degrees of pressure and with different kinds of environmental assets meriting protection. Scotland's long coastline is an important resource both for development and for its particular environmental quality, especially in the areas of the three island councils.

Policy Principles

75. The planning system should:

- in all rural and island areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces;
- encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality; and
- support an integrated approach to coastal planning.

Key documents

- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)⁴⁰
- National Marine Plan

Delivery

76. In the pressurised areas easily accessible from Scotland's cities and main towns, where ongoing development pressures are likely to continue, it is important to protect against an unsustainable growth in car-based commuting and the suburbanisation of the countryside, particularly where there are environmental assets such as sensitive landscapes or good quality agricultural land. Plans should make provision for most new urban development to take place within, or in planned extensions to, existing settlements.

77. In remote and fragile areas and island areas outwith defined small towns, the emphasis should be on maintaining and growing communities by encouraging development that provides suitable sustainable economic activity, while preserving important environmental assets such as landscape and wildlife habitats that underpin continuing tourism visits and quality of place.

78. In the areas of intermediate accessibility and pressure for development, plans should be tailored to local circumstances, seeking to provide a sustainable network of settlements and a

⁴⁰ www.scotland.gov.uk/Publications/2011/03/17091927/0

range of policies that provide for additional housing requirements, economic development, and the varying proposals that may come forward, while taking account of the overarching objectives and other elements of the plan.

79. Plans should set out a spatial strategy which:

- reflects the development pressures, environmental assets, and economic needs of the area, reflecting the overarching aim of supporting diversification and growth of the rural economy;
- promotes economic activity and diversification, including, where appropriate, sustainable development linked to tourism and leisure, forestry, farm and croft diversification and aquaculture, nature conservation, and renewable energy developments, while ensuring that the distinctive character of the area, the service function of small towns and natural and cultural heritage are protected and enhanced;
- makes provision for housing in rural areas in accordance with the spatial strategy, taking account of the different development needs of local communities;
- where appropriate, sets out policies and proposals for leisure accommodation, such as holiday units, caravans, and huts;
- addresses the resource implications of the proposed pattern of development, including facilitating access to local community services and support for public transport; and
- considers the services provided by the natural environment, safeguarding land which is highly suitable for particular uses such as food production or flood management.

80. Where it is necessary to use good quality land for development, the layout and design should minimise the amount of such land that is required. Development on [prime agricultural land](#), or land of lesser quality that is locally important should not be permitted except where it is essential:

- as a component of the settlement strategy or necessary to meet an established need, for example for essential infrastructure, where no other suitable site is available; or
- for small-scale development directly linked to a rural business; or
- for the generation of energy from a renewable source or the extraction of minerals where this accords with other policy objectives and there is secure provision for restoration to return the land to its former status.

81. In accessible or pressured rural areas, where there is a danger of unsustainable growth in long-distance car-based commuting or suburbanisation of the countryside, a more restrictive approach to new housing development is appropriate, and plans and decision-making should generally:

- guide most new development to locations within or adjacent to settlements; and
- set out the circumstances in which new housing outwith settlements may be appropriate, avoiding use of occupancy restrictions.

82. In some most pressured areas, the designation of green belts may be appropriate.

83. In remote rural areas, where new development can often help to sustain fragile communities, plans and decision-making should generally:

- encourage sustainable development that will provide employment;
- support and sustain fragile and dispersed communities through provision for appropriate development, especially housing and community-owned energy;

- include provision for small-scale housing⁴¹ and other development which supports sustainable economic growth in a range of locations, taking account of environmental protection policies and addressing issues of location, access, siting, design and environmental impact;
- where appropriate, allow the construction of single houses outwith settlements provided they are well sited and designed to fit with local landscape character, taking account of landscape protection and other plan policies;
- not impose occupancy restrictions on housing.

National Parks

84. National Parks are designated under the National Parks (Scotland) Act 2000 because they are areas of national importance for their natural and cultural heritage. The four aims of national parks are to:

- conserve and enhance the natural and cultural heritage of the area;
- promote sustainable use of the natural resources of the area;
- promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
- promote sustainable economic and social development of the area's communities.

85. These aims are to be pursued collectively. However if there is a conflict between the first aim and any of the others then greater weight must be given to the first aim. Planning decisions should reflect this weighting. Paragraph 213 also applies to development outwith a National Park that affects the Park.

86. Development plans for National Parks are expected to be consistent with the National Park Plan, which sets out the management strategy for the Park. The authority preparing a development plan for a National Park, or which affects a National Park, is required to pay special attention to the desirability of consistency with the National Park Plan, having regard to the contents.

Coastal Planning

87. The planning system should support an integrated approach to coastal planning to ensure that development plans and regional marine plans are complementary. Terrestrial planning by planning authorities overlaps with marine planning in the intertidal zone. On the terrestrial side, mainland planning authorities should work closely with neighbouring authorities, taking account of the needs of port authorities and aquaculture, where appropriate. On the marine side, planning authorities will need to ensure integration with policies and activities arising from the National Marine Plan, Marine Planning Partnerships, Regional Marine Plans, and Integrated Coastal Zone Management, as well as aquaculture.

Development Plans

88. Plans should recognise that rising sea levels and more extreme weather events resulting from climate change will potentially have a significant impact on coastal and island areas, and that a precautionary approach to flood risk should be taken. They should confirm that new development requiring new defences against coastal erosion or coastal flooding will not be supported except where there is a clear justification for a departure from the general policy to

⁴¹ including clusters and groups; extensions to existing clusters and groups; replacement housing; plots for self build; holiday homes; new build or conversion linked to rural business.

avoid development in areas at risk. Where appropriate, development plans should identify areas at risk and areas where a managed realignment of the coast would be beneficial.

89. Plans should identify areas of largely developed coast that are a major focus of economic or recreational activity that are likely to be suitable for further development; areas subject to significant constraints; and largely unspoiled areas of the coast that are generally unsuitable for development. It should be explained that this broad division does not exclude important local variations, for example where there are areas of environmental importance within developed estuaries, or necessary developments within the largely unspoiled coast where there is a specific locational need, for example for defence purposes, tourism developments of special significance, or essential onshore developments connected with offshore energy projects or (where appropriate) aquaculture.

90. Plans should promote the developed coast as the focus of developments requiring a coastal location or which contribute to the economic regeneration or well-being of communities whose livelihood is dependent on marine or coastal activities. They should provide for the development requirements of uses requiring a coastal location, including ports and harbours, tourism and recreation, fish farming, land-based development associated with offshore energy projects and specific defence establishments.

91. Plans should safeguard unspoiled sections of coast which possess special environmental or cultural qualities, such as wild land. The economic value of these areas should be considered and maximised, provided that environmental impact issues can be satisfactorily addressed.

Supporting Business and Employment

NPF Context

92. NPF3 supports the many and varied opportunities for planning to support business and employment. These range from a focus on the role of cities as key drivers of our economy, to the continuing need for diversification of our rural economy to strengthen communities and retain young people in remote areas. Planning should address the development requirements of businesses and enable key opportunities for investment to be realised. It can support sustainable economic growth by providing a positive policy context for development that delivers economic benefits.

Policy Principles

93. The planning system should:

- promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments as national assets;
- allocate sites that meet the diverse needs of the different sectors and sizes of business which are important to the plan area in a way which is flexible enough to accommodate changing circumstances and allow the realisation of new opportunities; and
- give due weight to net economic benefit of proposed development.

Key Documents

- [Government Economic Strategy](#)⁴²

⁴² www.scotland.gov.uk/Topics/Economy/EconomicStrategy

- [Tourism Development Framework for Scotland](#)⁴³
- [A Guide to Development Viability](#)⁴⁴

Delivery

Development Planning

94. Plans should align with relevant local economic strategies. These will help planning authorities to meet the needs and opportunities of indigenous firms and inward investors, recognising the potential of key sectors for Scotland with particular opportunities for growth, including:

- energy;
- life sciences, universities and the creative industries;
- tourism and the food and drink sector;
- financial and business services.

95. Plans should encourage opportunities for home-working, live-work units, micro-businesses and community hubs.

96. Development plans should support opportunities for integrating efficient energy and waste innovations within business environments. Industry stakeholders should engage with planning authorities to help facilitate co-location, as set out in paragraph 179.

97. Strategic development plan policies should reflect a robust evidence base in relation to the existing principal economic characteristics of their areas, and any anticipated change in these.

98. Strategic development plans should identify an appropriate range of locations for significant business clusters. This could include sites identified in the [National Renewables Infrastructure Plan](#)⁴⁵, [Enterprise Areas](#)⁴⁶, business parks, science parks, large and medium-sized industrial sites and high amenity sites.

99. Strategic development plans and local development plans outwith SDP areas should identify any nationally important clusters of industries [handling hazardous substances](#) within their areas and safeguard them from development which, either on its own or in combination with other development, would compromise their continued operation or growth potential. This is in the context of the wider statutory requirements in the Town and Country Planning (Development Planning) (Scotland) Regulations 2009⁴⁷ to have regard to the need to maintain appropriate distances between sites with hazardous substances and areas where the public are likely to be present and areas of particular natural sensitivity or interest.

100. Development plans should be informed by the Tourism Development Framework for Scotland in order to maximise the sustainable growth of regional and local visitor economies. Strategic development plans should identify and safeguard any nationally or regionally important locations for tourism or recreation development within their areas.

43 www.visitscotland.org/pdf/Tourism%20Development%20Framework%20-%20FINAL.pdf

44 www.scotland.gov.uk/Resource/Doc/212607/0109620.pdf

45 www.scottish-enterprise.com/~media/SE/Resources/Documents/Sectors/Energy/energy-renewables-reports/National-renewables-infrastructure-plan.ashx

46 www.scotland.gov.uk/Topics/Economy/EconomicStrategy/Enterprise-Areas

47 These statutory requirements are due to be amended in 2015 as part of the implementation of Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances.

101. Local development plans should allocate a range of sites for business, taking account of current market demand; location, size, quality and infrastructure requirements; whether sites are serviced or serviceable within five years; the potential for a mix of uses; their accessibility to transport networks by walking, cycling and public transport and their integration with and access to existing transport networks. The allocation of such sites should be informed by relevant economic strategies and business land audits in respect of land use classes 4, 5 and 6.

102. Business land audits should be undertaken regularly by local authorities to inform reviews of development plans, and updated more frequently if relevant. Business land audits should monitor the location, size, planning status, existing use, neighbouring land uses and any significant land use issues (e.g. underused, vacant, derelict) of sites within the existing business land supply.

103. New sites should be identified where existing sites no longer meet current needs and market expectations. Where existing business sites are underused, for example where there has been an increase in vacancy rates, reallocation to enable a wider range of viable business or alternative uses should be considered, taking careful account of the potential impacts on existing businesses on the site.

104. Local development plans should locate development which generates significant freight movements, such as manufacturing, processing, distribution and warehousing, on sites accessible to suitable railheads or harbours or the strategic road network. Through appraisal, care should be taken in locating such development to minimise any impact on congested, inner urban and residential areas.

105. Planning authorities should consider the potential to promote opportunities for tourism and recreation facilities in their development plans. This may include new developments or the enhancement of existing facilities.

Development Management

106. Efficient handling of planning applications should be a key priority, particularly where jobs and investment are involved. To assist with this, pre-application discussions are strongly encouraged to determine the information that should be submitted to support applications. Such information should be proportionate and relevant to the development and sufficient for the planning authority requirements on matters such as the number of jobs to be created, hours of working, transport requirements, environmental effects, noise levels and the layout and design of buildings. Decisions should be guided by the principles set out in paragraphs 28 to 35.

107. Proposals for development in the vicinity of [major-accident hazard sites](#) should take into account the potential impacts on the proposal and the major-accident hazard site of being located in proximity to one another. Decisions should be informed by the Health and Safety Executive's advice, based on the [PADHI](#) tool. Similar considerations apply in respect of development proposals near licensed explosive sites (including military explosive storage sites).

108. Proposals for business, industrial and service uses should take into account surrounding sensitive uses, areas of particular natural sensitivity or interest and local amenity, and make a positive contribution towards placemaking.

Enabling Delivery of New Homes

NPF Context

109. NPF3 aims to facilitate new housing development, particularly in areas within our cities network where there is continuing pressure for growth, and through innovative approaches to rural housing provision. House building makes an important contribution to the economy. Planning can help to address the challenges facing the housing sector by providing a positive and flexible approach to development. In particular, provision for new homes should be made in areas where economic investment is planned or there is a need for regeneration or to support population retention in rural and island areas.

Policy Principles

110. The planning system should:

- identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times;
- enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and
- have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

Key Documents

- [The Housing \(Scotland\) Act 2001](#)⁴⁸ requires local authorities to prepare a local housing strategy supported by an assessment of housing need and demand
- [Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits](#)⁴⁹

Delivery

111. Local authorities should identify functional housing market areas, i.e. geographical areas where the demand for housing is relatively self-contained. These areas may significantly overlap and will rarely coincide with local authority boundaries. They can be dynamic and complex, and can contain different tiers of sub-market area, overlain by mobile demand, particularly in city regions.

112. Planning for housing should be undertaken through joint working by housing market partnerships, involving both housing and planning officials within local authorities, and cooperation between authorities where strategic planning responsibilities and/or housing market areas are shared, including national park authorities. Registered social landlords, developers, other specialist interests, and local communities should also be encouraged to engage with housing market partnerships. In rural or island areas where there is no functional housing market area, the development plan should set out the most appropriate approach for the area.

48 www.legislation.gov.uk/asp/2001/10/contents

49 www.scotland.gov.uk/Publications/2010/08/31111624/0

Development Planning

113. Plans should be informed by a robust housing need and demand assessment (HNDA), prepared in line with the Scottish Government's HNDA Guidance⁵⁰. This assessment provides part of the evidence base to inform both local housing strategies and development plans (including the main issues report). It should produce results both at the level of the functional housing market area and at local authority level, and cover all tenures. Where the Scottish Government is satisfied that the HNDA is robust and credible, the approach used will not normally be considered further at a development plan examination.

114. The HNDA, development plan, and local housing strategy processes should be closely aligned, with joint working between housing and planning teams. Local authorities may wish to wait until the strategic development plan is approved in city regions, and the local development plan adopted elsewhere, before finalising the local housing strategy, to ensure that any modifications to the plans can be reflected in local housing strategies, and in local development plans in the city regions.

115. Plans should address the supply of land for all housing. They should set out the **housing supply target** (separated into affordable and market sector) for each functional housing market area, based on evidence from the HNDA. The housing supply target is a policy view of the number of homes the authority has agreed will be delivered in each housing market area over the periods of the development plan and local housing strategy, taking into account wider economic, social and environmental factors, issues of capacity, resource and deliverability, and other important requirements such as the aims of National Parks. The target should be reasonable, should properly reflect the HNDA estimate of housing demand in the market sector, and should be supported by compelling evidence. The authority's housing supply target should also be reflected in the local housing strategy.

116. Within the overall housing supply target⁵¹, plans should indicate the number of new homes to be built over the plan period. This figure should be increased by a margin of 10 to 20% to establish the housing land requirement, in order to ensure that a generous supply of land for housing is provided. The exact extent of the margin will depend on local circumstances, but a robust explanation for it should be provided in the plan.

117. The housing land requirement can be met from a number of sources, most notably sites from the established supply which are effective or expected to become effective in the plan period, sites with planning permission, proposed new land allocations, and in some cases a proportion of windfall development. Any assessment of the expected contribution to the housing land requirement from **windfall sites** must be realistic and based on clear evidence of past completions and sound assumptions about likely future trends. In urban areas this should be informed by an urban capacity study.

118. Strategic development plans should set out the **housing supply target** and the housing land requirement for the plan area, each local authority area, and each functional housing market area. They should also state the amount and broad locations of land which should be allocated in local development plans to meet the housing land requirement up to year 12 from the expected year of plan approval, making sure that the requirement for each housing market area is met in full. Beyond year 12 and up to year 20, the strategic development plan should provide an indication of the possible scale and location of housing land, including by local development plan area.

⁵⁰ www.scotland.gov.uk/Topics/Built-Environment/Housing/supply-demand/chma/hnda

⁵¹ Note: the housing supply target may in some cases include a contribution from other forms of delivery, for example a programme to bring empty properties back into use.

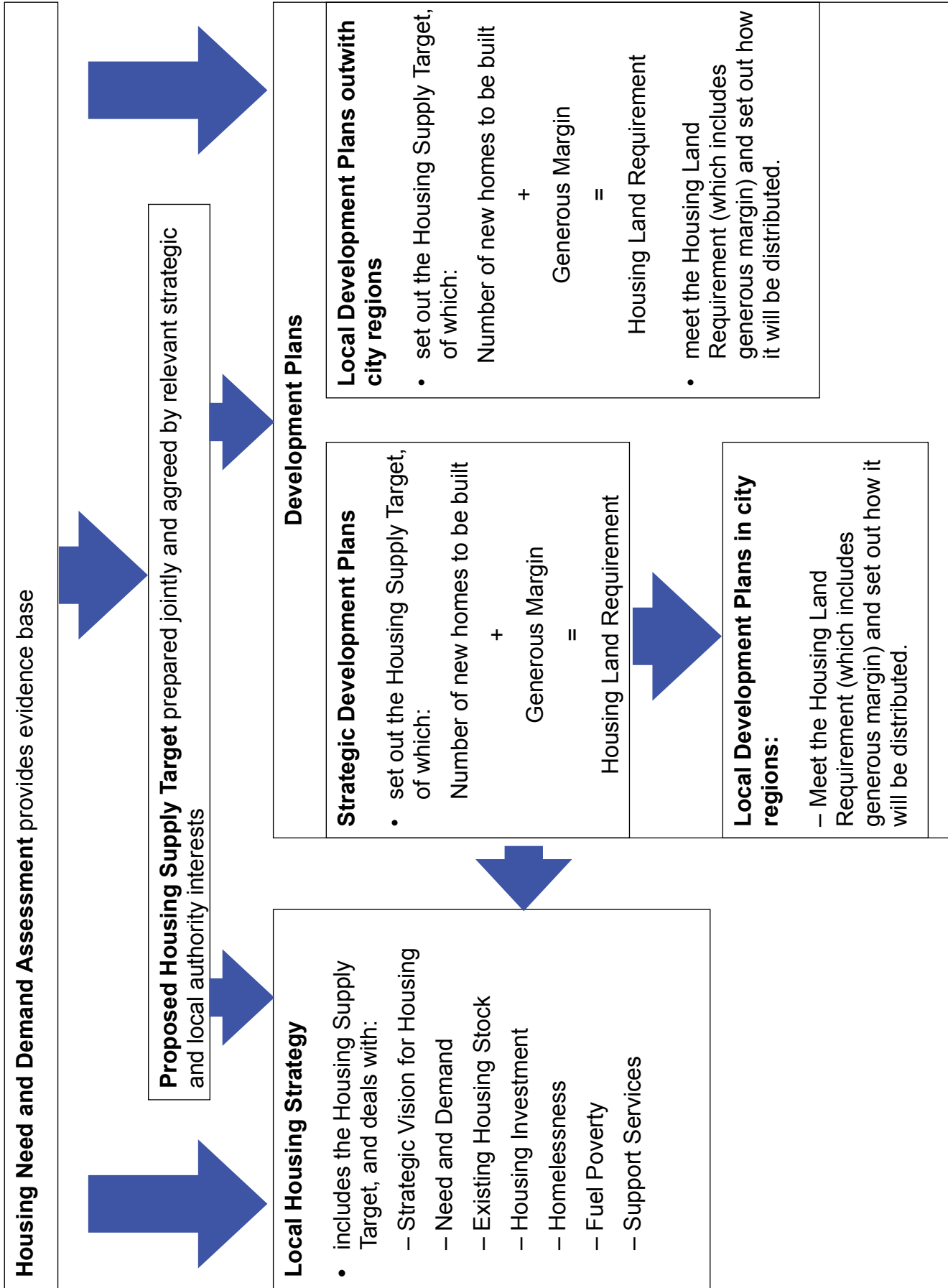
119. Local development plans in city regions should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption. They should provide for a minimum of 5 years effective land supply at all times. In allocating sites, planning authorities should be confident that land can be brought forward for development within the plan period and that the range of sites allocated will enable the housing supply target to be met.

120. Outwith city regions, local development plans should set out the housing supply target (separated into affordable and market sector) and the housing land requirement for each housing market area in the plan area up to year 10 from the expected year of adoption. They should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement in full. They should provide a minimum of 5 years effective land supply at all times. Beyond year 10 and up to year 20, the local development plan should provide an indication of the possible scale and location of the housing land requirement.

121. In the National Parks, local development plans should draw on the evidence provided by the HNDAs of the constituent housing authorities. National Park authorities should aim to meet the housing land requirement in full in their area. However, they are not required to do so, and they should liaise closely with neighbouring planning authorities to ensure that any remaining part of the housing land requirement for the National Parks is met in immediately adjoining housing market areas, and that a 5-year supply of effective land is maintained.

122. Local development plans should allocate appropriate sites to support the creation of sustainable mixed communities and successful places and help to ensure the continued delivery of new housing.

Diagram 1: Housing Land, Development Planning and the Local Housing Strategy



Maintaining a 5-year Effective Land Supply

123. Planning authorities should actively manage the housing land supply. They should work with housing and infrastructure providers to prepare an annual housing land audit as a tool to critically review and monitor the availability of effective housing land, the progress of sites through the planning process, and housing completions, to ensure a generous supply of land for house building is maintained and there is always enough effective land for at least five years. A site is only considered effective where it can be demonstrated that within five years it will be free of constraints⁵² and can be developed for housing. In remoter rural areas and island communities, where the housing land requirement and market activity are of a more limited scale, the housing land audit process may be adapted to suit local circumstances.

124. The development plan action programme, prepared in tandem with the plan, should set out the key actions necessary to bring each site forward for housing development and identify the lead partner. It is a key tool, and should be used alongside the housing land audit to help planning authorities manage the land supply.

125. Planning authorities, developers, service providers and other partners in housing provision should work together to ensure a continuing supply of effective land and to deliver housing, taking a flexible and realistic approach. Where a shortfall in the 5-year effective housing land supply emerges, development plan policies for the supply of housing land will not be considered up-to-date, and paragraphs 32-35 will be relevant.

Affordable Housing

126. Affordable housing is defined broadly as housing of a reasonable quality that is affordable to people on modest incomes. Affordable housing may be provided in the form of social rented accommodation, mid-market rented accommodation, shared ownership housing, shared equity housing, housing sold at a discount (including plots for self-build), and low cost housing without subsidy.

127. Where the housing supply target requires provision for affordable housing, strategic development plans should state how much of the total housing land requirement this represents.

128. Local development plans should clearly set out the scale and distribution of the affordable housing requirement for their area. Where the HNDA and local housing strategy process identify a shortage of affordable housing, the plan should set out the role that planning will take in addressing this. Planning authorities should consider whether it is appropriate to allocate some small sites specifically for affordable housing. Advice on the range of possible options for provision of affordable housing is set out in PAN 2/2010.

129. Plans should identify any expected developer contributions towards delivery of affordable housing. Where a contribution is required, this should generally be for a specified proportion of the serviced land within a development site to be made available for affordable housing. Planning authorities should consider the level of affordable housing contribution which is likely to be deliverable in the current economic climate, as part of a viable housing development. The level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses. Consideration should also be given to the nature of the affordable housing required and the extent to which this can be met by proposals capable of development with little or no public subsidy. Where permission is sought for specialist housing, as described in paragraphs 132-134, a contribution to affordable housing may not always be required.

⁵² Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits sets out more fully the measure of effective sites www.scotland.gov.uk/Publications/2010/08/31111624/5

130. Plans should consider how affordable housing requirements will be met over the period of the plan. Planning and housing officials should work together closely to ensure that the phasing of land allocations and the operation of affordable housing policies combine to deliver housing across the range of tenures. In rural areas, where significant unmet local need for affordable housing has been shown, it may be appropriate to introduce a 'rural exceptions' policy which allows planning permission to be granted for affordable housing on small sites that would not normally be used for housing, for example because they lie outwith the adjacent built-up area and are subject to policies of restraint.

131. Any detailed policies on how the affordable housing requirement is expected to be delivered, including any differences in approach for urban and rural areas, should be set out in supplementary guidance. Where it is considered that housing built to meet an identified need for affordable housing should remain available to meet such needs in perpetuity, supplementary guidance should set out the measures to achieve this. Any specific requirements on design may also be addressed in supplementary guidance.

Specialist Housing Provision and Other Specific Needs

132. As part of the HNDA, local authorities are required to consider the need for specialist provision that covers accessible and adapted housing, wheelchair housing and supported accommodation, including care homes and sheltered housing. This supports independent living for elderly people and those with a disability. Where a need is identified, planning authorities should prepare policies to support the delivery of appropriate housing and consider allocating specific sites.

133. HNDAs will also evidence need for sites for Gypsy/Travellers and Travelling Showpeople. Development plans and local housing strategies should address any need identified, taking into account their mobile lifestyles. In city regions, the strategic development plan should have a role in addressing cross-boundary considerations. If there is a need, local development plans should identify suitable sites for these communities. They should also consider whether policies are required for small privately-owned sites for Gypsy/Travellers, and for handling applications for permanent sites for Travelling Showpeople (where account should be taken of the need for storage and maintenance of equipment as well as accommodation). These communities should be appropriately involved in identifying sites for their use.

134. Local development plans should address any need for houses in multiple occupation (HMO). More information is provided in Circular 2/2012 Houses in Multiple Occupation⁵³. Planning authorities should also consider the housing requirements of service personnel and sites for people seeking self-build plots. Where authorities believe it appropriate to allocate suitable sites for self-build plots, the sites may contribute to meeting the housing land requirement.

⁵³ www.scotland.gov.uk/Publications/2012/06/4191

Valuing the Historic Environment

NPF and wider policy context

135. NPF3 recognises the contribution made by our cultural heritage to our economy, cultural identity and quality of life. Planning has an important role to play in maintaining and enhancing the distinctive and high-quality, irreplaceable historic places which enrich our lives, contribute to our sense of identity and are an important resource for our tourism and leisure industry.

136. The [historic environment](#) is a key cultural and economic asset and a source of inspiration that should be seen as integral to creating successful places. Culture-led regeneration can have a profound impact on the well-being of a community in terms of the physical look and feel of a place and can also attract visitors, which in turn can bolster the local economy and sense of pride or ownership.

Policy Principles

137. The planning system should:

- promote the care and protection of the designated and non-designated historic environment (including individual assets, related [settings](#) and the wider cultural landscape) and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning; and
- enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced.

Key Documents

- [Scottish Historic Environment Policy](#)⁵⁴
- [Historic Environment Strategy for Scotland](#)⁵⁵
- [Managing Change in the Historic Environment – Historic Scotland’s guidance note series](#)⁵⁶
- [Planning Advice Note 2/2011: Planning and Archaeology](#)⁵⁷
- [Planning Advice Note 71: Conservation Area Management](#)⁵⁸
- [Scottish Historic Environment Databases](#)⁵⁹

⁵⁴ www.historic-scotland.gov.uk/index/heritage/policy/shep.htm

⁵⁵ www.scotland.gov.uk/Publications/2014/03/8522

⁵⁶ www.historic-scotland.gov.uk/managingchange

⁵⁷ www.scotland.gov.uk/Publications/2011/08/04132003/0

⁵⁸ www.scotland.gov.uk/Publications/2004/12/20450/49052

⁵⁹ <http://smrforum-scotland.org.uk/wp-content/uploads/2014/03/SHED-Strategy-Final-April-2014.pdf>

Delivery

Development Planning

138. Strategic development plans should protect and promote their significant historic environment assets. They should take account of the capacity of settlements and surrounding areas to accommodate development without damage to their historic significance.

139. Local development plans and supplementary guidance should provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment. Local planning authorities should designate and review existing and potential conservation areas and identify existing and proposed [Article 4 Directions](#). This should be supported by Conservation Area Appraisals and Management Plans.

Development Management

140. The siting and design of development should take account of all aspects of the historic environment. In support of this, planning authorities should have access to a Sites and Monuments Record (SMR) and/or a Historic Environment Record (HER) that contains necessary information about known historic environment features and finds in their area.

Listed Buildings

141. Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting.

142. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

Conservation Areas

143. Proposals for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance. Where the demolition of an unlisted building is proposed through Conservation Area Consent, consideration should be given to the contribution the building makes to the character and appearance of the conservation area. Where a building makes a positive contribution the presumption should be to retain it.

144. Proposed works to trees in conservation areas require prior notice to the planning authority and statutory Tree Preservation Orders⁶⁰ can increase the protection given to such trees. Conservation Area Appraisals should inform development management decisions.

⁶⁰ www.scotland.gov.uk/Publications/2011/01/28152314/0

Scheduled Monuments

145. Where there is potential for a proposed development to have an adverse effect on a [scheduled monument](#) or on the integrity of its setting, permission should only be granted where there are exceptional circumstances. Where a proposal would have a direct impact on a scheduled monument, the written consent of Scottish Ministers via a separate process is required in addition to any other consents required for the development.

Historic Marine Protected Areas

146. Where planning control extends offshore, planning authorities should ensure that development will not significantly hinder the preservation objectives of [Historic Marine Protected Areas](#).

World Heritage Sites

147. World Heritage Sites are of international importance. Where a development proposal has the potential to affect a World Heritage Site, or its setting, the planning authority must protect and preserve its [Outstanding Universal Value](#).

Gardens and Designed Landscapes

148. Planning authorities should protect and, where appropriate, seek to enhance gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes and designed landscapes of regional and local importance.

Battlefields

149. Planning authorities should seek to protect, conserve and, where appropriate, enhance the key landscape characteristics and special qualities of sites in the Inventory of Historic Battlefields.

Archaeology and Other Historic Environment Assets

150. Planning authorities should protect archaeological sites and monuments as an important, finite and non-renewable resource and preserve them in situ wherever possible. Where in situ preservation is not possible, planning authorities should, through the use of conditions or a legal obligation, ensure that developers undertake appropriate excavation, recording, analysis, publication and archiving before and/or during development. If archaeological discoveries are made, they should be reported to the planning authority to enable discussion on appropriate measures, such as inspection and recording.

151. There is also a range of non-designated historic assets and areas of historical interest, including historic landscapes, other gardens and designed landscapes, woodlands and routes such as drove roads which do not have statutory protection. These resources are, however, an important part of Scotland's heritage and planning authorities should protect and preserve significant resources as far as possible, in situ wherever feasible.

A Low Carbon Place

Delivering Heat and Electricity

NPF Context

152. NPF3 is clear that planning must facilitate the transition to a low carbon economy, and help to deliver the aims of the [Scottish Government's Report on Proposals and Policies](#)⁶¹. Our spatial strategy facilitates the development of generation technologies that will help to reduce greenhouse gas emissions from the energy sector. Scotland has significant renewable energy resources, both onshore and offshore. Spatial priorities range from extending heat networks in our cities and towns to realising the potential for renewable energy generation in our coastal and island areas.

153. Terrestrial and marine planning facilitate development of renewable energy technologies, link generation with consumers and guide new infrastructure to appropriate locations. Efficient supply of low carbon and low cost heat and generation of heat and electricity from renewable energy sources are vital to reducing greenhouse gas emissions and can create significant opportunities for communities. Renewable energy also presents a significant opportunity for associated development, investment and growth of the supply chain, particularly for ports and harbours identified in the [National Renewables Infrastructure Plan](#)⁶². Communities can also gain new opportunities from increased local ownership and associated benefits.

Policy Principles

154. The planning system should:

- support the transformational change to a low carbon economy, consistent with national objectives and targets⁶³, including deriving:
 - 30% of overall energy demand from renewable sources by 2020;
 - 11% of heat demand from renewable sources by 2020; and
 - the equivalent of 100% of electricity demand from renewable sources by 2020;
- support the development of a diverse range of electricity generation from renewable energy technologies – including the expansion of renewable energy generation capacity – and the development of heat networks;
- guide development to appropriate locations and advise on the issues that will be taken into account when specific proposals are being assessed;
- help to reduce emissions and energy use in new buildings and from new infrastructure by enabling development at appropriate locations that contributes to:
 - Energy efficiency;
 - Heat recovery;
 - Efficient energy supply and storage;

61 www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets

62 www.scottish-enterprise.com/~media/SE/Resources/Documents/Sectors/Energy/energy-renewables-reports/National-renewables-infrastructure-plan.ashx

63 Further targets may be set in due course, for example district heating targets have been proposed.

- Electricity and heat from renewable sources; and
- Electricity and heat from non-renewable sources where greenhouse gas emissions can be significantly reduced.

Key Documents

- [Electricity Generation Policy Statement](#)⁶⁴
- [2020 Routemap for Renewable Energy in Scotland](#)⁶⁵
- [Towards Decarbonising Heat: Maximising the opportunities for Scotland, Draft Heat Generation Policy Statement](#)⁶⁶
- [Low Carbon Scotland: Meeting Our Emissions Reductions Targets 2013 - 2027](#)⁶⁷

Delivery

Development Planning

155. Development plans should seek to ensure an area's full potential for electricity and heat from renewable sources is achieved, in line with national climate change targets, giving due regard to relevant environmental, community and **cumulative impact** considerations.

156. Strategic development plans should support national priorities for the construction or improvement of strategic energy infrastructure, including generation, storage, transmission and distribution networks. They should address cross-boundary issues, promoting an approach to electricity and heat that supports the transition to a low carbon economy.

157. Local development plans should support new build developments, infrastructure or retrofit projects which deliver energy efficiency and the recovery of energy that would otherwise be wasted both in the specific development and surrounding area. They should set out the factors to be taken into account in considering proposals for energy developments. These will depend on the scale of the proposal and its relationship to the surrounding area and are likely to include the considerations set out at paragraph 169.

Heat

158. Local development plans should use heat mapping to identify the potential for co-locating developments with a high heat demand with sources of heat supply. Heat supply sources include harvestable woodlands, sawmills producing biomass, biogas production sites and developments producing unused excess heat, as well as geothermal systems, heat recoverable from mine waters, aquifers, other bodies of water and heat storage systems. Heat demand sites for particular consideration include high density developments, communities off the gas grid, fuel poor areas and **anchor developments** such as hospitals, schools, leisure centres and heat intensive industry.

159. Local development plans should support the development of heat networks in as many locations as possible, even where they are initially reliant on carbon-based fuels if there is potential to convert them to run on renewable or low carbon sources of heat in the future. Local development plans should identify where heat networks, heat storage and **energy centres** exist or would be appropriate and include policies to support their implementation. Policies should support

64 www.scotland.gov.uk/Topics/Business-Industry/Energy/EGPSMain

65 www.scotland.gov.uk/Publications/2011/08/04110353/0

66 www.scotland.gov.uk/Publications/2014/03/2778

67 www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets

safeguarding of piperuns within developments for later connection and pipework to the curtilage of development. Policies should also give consideration to the provision of energy centres within new development. Where a district network exists, or is planned, or in areas identified as appropriate for district heating, policies may include a requirement for new development to include infrastructure for connection, providing the option to use heat from the network.

160. Where heat networks are not viable, microgeneration and heat recovery technologies associated with individual properties should be encouraged.

Onshore Wind

161. Planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities, following the approach set out below in Table 1. Development plans should indicate the minimum scale⁶⁸ of onshore wind development that their spatial framework is intended to apply to. Development plans should also set out the criteria that will be considered in deciding all applications for wind farms of different scales – including extensions and re-powering – taking account of the considerations set out at paragraph 169.

162. Both strategic and local development planning authorities, working together where required, should identify where there is strategic capacity for wind farms, and areas with the greatest potential for wind development, considering cross-boundary constraints and opportunities. Strategic development planning authorities are expected to take the lead in dealing with cross-boundary constraints and opportunities and will coordinate activity with constituent planning authorities.

163. The approach to spatial framework preparation set out in the SPP should be followed in order to deliver consistency nationally and additional constraints should not be applied at this stage. The spatial framework is complemented by a more detailed and exacting development management process where the merits of an individual proposal will be carefully considered against the full range of environmental, community, and [cumulative impacts](#) (see paragraph 169).

164. Individual properties and those settlements not identified within the development plan will be protected by the safeguards set out in the local development plan policy criteria for determining wind farms and the development management considerations accounted for when determining individual applications.

165. Grid capacity should not be used as a reason to constrain the areas identified for wind farm development or decisions on individual applications for wind farms. It is for wind farm developers to discuss connections to the grid with the relevant transmission network operator. Consideration should be given to underground grid connections where possible.

166. Proposals for onshore wind turbine developments should continue to be determined while spatial frameworks and local policies are being prepared and updated. Moratoria on onshore wind development are not appropriate.

⁶⁸ For example, Loch Lomond and The Trossachs and Cairngorms National Parks refer to developments of more than one turbine and over 30 metres in height as large-scale commercial wind turbines.

Table 1: Spatial Frameworks

<p>Group 1: Areas where wind farms will not be acceptable:</p> <p>National Parks and National Scenic Areas.</p>		
<p>Group 2: Areas of significant protection:</p> <p>Recognising the need for significant protection, in these areas wind farms may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.</p>		
<p>National and international designations:</p> <ul style="list-style-type: none"> • World Heritage Sites; • Natura 2000 and Ramsar sites; • Sites of Special Scientific Interest; • National Nature Reserves; • Sites identified in the Inventory of Gardens and Designed Landscapes; • Sites identified in the Inventory of Historic Battlefields. 	<p>Other nationally important mapped environmental interests:</p> <ul style="list-style-type: none"> • areas of wild land as shown on the 2014 SNH map of wild land areas; • carbon rich soils, deep peat and priority peatland habitat. 	<p>Community separation for consideration of visual impact:</p> <ul style="list-style-type: none"> • an area not exceeding 2km around cities, towns and villages identified on the local development plan with an identified settlement envelope or edge. The extent of the area will be determined by the planning authority based on landform and other features which restrict views out from the settlement.
<p>Group 3: Areas with potential for wind farm development:</p> <p>Beyond groups 1 and 2, wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria.</p>		

Other Renewable Electricity Generating Technologies and Storage

167. Development plans should identify areas capable of accommodating renewable electricity projects in addition to wind generation, including hydro-electricity generation related to river or tidal flows or energy storage projects of a range of scales.

168. Development plans should identify areas which are weakly connected or unconnected to the national electricity network and facilitate development of decentralised and mobile energy storage installations. Energy storage schemes help to support development of renewable energy and maintain stability of the electricity network in areas where reinforcement is needed to manage congestion. Strategic development planning authorities are expected to take the lead in dealing with cross-boundary constraints and opportunities and will coordinate activity between constituent planning authorities.

Development Management

169. Proposals for energy infrastructure developments should always take account of spatial frameworks for wind farms and heat maps where these are relevant. Considerations will vary relative to the scale of the proposal and area characteristics but are likely to include:

- net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities;
- the scale of contribution to renewable energy generation targets;
- effect on greenhouse gas emissions;
- **cumulative impacts** – planning authorities should be clear about likely cumulative impacts arising from all of the considerations below, recognising that in some areas the cumulative impact of existing and consented energy development may limit the capacity for further development;
- impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;
- landscape and visual impacts, including effects on wild land;
- effects on the natural heritage, including birds;
- impacts on carbon rich soils, using the carbon calculator;
- public access, including impact on long distance walking and cycling routes and scenic routes identified in the NPF;
- impacts on the historic environment, including scheduled monuments, listed buildings and their settings;
- impacts on tourism and recreation;
- impacts on aviation and defence interests and seismological recording;
- impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
- impacts on road traffic;
- impacts on adjacent trunk roads;
- effects on hydrology, the water environment and flood risk;
- the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration;

- opportunities for energy storage; and
- the need for a robust planning obligation to ensure that operators achieve site restoration.

170. Areas identified for wind farms should be suitable for use in perpetuity. Consents may be time-limited but wind farms should nevertheless be sited and designed to ensure impacts are minimised and to protect an acceptable level of amenity for adjacent communities.

171. Proposals for energy generation from non-renewable sources may be acceptable where carbon capture and storage or other emissions reduction infrastructure is either already in place or committed within the development's lifetime and proposals must ensure protection of good environmental standards.

172. Where new energy generation or storage proposals are being considered, the potential to connect those projects to off-grid areas should be considered.

Community Benefit

173. Where a proposal is acceptable in land use terms, and consent is being granted, local authorities may wish to engage in negotiations to secure community benefit in line with the [Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments](#)⁶⁹.

Existing Wind Farm Sites

174. Proposals to repower existing wind farms which are already in suitable sites where environmental and other impacts have been shown to be capable of mitigation can help to maintain or enhance installed capacity, underpinning renewable energy generation targets. The current use of the site as a wind farm will be a material consideration in any such proposals.

Planning for Zero Waste

NPF and Wider Context

175. NPF3 recognises that waste is a resource and an opportunity, rather than a burden. Scotland has a Zero Waste Policy, which means wasting as little as possible and recognising that every item and material we use, either natural or manufactured, is a resource which has value for our economy. Planning plays a vital role in supporting the provision of facilities and infrastructure for future business development, investment and employment.

Policy Principles

176. The planning system should:

- promote developments that minimise the unnecessary use of primary materials and promote efficient use of secondary materials;
- support the emergence of a diverse range of new technologies and investment opportunities to secure economic value from secondary resources, including reuse, refurbishment, remanufacturing and reprocessing;
- support achievement of Scotland's zero waste targets: recycling 70% of household waste and sending no more than 5% of Scotland's annual waste arisings to landfill by 2025; and
- help deliver infrastructure at appropriate locations, prioritising development in line with the waste hierarchy: waste prevention, reuse, recycling, energy recovery and waste disposal.

Key Documents

- [EU revised Waste Framework Directive](#)⁷⁰ (2008/98/EC)
- [Waste \(Scotland\) Regulations 2012](#)⁷¹: a statutory framework to maximise the quantity and quality of materials available for recycling and minimise the need for residual waste infrastructure;
- [Zero Waste Plan](#)⁷² and accompanying regulations and supporting documents;
- Safeguarding Scotland's Resources: A blueprint for a more resource efficient and circular economy;
- [Circular 6/2013 Development Planning](#)⁷³;
- SEPA waste data sources: including [Waste Data Digests](#)⁷⁴ and [Waste Infrastructure Maps](#)⁷⁵;
- [SEPA Thermal Treatment of Waste Guidelines 2013](#)⁷⁶;
- [Waste capacity tables](#)⁷⁷ (formerly Zero Waste Plan Annex B capacity tables)

Delivery

177. Planning authorities and SEPA should work collaboratively to achieve zero waste objectives, having regard to the Zero Waste Plan, through development plans and development management. A revised version of PAN 63: Planning and Waste Management will be published in due course.

Development Planning

178. Plans should give effect to the aims of the Zero Waste Plan and promote the waste hierarchy.

179. For new developments, including industrial, commercial, and residential, plans should promote resource efficiency and the minimisation of waste during construction and operation.

180. Plans should enable investment opportunities in a range of technologies and industries to maximise the value of secondary resources and waste to the economy, including composting facilities, transfer stations, materials recycling facilities, anaerobic digestion, mechanical, biological and thermal treatment plants. In line with the waste hierarchy, particular attention should be given to encouraging opportunities for reuse, refurbishment, remanufacturing and reprocessing of high value materials and products. Industry and business should engage with planning authorities to help identify sites which would enable co-location with end users of outputs where appropriate.

181. Planning authorities should have regard to the annual update of required capacity for source segregated and unsorted waste, mindful of the need to achieve the all-Scotland operational capacity. However, this should not be regarded as a cap and planning authorities should generally facilitate growth in sustainable resource management.

70 <http://ec.europa.eu/environment/waste/framework/revision.htm>

71 www.legislation.gov.uk/sdsi/2012/9780111016657/contents

72 www.scotland.gov.uk/Topics/Environment/waste-and-pollution/Waste-1/wastestrategy

73 www.scotland.gov.uk/Publications/2013/12/9924/0

74 www.sepa.org.uk/waste/waste_data/waste_data_digest.aspx

75 www.sepa.org.uk/waste/waste_infrastructure_maps.aspx

76 www.sepa.org.uk/waste/waste_regulation/energy_from_waste.aspx

77 www.scotland.gov.uk/Topics/Environment/waste-and-pollution/Waste-1/wastestrategy/annexb

182. The planning system should support the provision of a network of infrastructure to allow Scotland's waste and secondary resources to be managed in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to protect the environment and public health. While a significant shortfall of waste management infrastructure exists, emphasis should be placed on need over proximity. The achievement of a sustainable strategy may involve waste crossing planning boundaries. However, as the national network of installations becomes more fully developed, there will be scope for giving greater weight to proximity in identifying suitable locations for new waste facilities.

183. Any sites identified specifically for energy from waste facilities should enable links to be made to potential users of renewable heat and energy. Such schemes are particularly suitable in locations where there are premises nearby with a long-term demand for heat. Paragraphs 158 to 160 set out policy on heat networks and mapping.

184. Plans should safeguard existing waste management installations and ensure that the allocation of land on adjacent sites does not compromise waste handling operations, which may operate 24 hours a day and partly outside buildings.

185. Strategic development plans and local development plans outwith city regions should set out spatial strategies which make provision for new infrastructure, indicating clearly that it can generally be accommodated on land designated for employment, industrial or storage and distribution uses.

186. Local development plans should identify appropriate locations for new infrastructure, allocating specific sites where possible, and should provide a policy framework which facilitates delivery. Suitable sites will include those which have been identified for employment, industry or storage and distribution. Updated Scottish Government planning advice on identifying sites and assessing their suitability will be provided in due course.

187. Local development plans should identify where masterplans or development briefs will be required to guide the development of waste installations for major sites.

Development Management

188. In determining applications for new installations, authorities should take full account of the policy set out at paragraph 176. Planning authorities should determine whether proposed developments would constitute appropriate uses of the land, leaving the regulation of permitted installations to SEPA.

189. SEPA's Thermal Treatment of Waste Guidelines 2013 and addendum sets out policy on thermal treatment plants.

190. All new development including residential, commercial and industrial properties should include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations.

191. Planning authorities should consider the need for buffer zones between dwellings or other **sensitive receptors** and some waste management facilities. As a guide, appropriate buffer distances may be:

- 100m between sensitive receptors and recycling facilities, small-scale thermal treatment or leachate treatment plant;
- 250m between sensitive receptors and operations such as outdoor composting, anaerobic digestion, mixed waste processing, thermal treatment or landfill gas plant; and
- greater between sensitive receptors and landfill sites.

192. Planning authorities should:

- consider requiring the preparation of site waste management plans for construction sites;
- secure decommissioning or restoration (including landfill) to agreed standards as a condition of planning permission for waste management facilities; and
- ensure that landfill consents are subject to an appropriate financial bond unless the operator can demonstrate that their programme of restoration, including the necessary financing, phasing and aftercare of sites, is sufficient.

A Natural, Resilient Place

Valuing the Natural Environment

NPF Context

193. The natural environment forms the foundation of the spatial strategy set out in NPF3. The environment is a valued national asset offering a wide range of opportunities for enjoyment, recreation and sustainable economic activity. Planning plays an important role in protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use.

Policy Principles

194. The planning system should:

- facilitate positive change while maintaining and enhancing distinctive landscape character;
- conserve and enhance protected sites and species, taking account of the need to maintain healthy ecosystems and work with the natural processes which provide important services to communities;
- promote protection and improvement of the water environment, including rivers, lochs, estuaries, wetlands, coastal waters and groundwater, in a sustainable and co-ordinated way;
- seek to protect soils from damage such as erosion or compaction;
- protect and enhance ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value;
- seek benefits for **biodiversity** from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats; and
- support opportunities for enjoying and learning about the natural environment.

Key Documents

- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)⁷⁸
- [The 2020 Challenge for Scotland’s Biodiversity](#)⁷⁹
- [European Landscape Convention](#)⁸⁰
- [Nature Conservation \(Scotland\) Act 2004](#)⁸¹
- [The Conservation \(Natural Habitats etc\) Regulations](#)⁸²
- [The Wildlife and Countryside Act 1981](#)⁸³

78 www.scotland.gov.uk/Topics/Environment/Countryside/Landusestrategy

79 www.scotland.gov.uk/Publications/2013/06/5538

80 www.coe.int/t/dg4/cultureheritage/heritage/landscape/default_en.asp

81 www.legislation.gov.uk/asp/2004/6/contents

82 www.legislation.gov.uk/uksi/1994/2716/contents/made

83 www.legislation.gov.uk/ukpga/1981/69

- [EU Birds Directive – 2009/147/EC](#)⁸⁴
- [EU Habitats Directive – 92/43/EEC](#)⁸⁵
- [Ramsar Convention on Wetlands of International Importance](#)⁸⁶
- [National Parks \(Scotland\) Act 2000](#)⁸⁷
- [River Basin Management Plans](#)⁸⁸

Delivery

195. Planning authorities, and all public bodies, have a duty under the Nature Conservation (Scotland) Act 2004 to further the conservation of **biodiversity**. This duty must be reflected in development plans and development management decisions. They also have a duty under the Water Environment and Water Services (Scotland) Act 2003 to protect and improve Scotland’s water environment. The Scottish Government expects public bodies to apply the Principles for Sustainable Land Use, as set out in the Land Use Strategy, when taking significant decisions affecting the use of land.

Development Plans

196. International, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans. Reasons for local designation should be clearly explained and their function and continuing relevance considered when preparing plans. Buffer zones should not be established around areas designated for their natural heritage importance. Plans should set out the factors which will be taken into account in development management. The level of protection given to local designations should not be as high as that given to international or national designations.

197. Planning authorities are encouraged to limit non-statutory local designations to areas designated for their local landscape or nature conservation value:

- the purpose of areas of local landscape value should be to:
 - safeguard and enhance the character and quality of a landscape which is important or particularly valued locally or regionally; or
 - promote understanding and awareness of the distinctive character and special qualities of local landscapes; or
 - safeguard and promote important local settings for outdoor recreation and tourism.
- local nature conservation sites should seek to accommodate the following factors:
 - species diversity, species or habitat rarity, naturalness and extent of habitat;
 - contribution to national and local **biodiversity** objectives;
 - potential contribution to the protection or enhancement of connectivity between habitats or the development of **green networks**; and
 - potential to facilitate enjoyment and understanding of natural heritage.

⁸⁴ ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

⁸⁵ ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm

⁸⁶ www.ramsar.org/cda/en/ramsar-home/main/ramsar/1_4000_0

⁸⁷ www.legislation.gov.uk/asp/2000/10/contents

⁸⁸ www.sepa.org.uk/water/river_basin_planning.aspx

198. Local nature conservation sites designated for their geodiversity should be selected for their value for scientific study and education, their historical significance and cultural and aesthetic value, and for their potential to promote public awareness and enjoyment.

199. Plans should address the potential effects of development on the natural environment, including proposals for [major-accident hazard sites](#) and the cumulative effects of incremental changes. They should consider the natural and cultural components together, and promote opportunities for the enhancement of degraded landscapes, particularly where this helps to restore or strengthen the natural processes which underpin the well-being and resilience of communities.

200. Wild land character is displayed in some of Scotland's remoter upland, mountain and coastal areas, which are very sensitive to any form of intrusive human activity and have little or no capacity to accept new development. Plans should identify and safeguard the character of areas of wild land as identified on the 2014 SNH map of wild land areas.

201. Plans should identify woodlands of high nature conservation value and include policies for protecting them and enhancing their condition and resilience to climate change. Forestry Commission Scotland's [Native Woodland Survey of Scotland](#)⁸⁹ provides information and guidance. Planning authorities should consider preparing forestry and woodland strategies as supplementary guidance to inform the development of forestry and woodland in their area, including the expansion of woodland of a range of types to provide multiple benefits. Scottish Government advice on planning for forestry and woodlands is set out in [The Right Tree in the Right Place](#)⁹⁰.

Development Management

202. The siting and design of development should take account of local landscape character. Development management decisions should take account of potential effects on landscapes and the natural and water environment, including cumulative effects. Developers should seek to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement.

203. Planning permission should be refused where the nature or scale of proposed development would have an unacceptable impact on the natural environment. Direct or indirect effects on statutorily protected sites will be an important consideration, but designation does not impose an automatic prohibition on development.

204. Planning authorities should apply the precautionary principle where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain but there is sound evidence indicating that significant irreversible damage could occur. The precautionary principle should not be used to impede development without justification. If there is any likelihood that significant irreversible damage could occur, modifications to the proposal to eliminate the risk of such damage should be considered. If there is uncertainty, the potential for research, surveys or assessments to remove or reduce uncertainty should be considered.

205. Where peat and other carbon rich soils are present, applicants should assess the likely effects of development on carbon dioxide (CO₂) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO₂ to the atmosphere. Developments should aim to minimise this release.

89 www.forestry.gov.uk/nwss

90 [www.forestry.gov.uk/pdf/fcfc129.pdf/\\$file/fcfc129.pdf](http://www.forestry.gov.uk/pdf/fcfc129.pdf/$file/fcfc129.pdf)

206. Where non-native species are present on site, or where planting is planned as part of a development, developers should take into account the provisions of the Wildlife and Countryside Act 1981 relating to non-native species.

International Designations

Natura 2000 Sites

207. Sites designated as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) make up the Natura 2000 network of protected areas. Any development plan or proposal likely to have a significant effect on these sites which is not directly connected with or necessary to their conservation management must be subject to an “appropriate assessment” of the implications for the conservation objectives. Such plans or proposals may only be approved if the competent authority has ascertained by means of an “appropriate assessment” that there will be no adverse effect on the integrity of the site.

208. A derogation is available for authorities to approve plans or projects which could adversely affect the integrity of a Natura site if:

- there are no alternative solutions;
- there are imperative reasons of overriding public interest, including those of a social or economic nature; and
- compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.

209. If an authority wishes to use this derogation, Scottish Ministers must be notified. For sites hosting a priority habitat or species (as defined in Article 1 of the Habitats Directive), prior consultation with the European Commission via Scottish Ministers is required unless either the proposal is necessary for public health or safety reasons or it will have beneficial consequences of primary importance to the environment.

210. Authorities should afford the same level of protection to proposed SACs and SPAs (i.e. sites which have been approved by Scottish Ministers for formal consultation but which have not yet been designated) as they do to sites which have been designated.

Ramsar Sites

211. All [Ramsar sites](#) are also Natura 2000 sites and/or Sites of Special Scientific Interest and are protected under the relevant statutory regimes.

National Designations

212. Development that affects a National Park, [National Scenic Area](#), [Site of Special Scientific Interest](#) or a [National Nature Reserve](#) should only be permitted where:

- the objectives of designation and the overall integrity of the area will not be compromised; or
- any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

213. Planning decisions for development within National Parks must be consistent with paragraphs 84-85.

Protected Species

214. The presence (or potential presence) of a legally protected species is an important consideration in decisions on planning applications. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish their presence. The level of protection afforded by legislation must be factored into the planning and design of the development and any impacts must be fully considered prior to the determination of the application. Certain activities – for example those involving European Protected Species as specified in the Conservation (Natural Habitats, &c.) Regulations 1994 and wild birds, protected animals and plants under the Wildlife and Countryside Act 1981 – may only be undertaken under licence. Following the introduction of the Wildlife and Natural Environment (Scotland) Act 2011, Scottish Natural Heritage is now responsible for the majority of wildlife licensing in Scotland.

Areas of Wild Land

215. In areas of wild land (see paragraph 200), development may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.

Woodland

216. Ancient semi-natural woodland is an irreplaceable resource and, along with other woodlands, hedgerows and individual trees, especially veteran trees of high nature conservation and landscape value, should be protected from adverse impacts resulting from development. [Tree Preservation Orders](#)⁹¹ can be used to protect individual trees and groups of trees considered important for amenity or their cultural or historic interest.

217. Where appropriate, planning authorities should seek opportunities to create new woodland and plant native trees in association with development. If a development would result in the severing or impairment of connectivity between important woodland habitats, workable mitigation measures should be identified and implemented, preferably linked to a wider green network (see also the section on green infrastructure).

218. The Scottish Government's [Control of Woodland Removal Policy](#)⁹² includes a presumption in favour of protecting woodland. Removal should only be permitted where it would achieve significant and clearly defined additional public benefits. Where woodland is removed in association with development, developers will generally be expected to provide compensatory planting. The criteria for determining the acceptability of woodland removal and further information on the implementation of the policy is explained in the Control of Woodland Removal Policy, and this should be taken into account when preparing development plans and determining planning applications.

91 www.scotland.gov.uk/Publications/2011/01/28152314/0

92 www.forestry.gov.uk/pdf/fcfc125.pdf/%24FILE/fcfc125.pdf

Maximising the Benefits of Green Infrastructure

NPF Context

219. NPF3 aims to significantly enhance green infrastructure networks, particularly in and around our cities and towns. [Green infrastructure](#) and improved access to [open space](#) can help to build stronger, healthier communities. It is an essential part of our long-term environmental performance and climate resilience. Improving the quality of our places and spaces through integrated green infrastructure networks can also encourage investment and development.

Policy Principles

220. Planning should protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking.

221. The planning system should:

- consider green infrastructure as an integral element of places from the outset of the planning process;
- assess current and future needs and opportunities for green infrastructure to provide multiple benefits;
- facilitate the provision and long-term, integrated management of green infrastructure and prevent fragmentation; and
- provide for easy and safe access to and within green infrastructure, including core paths and other important routes, within the context of statutory access rights under the Land Reform (Scotland) Act 2003.

Key Documents

- [Green Infrastructure: Design and Placemaking](#)⁹³
- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)⁹⁴
- [Planning Advice Note 65: Planning and Open Space](#)⁹⁵
- [Reaching Higher – Scotland’s National Strategy for Sport](#)⁹⁶
- [The Play Strategy for Scotland and Action Plan](#)⁹⁷
- [Let’s Get Scotland Walking: The National Walking Strategy](#)⁹⁸

Delivery

Development Planning

222. Development plans should be based on a holistic, integrated and cross-sectoral approach to green infrastructure. They should be informed by relevant, up-to-date audits, strategies and action plans covering green infrastructure’s multiple functions, for example open space, playing fields, pitches, outdoor access, core paths, active travel strategies, the historic environment, [biodiversity](#), forestry and woodland, river basins, flood management, coastal zones and the marine environment.

93 www.scotland.gov.uk/Publications/2011/11/04140525/0

94 www.scotland.gov.uk/Publications/2011/03/17091927/0

95 www.scotland.gov.uk/Publications/2008/05/30100623/0

96 www.scotland.gov.uk/Topics/ArtsCultureSport/Sport/NationalStrategies/Sport-21

97 www.scotland.gov.uk/Publications/2013/10/9424

98 www.scotland.gov.uk/Publications/2014/06/5743

Plans should promote consistency with these and reflect their priorities and spatial implications.

223. Strategic development plans should safeguard existing strategic or regionally important assets and identify strategic priorities for green infrastructure addressing cross-boundary needs and opportunities.

224. Local development plans should identify and protect open space identified in the open space audit and strategy as valued and functional or capable of being brought into use to meet local needs.

225. Local development plans should seek to enhance existing and promote the creation of new green infrastructure, which may include retrofitting. They should do this through a design-led approach, applying standards which facilitate appropriate provision, addressing deficits or surpluses within the local context. The standards delivered through a design-led approach should result in a proposal that is appropriate to place, including connections to other green infrastructure assets. Supplementary guidance or master plans may be used to achieve this.

226. Local development plans should identify sites for new indoor or outdoor sports, recreation or play facilities where a need has been identified in a local facility strategy, playing field strategy or similar document. They should provide for good quality, accessible facilities in sufficient quantity to satisfy current and likely future community demand. [Outdoor sports facilities](#) should be safeguarded from development except where:

- the proposed development is ancillary to the principal use of the site as an outdoor sports facility;
- the proposed development involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;
- the outdoor sports facility which would be lost would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or
- the relevant strategy (see paragraph 224) and consultation with **sportscotland** show that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

227. Local development plans should safeguard existing and potential allotment sites to ensure that local authorities meet their statutory duty to provide allotments where there is proven demand. Plans should also encourage opportunities for a range of community growing spaces.

228. Local development plans should safeguard access rights and core paths, and encourage new and enhanced opportunities for access linked to wider networks.

229. Local development plans should encourage the temporary use of unused or underused land as green infrastructure while making clear that this will not prevent any future development potential which has been identified from being realised. This type of greening may provide the advance structure planting to create the landscape framework for any future development.

Development Management

230. Development of land allocated as green infrastructure for an unrelated purpose should have a strong justification. This should be based on evidence from relevant audits and strategies that the proposal will not result in a deficit of that type of provision within the local area and that alternative sites have been considered. Poor maintenance and neglect should not be used as a justification for development for other purposes.

231. Development proposals that would result in or exacerbate a deficit of green infrastructure should include provision to remedy that deficit with accessible infrastructure of an appropriate type, quantity and quality.

232. In the design of green infrastructure, consideration should be given to the qualities of successful places. Green infrastructure should be treated as an integral element in how the proposal responds to local circumstances, including being well-integrated into the overall design layout and multi-functional. Arrangements for the long-term management and maintenance of green infrastructure, and associated water features, including common facilities, should be incorporated into any planning permission.

233. Proposals that affect regional and country parks must have regard to their statutory purpose of providing recreational access to the countryside close to centres of population, and should take account of their wider objectives as set out in their management plans and strategies.

Promoting Responsible Extraction of Resources

NPF Context

234. Minerals make an important contribution to the economy, providing materials for construction, energy supply and other uses, and supporting employment. NPF3 notes that minerals will be required as construction materials to support our ambition for diversification of the energy mix. Planning should safeguard mineral resources and facilitate their responsible use. Our spatial strategy underlines the need to address restoration of past minerals extraction sites in and around the Central Belt.

Policy Principles

235. The planning system should:

- recognise the national benefit of indigenous coal, oil and gas production in maintaining a diverse energy mix and improving energy security;
- safeguard workable resources and ensure that an adequate and steady supply is available to meet the needs of the construction, energy and other sectors;
- minimise the impacts of extraction on local communities, the environment and the built and natural heritage; and
- secure the sustainable restoration of sites to beneficial afteruse after working has ceased.

Key Documents

- [Electricity Generation Policy Statement](#)⁹⁹
- [Management of Extractive Waste \(Scotland\) Regulations 2010](#)¹⁰⁰
- [PAN 50: Controlling the Environmental Effects of Surface Mineral Workings](#)¹⁰¹
- [Planning Advice Note 64: Reclamation of Surface Mineral Workings](#)¹⁰²
- [Circular 2/2003: Safeguarding of Aerodromes, Technical Sites and Military Explosive Storage Areas](#)¹⁰³
- [Circular 34/1996: Environment Act 1995 Section 96](#)¹⁰⁴

Delivery

Development Planning

236. Strategic development plans should ensure that adequate supplies of construction aggregates can be made available from within the plan area to meet the likely development needs of the city region over the plan period.

237. Local development plans should safeguard all workable mineral resources which are of economic or conservation value and ensure that these are not sterilised by other development. Plans should set out the factors that specific proposals will need to address, including:

- disturbance, disruption and noise, blasting and vibration, and potential pollution of land, air and water;
- impacts on local communities, individual houses, [sensitive receptors](#) and economic sectors important to the local economy;
- benefits to the local and national economy;
- [cumulative impact](#) with other mineral and landfill sites in the area;
- effects on natural heritage, habitats and the historic environment;
- landscape and visual impacts, including cumulative effects;
- transport impacts; and
- restoration and aftercare (including any benefits in terms of the remediation of existing areas of dereliction or instability).

238. Plans should support the maintenance of a landbank of permitted reserves for construction aggregates of at least 10 years at all times in all market areas through the identification of areas of search. Such areas can be promoted by developers or landowners as part of the plan preparation process or by planning authorities where they wish to guide development to particular areas. As an alternative, a criteria-based approach may be taken, particularly where a sufficient landbank already exists or substantial unconstrained deposits are available.

99 www.scotland.gov.uk/Publications/2013/06/5757

100 www.legislation.gov.uk/ssi/2010/60/contents/made

101 www.scotland.gov.uk/Publications/1996/10/17729/23424

102 www.scotland.gov.uk/Publications/2003/01/16122/16256

103 www.scotland.gov.uk/Publications/2003/01/16204/17030

104 www.scotland.gov.uk/Publications/1996/11/circular-34-1996-root/circular-34-1996-guidance

239. Local development plans should identify areas of search where surface coal extraction is most likely to be acceptable during the plan period and set out the preferred programme for the development of other safeguarded areas beyond the plan period, with particular emphasis on protecting local communities from significant cumulative impacts. Where possible, plans should secure extraction prior to permanent development above workable coal reserves.

240. For areas covered by a Petroleum Exploration and Development Licence (PEDL), local development plans should also:

- identify licence areas;
- encourage operators to be as clear as possible about the minimum and maximum extent of operations (e.g. number of wells and duration) at the exploration phase whilst recognising that the factors to be addressed by applications should be relevant and proportionate to the appropriate exploration, appraisal and production phases of operations;
- confirm that applicants should engage with local communities, residents and other stakeholders at each stage of operations, beginning in advance of any application for planning permission and in advance of any operations;
- ensure that when developing proposals, applicants should consider, where possible, transport of the end product by pipeline, rail or water rather than road; and
- provide a consistent approach to extraction where licences extend across local authority boundaries.

241. Policies should protect areas of peatland and only permit commercial extraction in areas suffering historic, significant damage through human activity and where the conservation value is low and restoration is impossible.

Development Management

242. Operators should provide sufficient information to enable a full assessment to be made of the likely effects of development together with appropriate control, mitigation and monitoring measures. This should include the provision of an adequate buffer zone between sites and settlements, taking account of the specific circumstances of individual proposals, including size, duration, location, method of working, topography, the characteristics of the various environmental effects likely to arise and the mitigation that can be provided.

243. Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries; they are time-limited; tied to a particular project and appropriate reclamation measures are in place.

244. Consent should only be granted for surface coal extraction proposals which are either environmentally acceptable (or can be made so by planning conditions) or provide local or community benefits which clearly outweigh the likely impacts of extraction. Site boundaries within 500 metres of the edge of settlements will only be environmentally acceptable where local circumstances, such as the removal of dereliction, small-scale prior extraction or the stabilisation of mining legacy, justify a lesser distance. Non-engineering works and mitigation measures within 500 metres may be acceptable.

245. To assist planning authorities with their consideration of impacts on local communities, neighbouring uses and the environment, applicants should undertake a risk assessment for all proposals for shale gas and coal bed methane extraction. The assessment can, where appropriate, be undertaken as part of any environmental impact assessment and should also be developed in consultation with statutory consultees and local communities so that it informs the design of the proposal. The assessment should clearly identify those onsite activities (i.e. emission of pollutants, the creation and disposal of waste) that pose a potential risk using a source–pathway–receptor model and explain how measures, including those under environmental and other legislation, will be used to monitor, manage and mitigate any identified risks to health, amenity and the environment. The evidence from, and outcome of, the assessment should lead to buffer zones being proposed in the application which will protect all **sensitive receptors** from unacceptable risks. When considering applications, planning authorities and statutory consultees must assess the distances proposed by the applicant. Where proposed distances are considered inadequate the Scottish Government expects planning permission to be refused.

246. Conditions should be drafted in a way which ensures that hydraulic fracturing does not take place where permission for such operations is not sought and that any subsequent application to do so is subject to appropriate consultation. If such operations are subsequently proposed, they should, as a matter of planning policy, be regarded as a substantial change in the description of the development for which planning permission is sought or a material variation to the existing planning permission. Where PEDL and Underground Coal licences are granted for the same or overlapping areas, consideration should be given to the most efficient sequencing of extraction.

247. The Scottish Government is currently exploring a range of options relating to the effective regulation of surface coal mining. This is likely to result in further guidance on effective restoration measures in due course. In the meantime, planning authorities should, through planning conditions and legal agreements, continue to ensure that a high standard of restoration and aftercare is managed effectively and that such work is undertaken at the earliest opportunity. A range of financial guarantee options is currently available and planning authorities should consider the most effective solution on a site-by-site basis. All solutions should provide assurance and clarity over the amount and period of the guarantee and in particular, where it is a bond, the risks covered (including operator failure) and the triggers for calling in a bond, including payment terms. In the aggregates sector, an operator may be able to demonstrate adequate provision under an industry-funded guarantee scheme.

248. Planning authorities should ensure that rigorous procedures are in place to monitor consents, including restoration arrangements, at appropriate intervals, and ensure that appropriate action is taken when necessary. The review of mineral permissions every 15 years should be used to apply up-to-date operating and environmental standards although requests from operators to postpone reviews should be considered favourably if existing conditions are already achieving acceptable standards. Conditions should not impose undue restrictions on consents at quarries for building or roofing stone to reflect the likely intermittent or low rate of working at such sites.

Supporting Aquaculture

NPF Context

249. Aquaculture makes a significant contribution to the Scottish economy, particularly for coastal and island communities. Planning can help facilitate sustainable aquaculture whilst protecting and maintaining the ecosystem upon which it depends. Planning can play a role in supporting the sectoral growth targets to grow marine finfish (including farmed Atlantic salmon) production sustainably to 210,000 tonnes; and shellfish, particularly mussels, sustainably to 13,000 tonnes with due regard to the marine environment by 2020.

Policy Principles

250. The planning system should:

- play a supporting role in the sustainable growth of the finfish and shellfish sectors to ensure that the aquaculture industry is diverse, competitive and economically viable;
- guide development to coastal locations that best suit industry needs with due regard to the marine environment;
- maintain a presumption against further marine finfish farm developments on the north and east coasts to safeguard migratory fish species.

Key Documents

- National Marine Plan

Delivery

Development Planning

251. Local development plans should make positive provision for aquaculture developments. Plans, or supplementary guidance, should take account of Marine Scotland's locational policies when identifying areas potentially suitable for new development and sensitive areas which are unlikely to be appropriate for such development. They should also set out the issues that will be considered when assessing specific proposals, which could include:

- impacts on, and benefits for, local communities;
- economic benefits of the sustainable development of the aquaculture industry;
- landscape, seascape and visual impact;
- biological carrying capacity;
- effects on coastal and marine species (including wild salmonids) and habitats;
- impacts on the historic environment and the sea or loch bed;
- interaction with other users of the marine environment (including commercial fisheries, Ministry of Defence, navigational routes, ports and harbours, anchorages, tourism, recreational and leisure activities); and
- cumulative effects on all of the above factors.

Development Management

252. Applications should be supported, where necessary, by sufficient information to demonstrate:

- operational arrangements (including noise, light, access, waste and odour) are satisfactory and sufficient mitigation plans are in place; and
- the siting and design of cages, lines and associated facilities are appropriate for the location. This should be done through the provision of information on the extent of the site; the type, number and physical scale of structures; the distribution of the structures across the planning area; on-shore facilities; and ancillary equipment.

253. Any land-based facilities required for the proposal should, where possible, be considered at the same time. The planning system should not duplicate other control regimes such as controlled activities regulation licences from SEPA or fish health, sea lice and containment regulation by Marine Scotland.

Managing Flood Risk and Drainage

NPF Context

254. NPF3 supports a catchment-scale approach to sustainable flood risk management. The spatial strategy aims to build the resilience of our cities and towns, encourage sustainable land management in our rural areas, and to address the long-term vulnerability of parts of our coasts and islands. Flooding can impact on people and businesses. Climate change will increase the risk of flooding in some parts of the country. Planning can play an important part in reducing the vulnerability of existing and future development to flooding.

Policy Principles

255. The planning system should promote:

- a precautionary approach to **flood risk** from all sources, including coastal, water course (fluvial), surface water (**pluvial**), groundwater, reservoirs and drainage systems (sewers and culverts), taking account of the predicted effects of climate change;
- **flood** avoidance: by safeguarding flood storage and conveying capacity, and locating development away from **functional flood plains** and medium to high risk areas;
- flood reduction: assessing flood risk and, where appropriate, undertaking natural and structural flood management measures, including flood protection, restoring natural features and characteristics, enhancing flood storage capacity, avoiding the construction of new culverts and opening existing culverts where possible; and
- avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems (SuDS) and minimising the area of impermeable surface.

256. To achieve this the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity.

257. Alterations and small-scale extensions to existing buildings are outwith the scope of this policy, provided that they would not have a significant effect on the storage capacity of the functional floodplain or local flooding problems.

Key Documents

- [Flood Risk Management \(Scotland\) Act 2009](#)¹⁰⁵
- Updated Planning Advice Note on Flooding
- [Delivering Sustainable Flood Risk Management](#)¹⁰⁶ (Scottish Government, 2011).
- [Surface Water Management Planning Guidance](#)¹⁰⁷ (Scottish Government, 2013).

Delivery

258. Planning authorities should have regard to the probability of flooding from all sources and take flood risk into account when preparing development plans and determining planning applications. The calculated probability of flooding should be regarded as a best estimate and not a precise forecast. Authorities should avoid giving any indication that a grant of planning permission implies the absence of flood risk.

259. Developers should take into account flood risk and the ability of future occupiers to insure development before committing themselves to a site or project, as applicants and occupiers have ultimate responsibility for safeguarding their property.

Development Planning

260. Plans should use [strategic flood risk assessment](#) (SFRA) to inform choices about the location of development and policies for flood risk management. They should have regard to the flood maps prepared by Scottish Environment Protection Agency (SEPA), and take account of finalised and approved Flood Risk Management Strategies and Plans and River Basin Management Plans.

261. Strategic and local development plans should address any significant cross boundary flooding issues. This may include identifying major areas of the [flood plain](#) and storage capacity which should be protected from inappropriate development, major flood protection scheme requirements or proposals, and relevant drainage capacity issues.

262. Local development plans should protect land with the potential to contribute to managing flood risk, for instance through natural flood management, managed coastal realignment, [washland](#) or green infrastructure creation, or as part of a scheme to manage flood risk.

263. Local development plans should use the following flood risk framework to guide development. This sets out three categories of coastal and watercourse flood risk, together with guidance on surface water flooding, and the appropriate planning approach for each (the annual probabilities referred to in the framework relate to the land at the time a plan is being prepared or a planning application is made):

- **Little or No Risk** – annual probability of coastal or [watercourse](#) flooding is less than 0.1% (1:1000 years)
 - No constraints due to coastal or watercourse flooding.

¹⁰⁵ www.legislation.gov.uk/asp/2009/6/contents

¹⁰⁶ www.scotland.gov.uk/Publications/2011/06/15150211/0

¹⁰⁷ <http://www.scotland.gov.uk/Publications/2013/02/7909/0>

- **Low to Medium Risk** – annual probability of coastal or watercourse flooding is between 0.1% and 0.5% (1:1000 to 1:200 years)
 - Suitable for most development. A flood risk assessment may be required at the upper end of the probability range (i.e. close to 0.5%), and for **essential infrastructure** and the **most vulnerable uses**. Water resistant materials and construction may be required.
 - Generally not suitable for **civil infrastructure**. Where civil infrastructure must be located in these areas or is being substantially extended, it should be designed to be capable of remaining operational and accessible during extreme flood events.
- **Medium to High Risk** – annual probability of coastal or watercourse flooding is greater than 0.5% (1:200 years)
 - May be suitable for:
 - residential, institutional, commercial and industrial development within built-up areas provided flood protection measures to the appropriate standard already exist and are maintained, are under construction, or are a planned measure in a current flood risk management plan;
 - essential infrastructure within built-up areas, designed and constructed to remain operational during floods and not impede water flow;
 - some recreational, sport, amenity and nature conservation uses, provided appropriate evacuation procedures are in place; and
 - job-related accommodation, e.g. for caretakers or operational staff.
 - Generally not suitable for:
 - civil infrastructure and the most vulnerable uses;
 - additional development in undeveloped and sparsely developed areas, unless a location is essential for operational reasons, e.g. for navigation and water-based recreation, agriculture, transport or utilities infrastructure (which should be designed and constructed to be operational during floods and not impede water flow), and an alternative, lower risk location is not available; and
 - new caravan and camping sites.
 - Where built development is permitted, measures to protect against or manage flood risk will be required and any loss of flood storage capacity mitigated to achieve a neutral or better outcome.
 - Water-resistant materials and construction should be used where appropriate. Elevated buildings on structures such as stilts are unlikely to be acceptable.

Surface Water Flooding

- Infrastructure and buildings should generally be designed to be free from surface water flooding in rainfall events where the annual probability of occurrence is greater than 0.5% (1:200 years).
- Surface water drainage measures should have a neutral or better effect on the risk of flooding both on and off the site, taking account of rain falling on the site and run-off from adjacent areas.

Development Management

264. It is not possible to plan for development solely according to the calculated probability of flooding. In applying the risk framework to proposed development, the following should therefore be taken into account:

- the characteristics of the site;
- the design and use of the proposed development;
- the size of the area likely to flood;
- depth of flood water, likely flow rate and path, and rate of rise and duration;
- the vulnerability and risk of wave action for coastal sites;
- committed and existing flood protection methods: extent, standard and maintenance regime;
- the effects of climate change, including an [allowance for freeboard](#);
- surface water run-off from adjoining land;
- culverted watercourses, drains and field drainage;
- cumulative effects, especially the loss of storage capacity;
- cross-boundary effects and the need for consultation with adjacent authorities;
- effects of flood on access including by emergency services; and
- effects of flood on proposed open spaces including gardens.

265. Land raising should only be considered in exceptional circumstances, where it is shown to have a neutral or better impact on flood risk outside the raised area. Compensatory storage may be required.

266. The flood risk framework set out above should be applied to development management decisions. Flood Risk Assessments (FRA) should be required for development in the medium to high category of flood risk, and may be required in the low to medium category in the circumstances described in the framework above, or where other factors indicate heightened risk. FRA will generally be required for applications within areas identified at high or medium likelihood of flooding/flood risk in SEPA's flood maps.

267. Drainage Assessments, proportionate to the development proposal and covering both surface and foul water, will be required for areas where drainage is already constrained or otherwise problematic, or if there would be off-site effects.

268. Proposed arrangements for SuDS should be adequate for the development and appropriate long-term maintenance arrangements should be put in place.

A Connected Place

Promoting Sustainable Transport and Active Travel

NPF Context

269. The spatial strategy set out in NPF3 is complemented by an ongoing programme of investment in transport infrastructure. The economy relies on efficient transport connections, within Scotland and to international markets. Planning can play an important role in improving connectivity and promoting more sustainable patterns of transport and travel as part of the transition to a low carbon economy.

Policy Principles

270. The planning system should support patterns of development which:

- optimise the use of existing infrastructure;
- reduce the need to travel;
- provide safe and convenient opportunities for walking and cycling for both active travel and recreation, and facilitate travel by public transport;
- enable the integration of transport modes; and
- facilitate freight movement by rail or water.

271. Development plans and development management decisions should take account of the implications of development proposals on traffic, patterns of travel and road safety.

Key Documents

- [National Transport Strategy](#)¹⁰⁸
- [Climate Change \(Scotland\) Act 2009](#)¹⁰⁹
- [Low Carbon Scotland: Meeting the Emissions Reduction Targets 2013-2027](#)¹¹⁰
- [Infrastructure Investment Plan](#)¹¹¹
- [Strategic Transport Projects Review](#)¹¹²
- [Transport Assessment Guidance](#)¹¹³
- [Development Planning and Management Transport Appraisal Guidance \(DPMTAG\)](#)¹¹⁴
- [PAN 66: Best Practice in Handling Applications Affecting Trunk Roads](#)¹¹⁵

108 www.scotland.gov.uk/Publications/2006/12/04104414/0

109 www.legislation.gov.uk/asp/2009/12/contents

110 www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets

111 www.scotland.gov.uk/Publications/2011/12/05141922/0

112 www.transportscotland.gov.uk/strategic-transport-projects-review

113 www.transportscotland.gov.uk/system/files/documents/tsc-basic-pages/Planning_Reform_-_DPMTAG_-_Development_Management_DPMTAG_Ref_17_-_Transport_Assessment_Guidance_FINAL_-_June_2012.pdf

114 www.transportscotland.gov.uk/development-planning-and-management-transport-appraisal-guidance-dpmtag

115 www.scotland.gov.uk/Resource/Doc/47021/0026434.pdf

- [Design Manual for Roads and Bridges](#)¹¹⁶
- [Designing Streets](#)¹¹⁷
- [Roads for All](#)¹¹⁸
- [Cycling Action Plan in Scotland](#)¹¹⁹ (CAPS)
- [Let's Get Scotland Walking: The National Walking Strategy](#)¹²⁰
- [A More Active Scotland – Building a Legacy from the Commonwealth Games](#)¹²¹
- [Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles](#)¹²²
- [Tourism Development Framework for Scotland](#)¹²³

Delivery

Development Planning

272. Development plans should take account of the relationship between land use and transport and particularly the capacity of the existing transport network, environmental and operational constraints, and proposed or committed transport projects.

273. The spatial strategies set out in plans should support development in locations that allow walkable access to local amenities and are also accessible by cycling and public transport. Plans should identify active travel networks and promote opportunities for travel by more sustainable modes in the following order of priority: walking, cycling, public transport, cars. The aim is to promote development which maximises the extent to which its travel demands are met first through walking, then cycling, then public transport and finally through use of private cars. Plans should facilitate integration between transport modes.

274. In preparing development plans, planning authorities are expected to appraise the impact of the spatial strategy and its reasonable alternatives on the transport network, in line with Transport Scotland's DPMTAG guidance. This should include consideration of previously allocated sites, transport opportunities and constraints, current capacity and committed improvements to the transport network. Planning authorities should ensure that a transport appraisal is undertaken at a scale and level of detail proportionate to the nature of the issues and proposals being considered, including funding requirements. Appraisals should be carried out in time to inform the spatial strategy and the strategic environmental assessment. Where there are potential issues for the [strategic transport network](#), the appraisal should be discussed with Transport Scotland at the earliest opportunity.

116 www.dft.gov.uk/ha/standards/dmr/index.htm

117 www.scotland.gov.uk/Publications/2010/03/22120652/0

118 <http://www.transportscotland.gov.uk/guides/j256264-00.htm>

116 www.transportscotland.gov.uk/strategy-and-research/publications-and-consultations/cycling-action-plan-2013

120 www.scotland.gov.uk/Publications/2014/06/5743

121 www.scotland.gov.uk/Publications/2014/02/8239/0

122 www.transportscotland.gov.uk/report/j272736-00.htm

123 www.visitscotland.org/pdf/Tourism%20Development%20Framework%20-%20FINAL.pdf

275. Development plans should identify any required new transport infrastructure or public transport services, including cycle and pedestrian routes, trunk road and rail infrastructure. The deliverability of this infrastructure, and by whom it will be delivered, should be key considerations in identifying the preferred and alternative land use strategies. Plans and associated documents, such as supplementary guidance and the action programme, should indicate how new infrastructure or services are to be delivered and phased, and how and by whom any developer contributions will be made. These should be prepared in consultation with all of the parties responsible for approving and delivering the infrastructure. Development plans should support the provision of infrastructure necessary to support positive changes in transport technologies, such as charging points for electric vehicles.

276. Where public transport services required to serve a new development cannot be provided commercially, a contribution from the developer towards an agreed level of service may be appropriate. The development plan action programme should set out how this will be delivered, and the planning authority should coordinate discussions with the public transport provider, developer, Transport Scotland where appropriate, and relevant regional transport partnerships at an early stage in the process. In rural areas the plan should be realistic about the likely viability of public transport services and innovative solutions such as demand-responsive public transport and small-scale park and ride facilities at nodes on rural bus corridors should be considered.

277. Disused railway lines with a reasonable prospect of being reused as rail, tram, bus rapid transit or active travel routes should be safeguarded in development plans. The strategic case for a new station should emerge from a complete and robust multimodal transport appraisal in line with Scottish Transport Appraisal Guidance. Any appraisal should include consideration of making best use of current rail services; and should demonstrate that the needs of local communities, workers or visitors are sufficient to generate a high level of demand, and that there would be no adverse impact on the operation of the rail service franchise. Funding partners must be identified. Agreement should be reached with Transport Scotland and Network Rail before rail proposals are included in a development plan or planning application and it should be noted that further technical assessment and design work will be required before any proposed new station can be confirmed as viable.

278. While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered where the planning authority considers that significant economic growth or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with DMRB and where there would be no adverse impact on road safety or operational performance.

279. Significant travel-generating uses should be sited at locations which are well served by public transport, subject to parking restraint policies, and supported by measures to promote the availability of high-quality public transport services. New development areas should be served by public transport providing access to a range of destinations. Development plans should indicate when a travel plan will be required to accompany a proposal for a development which will generate significant travel.

280. Along with sound choices on the location of new development, appropriate street layout and design are key to achieving the policy principles at paragraph 270. The design of all new development should follow the placemaking approach set out in this SPP and the principles of Designing Streets, to ensure the creation of places which are distinctive, welcoming, adaptable, resource efficient, safe and pleasant and easy to move around and beyond.

281. National maximum parking standards for certain types and scales of development have been set to promote consistency (see [Annex B: Parking Policies and Standards](#)). Where an area is well served by sustainable transport modes, planning authorities may set more restrictive standards, and where public transport provision is limited, planning authorities may set less restrictive standards. Local authorities should also take account of relevant town centre strategies when considering appropriate parking provision (see paragraphs 64-65 and [Annex A: Town Centre Health Checks and Strategies](#)).

282. When preparing development plans, planning authorities should consider the need for improved and additional freight transfer facilities. Strategic freight sites should be safeguarded in development plans. Existing roadside facilities and provision for lorry parking should be safeguarded and, where required, development plans should make additional provision for the overnight parking of lorries at appropriate locations on routes with a high volume of lorry traffic. Where appropriate, development plans should also identify suitable locations for new or expanded rail freight interchanges to support increased movement of freight by rail. Facilities allowing the transfer of freight from road to rail or water should also be considered.

283. Planning authorities and port operators should work together to address the planning and transport needs of ports and opportunities for rail access should be safeguarded in development plans. Planning authorities should ensure that there is appropriate road access to ferry terminals for cars and freight, and support the provision of bus and train interchange facilities.

284. Planning authorities, airport operators and other stakeholders should work together to prepare airport masterplans and address other planning and transport issues relating to airports. Relevant issues include public safety zone safeguarding, surface transport access for supplies, air freight, staff and passengers, related on- and off-site development such as transport interchanges, offices, hotels, car parks, warehousing and distribution services, and other development benefiting from good access to the airport.

285. Canals, which are scheduled monuments, should be safeguarded as assets which can contribute to sustainable economic growth through sensitive development and regeneration. Consideration should be given to planning for new uses for canals, where appropriate.

Development Management

286. Where a new development or a change of use is likely to generate a significant increase in the number of trips, a transport assessment should be carried out. This should identify any potential [cumulative effects](#) which need to be addressed.

287. Planning permission should not be granted for significant travel-generating uses at locations which would increase reliance on the car and where:

- direct links to local facilities via walking and cycling networks are not available or cannot be made available;
- access to local facilities via public transport networks would involve walking more than 400m; or
- the transport assessment does not identify satisfactory ways of meeting sustainable transport requirements.

Guidance is available in [Transport Assessment and Implementation: A Guide](#)¹²⁴

¹²⁴ www.scotland.gov.uk/Publications/2005/08/1792325/23264

288. Buildings and facilities should be accessible by foot and bicycle and have appropriate operational and servicing access for large vehicles. Cycle routes, cycle parking and storage should be safeguarded and enhanced wherever possible.

289. Consideration should be given to how proposed development will contribute to fulfilling the objectives of Switched On Scotland – A Roadmap to Widespread Adoption of Plug-in Vehicles. Electric vehicle charge points should always be considered as part of any new development and provided where appropriate.

290. Development proposals that have the potential to affect the performance or safety of the strategic transport network need to be fully assessed to determine their impact. Where existing infrastructure has the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, further investment in the network is not likely to be required. Where such investment is required, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network will have to be met by the developer.

291. Consideration should be given to appropriate planning restrictions on construction and operation related transport modes when granting planning permission, especially where bulk material movements are expected, for example freight from extraction operations.

Supporting Digital Connectivity

NPF Context

292. NPF3 highlights the importance of our digital infrastructure, across towns and cities, and in particular our more remote rural and island areas. Our economy and social networks depend heavily on high-quality digital infrastructure. To facilitate investment across Scotland, planning has an important role to play in strengthening digital communications capacity and coverage across Scotland.

Policy Principles

293. The planning system should support:

- development which helps deliver the Scottish Government’s commitment to world-class digital connectivity;
- the need for networks to evolve and respond to technology improvements and new services;
- inclusion of digital infrastructure in new homes and business premises; and
- infrastructure provision which is sited and designed to keep environmental impacts to a minimum.

Key Documents

- [Scotland’s Digital Future](#)¹²⁵ and associated [Infrastructure Action Plan](#)¹²⁶
- [Scotland’s Cities: Delivering for Scotland](#)¹²⁷
- [A National Telehealth and Telecare Delivery Plan for Scotland to 2015](#)¹²⁸

¹²⁵ www.scotland.gov.uk/Resource/Doc/981/0114237.pdf

¹²⁶ www.scotland.gov.uk/Publications/2012/01/1487

¹²⁷ www.scotland.gov.uk/Publications/2012/01/05104741/0

¹²⁸ www.scotland.gov.uk/Resource/0041/00411586.pdf

- [Planning Advice Note 62, Radio Telecommunications provides advice on siting and design](#)¹²⁹
- [Circular 2/2003: Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas](#)¹³⁰

Delivery

Development Planning

294. Local development plans should reflect the infrastructure roll-out plans of digital communications operators, community groups and others, such as the Scottish Government, the UK Government and local authorities.

295. Local development plans should provide a consistent basis for decision-making by setting out the criteria which will be applied when determining planning applications for communications equipment. They should ensure that the following options are considered when selecting sites and designing base stations:

- mast or site sharing;
- installation on buildings or other existing structures;
- installing the smallest suitable equipment, commensurate with technological requirements;
- concealing or disguising masts, antennas, equipment housing and cable runs using design and camouflage techniques where appropriate; and
- installation of ground-based masts.

296. Local development plans should set out the matters to be addressed in planning applications for specific developments, including:

- an explanation of how the proposed equipment fits into the wider network;
- a description of the siting options (primarily for new sites) and design options which satisfy operational requirements, alternatives considered, and the reasons for the chosen solution;
- details of the design, including height, materials and all components of the proposal;
- details of any proposed landscaping and screen planting, where appropriate;
- an assessment of the cumulative effects of the proposed development in combination with existing equipment in the area;
- a declaration that the equipment and installation is designed to be in full compliance with the appropriate ICNIRP guidelines for public exposure to radiofrequency radiation¹³¹; and
- an assessment of visual impact, if relevant.

297. Policies should encourage developers to explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development. This should be done in consultation with service providers so that appropriate, universal and future-proofed infrastructure is installed and utilised.

¹²⁹ www.scotland.gov.uk/Publications/2001/09/pan62/pan62-

¹³⁰ www.scotland.gov.uk/Publications/2003/01/16204/17030

¹³¹ The radiofrequency public exposure guidelines of the International Commission on Non-Ionising Radiation Protection, as expressed in EU Council recommendation 1999/519/ EC on the limitation of exposure of the general public to electromagnetic fields.

Development Management

298. Consideration should be given to how proposals for infrastructure to deliver new services or infrastructure to improve existing services will contribute to fulfilling the objectives for digital connectivity set out in the Scottish Government's World Class 2020 document. For developments that will deliver entirely new connectivity – for example, mobile connectivity in a “not spot” – consideration should be given to the benefits of this connectivity for communities and the local economy.

299. All components of equipment should be considered together and designed and positioned as sensitively as possible, though technical requirements and constraints may limit the possibilities. Developments should not physically obstruct aerodrome operations, technical sites or existing transmitter/receiver facilities. The cumulative visual effects of equipment should be taken into account.

300. Planning authorities should not question the need for the service to be provided nor seek to prevent competition between operators. The planning system should not be used to secure objectives that are more properly achieved under other legislation. Emissions of radiofrequency radiation are controlled and regulated under other legislation and it is therefore not necessary for planning authorities to treat radiofrequency radiation as a material consideration.

Annex A – Town Centre Health Checks and Strategies

Town centre health checks should cover a range of indicators, such as:

Activities

- retailer representation and intentions (multiples and independents);
- employment;
- cultural and social activity;
- community activity;
- leisure and tourism facilities;
- resident population; and
- evening/night-time economy.

Physical environment

- space in use for the range of town centre functions and how it has changed;
- physical structure of the centre, condition and appearance including constraints and opportunities and assets;
- historic environment; and
- public realm and green infrastructure.

Property

- vacancy rates, particularly at street level in prime retail areas;
- vacant sites;
- committed developments;
- commercial yield; and
- prime rental values.

Accessibility

- pedestrian footfall;
- accessibility;
- cycling facilities and ease of movement;
- public transport infrastructure and facilities;
- parking offer; and
- signage and ease of navigation.

Community

- attitudes, perceptions and aspirations.

Town centre strategies should:

- be prepared collaboratively with community planning partners, businesses and the local community;
- recognise the changing roles of town centres and networks, and the effect of trends in consumer activity;
- establish an agreed long-term vision for the town centre;
- seek to maintain and improve accessibility to and within the town centre;
- seek to reduce the centre's environmental footprint, through, for example, the development or extension of sustainable urban drainage or district heating networks;
- identify how green infrastructure can enhance air quality, open space, landscape/settings, reduce urban heat island effects, increase capacity of drainage systems, and attenuate noise;
- indicate the potential for change through redevelopment, renewal, alternative uses and diversification based on an analysis of the role and function of the centre;
- promote opportunities for new development, using master planning and design, while seeking to safeguard and enhance built and natural heritage;
- consider constraints such as fragmented site ownership, unit size and funding availability, and recognise the rapidly changing nature of retail formats;
- identify actions, tools and delivery mechanisms to overcome these constraints, for example improved management, Town Teams, Business Improvement Districts or the use of [compulsory purchase powers](#)¹³²; and
- include monitoring against the baseline provided by the health check to assess the extent to which it has delivered improvements.

More detailed advice on town centre health checks and strategies can be found in the Town Centre Masterplanning Toolkit.

132 www.scotland.gov.uk/Topics/archive/National-Planning-Policy/themes/ComPur

Annex B – Parking Policies and Standards

Parking Restraint Policy – National Maximum Parking Standards for New Development

In order to achieve consistency in the levels of parking provision for specific types and scales of development, the following national standards have been set:

- retail (food) (Use Class 1) 1000m² and above – up to 1 space per 14m²;
- retail (non-food) (Use Class 1) 1000m² and above – up to 1 space per 20m²;
- business (Use Class 4) 2500m² and above – up to 1 space per 30m²;
- cinemas (Use Class 11a) 1000m² and above – up to 1 space per 5 seats;
- conference facilities 1000m² and above – up to 1 space per 5 seats;
- stadia 1500 seats and above – up to 1 space per 15 seats;
- leisure (other than cinemas and stadia) 1000m² and above – up to 1 space per 22m²; and
- higher and further education (non-residential elements) 2500m² and above – up to 1 space per 2 staff plus 1 space per 15 students.

Local standards should support the viability of town centres. Developers of individual sites within town centres may be required to contribute to the overall parking requirement for the centre in lieu of individual parking provision.

Parking for Disabled People – Minimum Provision Standards for New Development

Specific provision should be made for parking for disabled people in addition to general provision. In retail, recreation and leisure developments, the minimum number of car parking spaces for disabled people should be:

- 3 spaces or 6% (whichever is greater) in car parks with up to 200 spaces; or
- 4 spaces plus 4% in car parks with more than 200 spaces.

Employers have a duty under employment law to consider the disabilities of their employees and visitors to their premises. The minimum number of car parking spaces for disabled people at places of employment should be:

- 1 space per disabled employee plus 2 spaces or 5% (whichever is greater) in car parks with up to 200 spaces; or
- 6 spaces plus 2% in car parks with more than 200 spaces.

Glossary

Affordable housing	Housing of a reasonable quality that is affordable to people on modest incomes.
Anchor development (in the context of heat demand)	A large scale development which has a constant high demand for heat.
Article 4 Direction	Article 4 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 gives the Scottish Government and planning authorities the power to remove permitted development rights by issuing a direction.
Biodiversity	The variability in living organisms and the ecological complexes of which they are part. This includes diversity within species, between species and of ecosystems (UN Convention on Biological Diversity, 1992).
Brownfield land	Land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused building and developed land within the settlement boundary where further intensification of use is considered acceptable.
Civil infrastructure (in the context of flood risk)	Hospitals, fire stations, emergency depots, schools, care homes, ground-based electrical and telecommunications equipment.
Climate change adaptation	The adjustment in economic, social or natural systems in response to actual or expected climatic change, to limit harmful consequences and exploit beneficial opportunities.
Climate change mitigation	Reducing the amount of greenhouse gases in the atmosphere and reducing activities which emit greenhouse gases to help slow down or make less severe the impacts of future climate change.
Community	A body of people. A community can be based on location (for example people who live or work in or use an area) or common interest (for example the business community, sports or heritage groups).
Cumulative impact	Impact in combination with other development. That includes existing developments of the kind proposed, those which have permission, and valid applications which have not been determined. The weight attached to undetermined applications should reflect their position in the application process.
Cumulative effects (in the context of the strategic transport network)	The effect on the operational performance of transport networks of a number of developments in combination, recognising that the effects of a group of sites, or development over an area may need different mitigation when considered together than when considered individually.

Ecosystems services	The benefits people obtain from ecosystems; these include provisioning services such as food, water, timber and fibre; regulating services that affect climate, floods, disease, waste and water quality; cultural services with recreational, aesthetic, and spiritual benefits; and supporting services such as soil formation, photosynthesis and nutrient cycling.
Effective housing land supply	The part of the established housing land supply which is free or expected to be free of development constraints in the period under consideration and will therefore be available for the construction of housing.
Energy Centre	A stand alone building or part of an existing or proposed building where heat or combined heat and electricity generating plant can be installed to service a district network.
Essential infrastructure (in a flood risk area for operational reasons)	Defined in SEPA guidance on vulnerability as 'essential transport infrastructure and essential utility infrastructure which may have to be located in a flood risk area for operational reasons. This includes electricity generating stations, power stations and grid and primary sub stations, water treatments works and sewage treatment works and wind turbines'.
Flood	The temporary covering by water from any source of land not normally covered by water, but not including the overflow of a sewage system.
Flood plain	The generally flat areas adjacent to a watercourse or the sea where water flows in time of flood or would flow but for the presence of flood prevention measures. The limits of a flood plain are defined by the peak water level of an appropriate return period event. See also 'Functional flood plain'.
Flood risk	The combination of the probability of a flood and the potential adverse consequences associated with a flood, for human health, the environment, cultural heritage and economic activity.
Freeboard allowance	A height added to the predicted level of a flood to take account of the height of waves or turbulence and uncertainty in estimating the probability of the flooding.
Functional flood plain	The areas of land where water flows in times of flood which should be safeguarded from further development because of their function as flood water storage areas. For planning purposes the functional floodplain will generally have a greater than 0.5% (1:200) probability of flooding in any year. See also 'Washland'.
Green infrastructure	Includes the 'green' and 'blue' (water environment) features of the natural and built environments that can provide benefits without being connected. Green features include parks, woodlands, trees, play spaces, allotments, community growing spaces, outdoor sports facilities, churchyards and cemeteries, swales, hedges, verges and gardens. Blue features include rivers, lochs, wetlands, canals, other water courses, ponds, coastal and marine areas including beaches, porous paving and sustainable urban drainage systems.

Green networks	Connected areas of green infrastructure and open space that together form an integrated and multi-functional network.
Hazardous substances	Substances and quantities as currently specified in and requiring consent under the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993 as amended (due to be replaced in 2015 as part of the implementation of Directive 2012/18/EU).
Historic environment	Scotland's historic environment is the physical evidence for human activity that connects people with place, linked with the associations we can see, feel and understand.
Historic Marine Protected Areas	Areas designated in Scottish territorial waters (0-12 miles) under the Marine (Scotland) Act 2010 for the purpose of preserving marine historic assets of national importance.
Housing supply target	The total number of homes that will be delivered.
Hut	A simple building used intermittently as recreational accommodation (ie. not a principal residence); having an internal floor area of no more than 30m ² ; constructed from low impact materials; generally not connected to mains water, electricity or sewerage; and built in such a way that it is removable with little or no trace at the end of its life. Huts may be built singly or in groups.
Major-accident hazard site	Site with or requiring hazardous substances consent.
Most vulnerable uses (in the context of flood risk and drainage)	Basement dwellings, isolated dwellings in sparsely populated areas, dwelling houses behind informal embankments, residential institutions such as residential care homes/prisons, nurseries, children's homes and educational establishments, caravans, mobile homes and park homes intended for permanent residential use, sites used for holiday or short-let caravans and camping, installations requiring hazardous substance consent.
National Nature Reserve (NNR)	An area considered to be of national importance for its nature conservation interests.
National Scenic Area (NSA)	An area which is nationally important for its scenic quality.
Open space	Space within and on the edge of settlements comprising green infrastructure and/or civic areas such as squares, market places and other paved or hard landscaped areas with a civic function. Detailed typologies of open space are included in PAN65.

<p>Outdoor sports facilities</p>	<p>Uses where sportscotland is a statutory consultee under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, which establishes ‘outdoor sports facilities’ as land used as:</p> <p>(a) an outdoor playing field extending to not less than 0.2ha used for any sport played on a pitch;</p> <p>(b) an outdoor athletics track;</p> <p>(c) a golf course;</p> <p>(d) an outdoor tennis court, other than those within a private dwelling, hotel or other tourist accommodation; and</p> <p>(e) an outdoor bowling green.</p>
<p>Outstanding Universal Value (OUV)</p>	<p>The Operational Guidelines for the Implementation of the World Heritage Convention, provided by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) states that OUV means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. The Statement of OUV is the key reference for the future effective protection and management of the World Heritage Site.</p>
<p>PADHI</p>	<p>Planning Advice for Development near Hazardous Installations, issued by the Health and Safety Executive.</p>
<p>Prime agricultural land</p>	<p>Agricultural land identified as being Class 1, 2 or 3.1 in the land capability classification for agriculture developed by Macaulay Land Use Research Institute (now the James Hutton Institute).</p>
<p>Place</p>	<p>The environment in which we live; the people that inhabit these spaces; and the quality of life that comes from the interaction of people and their surroundings. Architecture, public space and landscape are central to this.</p>
<p>Pluvial flooding</p>	<p>Flooding as a result of rainfall runoff flowing or ponding over the ground before it enters a natural (e.g. watercourse) or artificial (e.g. sewer) drainage system or when it cannot enter a drainage system (e.g. because the system is already full to capacity or the drainage inlets have a limited capacity).</p>
<p>Ramsar sites</p>	<p>Wetlands designated under the Ramsar Convention on Wetlands of International Importance.</p>
<p>Scheduled monument</p>	<p>Archaeological sites, buildings or structures of national or international importance. The purpose of scheduling is to secure the long-term legal protection of the monument in the national interest, in situ and as far as possible in its existing state and within an appropriate setting.</p>
<p>Sensitive receptor</p>	<p>Aspect of the environment likely to be significantly affected by a development, which may include for example, population, fauna, flora, soil, water, air, climatic factors, material assets, landscape and the inter-relationship between these factors.</p> <p>In the context of planning for Zero Waste, sensitive receptors may include aerodromes and military air weapon ranges.</p>

Setting	Is more than the immediate surroundings of a site or building, and may be related to the function or use of a place, or how it was intended to fit into the landscape of townscape, the view from it or how it is seen from areas round about, or areas that are important to the protection of the place, site or building.
Site of Special Scientific Interest (SSSI)	An area which is designated for the special interest of its flora, fauna, geology or geomorphological features.
Strategic Flood Risk Assessment	Provides an overview of flood risk in the area proposed for development. An assessment involves the collection, analysis and presentation of all existing available and readily derivable information on flood risk from all sources. SFRA applies a risk-based approach to identifying land for development and can help inform development plan flood risk policy and supplementary guidance.
Strategic Transport Network	Includes the trunk road and rail networks. Its primary purpose is to provide the safe and efficient movement of strategic long-distance traffic between major centres, although in rural areas it also performs important local functions.
Sustainable Development	Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The Brundtland Definition. Our Common Future, The World Commission on Environment and Development, 1987.
Sustainable Economic Growth	Building a dynamic and growing economy that will provide prosperity and opportunities for all, while ensuring that future generations can enjoy a better quality of life too.
Washland	An alternative term for the functional flood plain which carries the connotation that it floods very frequently.
Watercourse	All means of conveying water except a water main or sewer.
Windfall Sites	Sites which become available for development unexpectedly during the life of the development plan and so are not identified individually in the plan.



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Listed Buildings and Conservation Areas

Updated February 2019

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Listed Buildings & Conservation Areas

Who is this guidance for?

Anyone considering work to a property within a conservation area or to a listed building.

This guidance provides information on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

This document and other non-statutory guidance can be viewed at:

www.edinburgh.gov.uk/planningguidelines



Misc: Student Housing, Radio Telecommunications, Open Space Strategy etc.

February 2019

This document is divided into two parts:

Part 1. Listed Building Guidance

Part 2. Conservation Area Guidance

Policy Context

This guidance interprets policies in the Edinburgh Local Development Plan which seek to protect the character and setting of listed buildings, and the character and appearance of conservation areas.

This guidance was initially approved in December 2012 and incorporates minor amendments approved in February 2016, March 2018 and February 2019.

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- apply For Planning Permission
- apply For Listed Building Consent
- apply For Certificate of Lawfulness

Part1: Listed Buildings

Listed buildings represent the very best examples of the built heritage. They are defined as buildings of special architectural or historic interest and are protected under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The lists of Buildings of Historic or Architectural Interest are compiled by Historic Scotland on behalf of Scottish Ministers. The term *building* includes structures such as walls and bridges.

There are three categories of listed buildings:

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Category A - Buildings of national or international importance, either architectural or historic, or fine little-altered examples of some particular period, style or building type.

Category B - Buildings of regional or more than local importance, or major examples of some particular period, style or building type which may have been altered.

Category C - Buildings of local importance, lesser examples of any period, style, or building type, as originally constructed or moderately altered; and simple traditional buildings which group well with others in categories A and B.

Buildings which relate together in townscape terms or as planned layouts in urban, rural or landed estate contexts, often have their group value stressed by inclusion within 'A' or 'B' groups.

To check whether your property is listed, use our [online map](#).

February 2019

Do I need Listed Building Consent?

Listed buildings are afforded statutory protection. This means that listed building consent is required for the demolition of a listed building, or its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest.

Listing covers the interior as well as the exterior, and includes any object or structure fixed to the building, or which has been included within its curtilage since 1st July, 1948. Listing, therefore, extends to historic fixtures or fittings (plasterwork, chimneypieces, panelling) and items within the curtilage such as stables, mews, garden walls and stone setts. Any proposals to alter unsympathetically, relocate or remove such features are likely to detract from the quality of the setting and are unlikely to be approved.

Listed building consent must be obtained where proposals will alter the character of the listed building, regardless of its category or whether the work is internal or external.

Proposed change will be managed to protect a building's special interest while enabling it to remain in active use. Each proposal will be judged on its own merits. Listing should not prevent adaptation to

modern requirements but ensure that work is implemented in a sensitive and informed manner. The aim is to guard against unsympathetic alterations and prevent unnecessary loss or damage to historic fabric. Any alterations which would seriously detract from or alter the character of a listed building are unlikely to receive consent



Listed building consent is not required for internal redecoration, renewal of bathroom and kitchen fittings, rewiring or new plumbing, provided fittings or internal decorations (such as decorative plaster, murals and paintings) which contribute to the character of the building or structure are not affected.

In considering any application for listed building consent, and also any application for planning permission for development which affects a listed

building or its setting, the Council are required to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it may possess. In this context, preserving, in relation to a building, means retaining it either in its existing state or subject only to such alterations or extensions as can be carried out without detriment to its character.

The tests for demolition are detailed in the Scottish Historic Environment Policy. No listed building should be demolished unless it has been clearly demonstrated that every effort has been made to retain it. The Council will only approve such applications where they are satisfied that:

- The building is not of special interest; or
- The building is incapable of repair; or
- The demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

Repairs which match the original materials and methods and do not affect the character of the building do not usually require listed building consent or planning permission.

You can apply for listed building consent at www.eplanning.scot.

What if the work has already been carried out?

It is a criminal offence to demolish, alter materially or extend a listed building without listed building consent. Alterations may be subject to enforcement action or prosecution at any time. Retrospective applications for listed building consent will be considered on their merits.

Our guidance on [Selling Your House](#) sets out the criteria which will be used to determine whether to take enforcement action against unauthorised works to a listed building. This will help if you are selling a listed property and provides general advice on listed building consent.

What Other Consents Might Be Required?

Planning Permission

Development is defined as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

Planning permission is required for many alterations, additions and changes of use, although some development can be carried out without planning permission. This is ‘[permitted development](#)’.

To determine whether planning permission is required, the [Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992](#) or [Government Circular on Permitted Development](#) should be considered.

If you believe your building work is ‘permitted development’, you can apply for a [Certificate of Lawfulness](#). This is a legal document from the Council which confirms that the development is lawful.

In addition, listed building consent may be required regardless of whether planning permission has been granted.

Advertisement Consent

Many advertisements will require advertisement consent, in addition to listed building consent and planning permission. You can check this by consulting or by seeking advice from the Planning Helpdesk.

Building Warrant

Converted, new or altered buildings may require a building warrant, even if planning permission or listed building consent is not required. Please contact Building Standards for more information on 0131 529 7826 or [email: buildingwarrant.applications@edinburgh.gov.uk](mailto:buildingwarrant.applications@edinburgh.gov.uk).

General Principles

The aim of this guideline is to prevent unnecessary loss or damage to historic structures and ensure that proposals will not diminish their interest.

The fact that a building is listed does not mean that changes cannot be made. However, it does mean that any alterations must preserve its character. Any alterations which would seriously detract from or alter the character of a listed building are unlikely to receive consent.

It is strongly advised that specialist advice be sought prior to carrying out any works to a listed building. Without exception, the highest standards of materials and workmanship will be required for all works associated with listed buildings.

Any alterations should protect the character and special interest of listed buildings .

There is a strong presumption against demolition of listed buildings and proposals for demolition will be assessed against the criteria set out in the Scottish Historic Environment Policy.

Repair

Planning permission and listed building consent are not normally required for repairs which match the original materials and methods and do not affect the character of the building. Inappropriate repairs can result in enforcement action or prosecution.

Repairs to listed buildings should always be carried out with care. Matching the original materials and method is important. The use of inappropriate materials and poor repair techniques can accelerate the decay of traditional historic buildings, shorten their lifespan and result in longer-term problems which may result in much higher repair costs.

Stone Repair

Before any repairs are undertaken, the existing stonework details should be carefully categorised for the:

- **Type:** ashlar, random rubble, coursed rubble etc.
- **Tooling:** broached, stugged, polished
- **Joints:** v-jointed, square-jointed, fine-jointed, etc.

An analysis of the stone will also be required to establish its chemical make-up and ensure compatibility with the existing stone.

These details should be respected and repeated, where appropriate, when stone replacement and pointing is carried out. Inappropriate replacements affect the architectural integrity of historic buildings.

It is also imperative to remedy the cause of any decay by eliminating sources of soluble salts, preventing the passage of moisture and rectifying active structural faults.

Indenting

Indenting is the insertion of a new stone to replace one which is damaged or decayed.

Indenting may not always be necessary when a stone has a defect; if the stone can reasonably be expected to survive for another 30 years, it should be left, regardless of its appearance.



Where indenting is appropriate, the indent should be selected to closely match the original stone. Artificial stone should not be used on listed buildings.



There will inevitably be a marked contrast between old and new work. However, within a few years of repair the effects of natural weathering will have gone a long way to remedy this situation. Cosmetic treatment of indented stone, either cleaning the old stone or distressing the new is not recommended.

Partial indenting should not normally be considered. In certain circumstances, small indents may be appropriate on moulded detail, but leaving the damaged stonework may be more acceptable than carrying out a visually intrusive repair.

Stone indents on external original steps and entrance platts are normally the most appropriate method of repair. Concrete screeds to steps and entrance platts are not acceptable.

Redressing

Redressing is the removal of the surface layer from the decayed stone. This may not be appropriate as it can cause considerable damage to the underlying stone and accelerate decay.

Mortar

Mortar repairs to stone should only be used as an extension of pointing to fill in small areas of decay and extend the life of a stone which would otherwise have to be replaced.

In some cases, it may be appropriate to use mortar on sculpted or moulded stonework. However, as mortar is significantly different from stone, ensuring a permanent bond between the two materials will be difficult. Therefore, a mortar repair will have a considerably shorter life than indenting.

Lime mortars will usually be the most appropriate mix. The presence of cement in the mix used for mortar repairs will accelerate decay in the neighbouring stone.

Weather Proofing

In traditional construction, the free movement of water vapour through the fabric of a building in both directions is essential.

The use of silene and silicone treatments to weather proof stone is not recommended because serious damage can occur if condensation builds up within a stone and the process is not reversible.

Mortar Joints and Pointing Repair

The original mortar joints and pointing should be respected, if traditional and causing no damage. Pointing can take many forms (recessed, flush, slaistered etc.) In some instances, small pieces of stone or slate are used in the mortar mix. In cases where it is unclear what existed previously, mortar analysis should be carried out.

Under no circumstances should joints be widened to facilitate the work. Raking out should be done carefully with hand tools; power tools should never be used. It is important that the correct pointing and tools are chosen and used for specific types of joints.

Mortar should be sufficiently resilient to accommodate minor movements in the masonry, but it should never be stronger or denser than adjoining stones. This will cause the mortar to crack and prevent drying out through the joints, causing moisture to evaporate through the stones, accelerating decay.

Lime mortar should be used in most instances. However, as the technology, science and physical properties of pure lime mortars vary considerably from cement gauged mortars, they must be used

carefully. Hard cement mortar should never be used.

Traditional Harls and Renders

Hard cement mixes should not be used for harls and renders. A hard mix will trap a layer of moisture between the harl and the stonework beneath, thus forcing water back into the stone and encouraging accelerated decay. Lime mixes are recommended.

Original harls can be analysed to establish their composition. In order to prepare surfaces for harling and rendering, old cement render should usually be removed. In most cases, it will be more appropriate to use a wet dash rather than a dry dash. It is important that each 'layer' of harl is allowed to dry fully before applying another coat. However, each situation is different and specialist advice should be sought on best practice.

Roofs

Listed building consent will be required for alterations to roofs. Planning permission may also be required, depending on the proposal.

Planning permission and listed building consent are not normally required for repairs which match the original materials and methods and do not affect the character of the building.

The roof, which includes parapets, skews, chimney heads and chimney pots, is an important feature of a building. The retention of original structure, shape, pitch, cladding (particularly colour, weight, texture and origin of slate and ridge material) and ornament is important. Any later work of definite quality which makes a positive contribution to the interest of the building should also be kept.



The restoration of lost roof elements to match the original form will be encouraged.

It is important to use the proper repair techniques and materials for ridges, flashings, mortar fillets



and parapet gutters. Ridges should be replaced to match existing. Most ridges and flashings should be replaced in lead, making sure to use the correct code of lead.

Any change to the roofing material, including alternative slate, will require listed building consent and may require planning permission.

Most traditional roofs within Edinburgh are covered with Scots slates, although other materials, such as Welsh and Cumbrian slates, pantiles and thatch, have also been used. In some instances, materials such as copper may have been used on the roof of a decorative turret. Traditional materials should always be respected and repeated, where appropriate.



Scots slates are becoming increasingly rare and in some circumstances second-hand slates are of poor quality and size. It is preferable in some cases that sound old slates are laid together on visible roof slopes, with new slates used on non-visible roof slopes. Alternatives to Scots slate will be considered on their merits.

It is important to ensure consistency in the texture and grading, and that the new slate matches the colour, size, thickness and surface texture of the original materials as closely as possible.

Concrete tiles or artificial slate should never be used in conjunction with, or as a replacement for real slate. The introduction of slate vents may require listed building consent.

Patterned slating, incorporating fish scale or diamond slates, sometimes in different colours, should be retained and repaired with special care.

The original gradation of slates should be repeated.

Flat Roofs

Lead is usually the most appropriate covering for the long-term maintenance of flat roofs. Alternatives to lead may be considered acceptable in certain cases. Bituminous felt is not generally appropriate for use on listed buildings.

Chimneys

Removal of all or part of a chimney will require listed building consent and may require planning permission.

Original chimneys should always be retained and repaired as they are an essential feature of traditional buildings and contribute to the historic skyline. Non-original additions to chimneys should be removed.

Chimneys should be repaired using traditional methods to reinstate as original, with particular attention to the detail of the coping stone. Particular care should be taken to retain chimneystacks to their original height.

Detailed records of the original structure should be made where dunting is necessary to ensure correct replacement. Chimney pots should always be replaced to match the original.

Where the original chimneys have been demolished and replaced in brick and render, the rebuilding in stone will be encouraged.

Rainwater goods (guttering, downpipes etc.)



Replacement rainwater goods should match the original, cast iron or zinc should be used where these were the original materials. Other materials such as aluminium may be acceptable, where appropriate.

They should be painted either black or to tone in with the adjacent stonework and roofing respectively.

Railings, Gates, Balconies and Handrails

The erection of railings, gates, balconies and handrails requires listed building consent and planning permission.

Planning permission and listed building consent are not normally required for repairs.

Balconies, gates, railings and handrails are usually formal components in the design of an elevation. They should be maintained and repaired and, if

they have to be replaced, should be erected on a like for like basis. The recommended paint colour is black gloss.

Usually, railings were made from cast iron, although there may be some examples surviving of wrought iron. If the railings no longer exist, it is important to establish what the original railings were like. Remaining sections of iron work may still exist in the cope or on similar neighbouring properties or old photographs and plans can be used. In most cases, cast iron railings fixed individually into the cope should be used.

Railings are normally fixed to stone copes. These should be repaired according to the principles outlined in the previous section on stone repair. Moulded copes and other special details should always be respected and repeated.

External Alterations

Any external alterations, however minimal, may require listed building consent and possibly planning permission.

This section provides guidance on the most common forms of change. You are encouraged to contact Planning to discuss any proposed work.

Where it is proposed to restore lost features, it will be important to ensure that all restorative work is



based on sound physical and documentary evidence of the previous state of the building. This is to ensure that work is carried out in an architecturally and historically correct manner.

Stone Cleaning

Listed building consent is required to stone clean listed buildings. Planning permission is also required for the stonecleaning of any building within a conservation area.

Stone cleaning cannot be undertaken without damaging a building. It can also reveal the scars of age, such as staining, poor previous repairs and surface damage. It may also remove the natural patina, the protective layer on the stone, opening up the surface pore structure and making re-soiling much easier.

There will, therefore be a presumption against the stone cleaning of listed buildings and buildings within conservation areas. Stone cleaning will not be considered acceptable on any street where cleaning has not commenced. Where cleaning of a street has commenced, the issue of reinstating architectural unity will be a material considerations in assessing the merits of individual applications.

Specialist professional skills should be sought to undertake analysis and, where acceptable, design a suitable cleaning method and undertake work.

Applications for stone cleaning should be accompanied by a full drawing and photographic survey.

To assess the most appropriate method of stone

cleaning, applicants will be required to ascertain geological characteristics through laboratory tests.

Stone cleaning methods should be tested on an inconspicuous trial area of two or three stones.

If stone cleaning is approved, post-cleaning photographic records should be submitted and documented for research purposes.

It is expected that most necessary repairs will be identified at the initial application stage. Therefore, consent would be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to stonecleaning.

Stone Cleaning Methods

The following are the most common stone cleaning methods. Their inclusion in this guideline is for information only and does not imply their acceptability.

1. Mechanical - Carborundum Disc

This method comprises a hand-held rotary disc with a carborundum pad.

2. Air and Water Abrasive

These methods comprise grits and other abrasive mediums carried by jets of air and/or water.

3. Chemical Cleaning

This method comprises the application of chemicals and a high pressure water wash or pressure steam.

4. Water (High Pressure, Low Pressure, Manual)

When water pressure is used as part of the cleaning method, water is forced into the stone to a depth where natural evaporation will not take place. The water can then percolate down through the fabric of the wall and cause accelerated weathering at lower levels in the building. High pressure water can also cause damage to the stone.

A water wash remains an alternative stone cleaning technique. A low pressure water wash (100-200psi) is the least aggressive method of stone cleaning. However, it will not remove dirt which has combined with the surface to form an insoluble compound. High pressure and/or excessive water can cause surface erosion, pointing wash-out, staining and force water into the core of the wall. Due to the dangers of thermal expansion, water washing should be avoided in frosty conditions.

Paint Removal from Masonry

Paint removal will require planning permission and listed building consent.

The restoration of the original surface through the removal of paint can improve the character and appearance of a building. Where surfaces have been previously painted, the removal of paint will be supported in principle, provided that the proposed removal method does not adversely affect the original surface.

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The removal of paint requires chemical and/or abrasive cleaning to re-expose the stone beneath. Abrasive methods can cause severe damage to the surface and will be unlikely to remove all traces of paint from coarse, porous sandstone. In certain circumstances, a minimally abrasive method may be appropriate to remove the outermost paint layers not in contact with the stone surface. Chemical paint removal varies from paint stripper to a proprietary poultice (a substance placed on the stone to draw out the paint). Each requires extreme caution due to their potentially damaging effects and trial samples should be carried out.

Previous painting could have disguised the poor condition or appearance of the surface so repair work may be required following paint removal. Therefore, consents will be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to paint removal.

Where paint removal is not appropriate, the property should be repainted in a matt finish stone coloured paint to tone with the adjoining stonework.

Specialist professional skills should be sought to undertake analysis, design a suitable treatment method and undertake any work.

Graffiti Treatment

Graffiti treatment will require planning permission and listed building consent if the proposed method will affect the character or appearance of the building.

Whilst graffiti can have an adverse impact on the character and appearance of a building and general environment, inappropriate graffiti treatment can cause irreversible and fundamental damage to buildings.

The treatment of graffiti from listed buildings and buildings within conservation areas will generally be supported provided there would be no unacceptable change in the appearance of the historic surface or structural integrity. However, the condition or architectural detailing of the surface or the nature of the graffiti may, in some circumstances, prevent any form of graffiti treatment from being acceptable.



Each site must be assessed on an individual basis and a site specific proposal prepared. Specialist professional skills should be sought to design suitable treatment methods and undertake any work.

At sites where graffiti is a recurring issue or where historic surfaces are vulnerable to the effects of graffiti treatment, alternative strategies may be required to prevent or reduce incidences of graffiti. Lighting, CCTV, physical barriers and the repositioning of fixtures may be required. These may need listed building consent and/or planning permission.

Temporary sacrificial coatings will also be encouraged in areas of persistent graffiti attack, provided there would be no adverse impact on the surface.

The permanent sealing of a surface will result in accelerated decay of the stone leading to expensive repairs and will therefore not be considered acceptable.

Graffiti Removal Methods

Chemical

Includes solvent based paint removers, other organic solvents and alkali-based paint removers or caustic removers.

Physical

Mainly air abrasion but can also include pressure washing and steam cleaning.

Heat

Includes hot pressure washing and steam cleaning, which must be applied at an appropriate pressure for the substrate; and laser treatments which can be labour intensive, slow and expensive.

Painting and Render

Paint which matches the existing in colour and uses traditional materials and methods will not require listed building consent or planning permission.

Painting or rendering of a previously untreated surface will require planning permission and listed building consent, and is unlikely to be acceptable.

Changing the colour of a listed building will need listed building consent. Planning permission will also be required to change the colour of any building located within a conservation area.



External stonework must not be painted or rendered, unless the surface was originally painted or rendered.

Coping stones and the edge of steps should not be painted.

Information on painting a shop or other commercial premises is included within the [Guidance for Businesses](#).

Walls covered with smooth cement render or a harled finish should generally be painted in earth colours or neutrals (grey, cream or beige). Rendered bands to windows should generally be in stone colours.

Extensions and Additions

Listed building consent will be required for extensions or additions to listed buildings. Planning permission may also be required, depending on the proposal.

New extensions on a terraced block may not be acceptable where there are no existing extensions. Where the principle of extending a listed building is acceptable, the extension should be subservient to the main building and will rarely be permitted on principal elevations. Extensions should not normally exceed 50% of the width of any elevation.



It is usually acceptable for an addition to be different and distinguishable from the existing building, in terms of design. The use of high quality materials which complement the main building will be required. In other circumstances it may be appropriate to match the new work to the existing, in which case the new materials should be carefully matched.

The visual separation of extensions is encouraged. In the case of side extensions, they should be set back from the facade and be of a scale that does not affect the overall architectural composition. The effect of any addition on a symmetrical composition will be particularly important.

Encouragement will be given to the removal of inappropriate additions which are of inferior quality and which detract from the listed building. Where there is an existing extension of historic or architectural interest, such as a conservatory or outshot, this should be restored or repaired, rather than replaced.

Shopfront Alterations and Signage



Specific information is included in Guidance for Businesses. This should be considered alongside the document, where relevant.

Windows

The removal, replacement or alteration of windows will normally require listed building consent.

Repairs and painting which match the existing and use traditional materials and methods will not require listed building consent or planning permission.

Double glazing in listed buildings will require listed building consent.

Where a significant proportion of historic glass (such as Crown, cylinder and drawn sheet) remains on an individual window, it should be retained or re-used.

Secondary glazing is likely to require listed building consent where it will impact on architectural detail or affect the external appearance of the building.

Planning permission may also be required where the replacement or alteration will not match the existing in design, material, size, opening mechanism or proportion. Replacement windows which do not result in a material change to the appearance will not normally require planning permission.

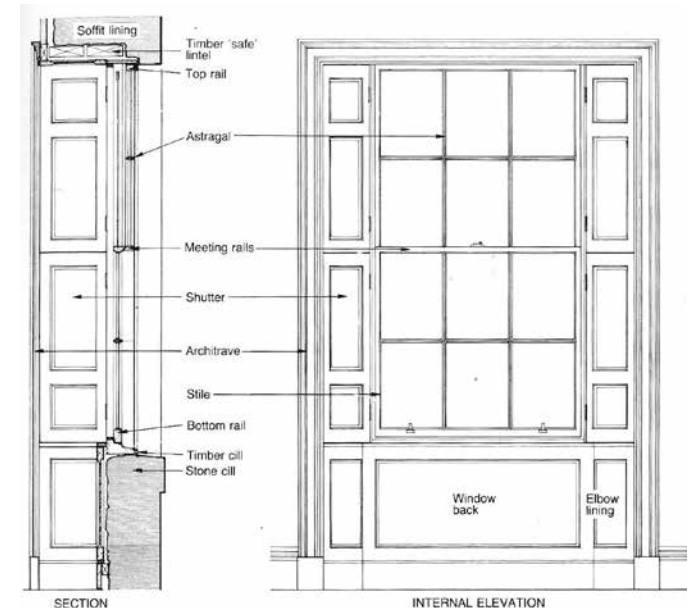
The reinstatement of the original window pattern will normally be encouraged.

Repair and Maintenance

There is a general presumption against the removal of original window frames and glazing; repair and refurbishment is preferred. Decay in timber is usually caused by moisture penetration, which can be prevented by thorough painting, regular maintenance and prompt attention to necessary repairs.

Glazing should be fixed with putty or a glazing compound rather than timber beading.

The thermal performance standard of existing windows can be improved by repair, draught-stripping and working internal shutters.



Openings

Window openings play an important role in establishing the character of an elevation and they should not be altered in their proportions or details.

Proposals to increase the glazing area by removing stone or timber mullions (vertical members between windows which form the divisions between windows) will not normally be granted consent.

Proposals to convert windows into door openings will not be considered acceptable on principal frontages or above garden level on all other elevations. Where acceptable, the width of the existing opening should not be increased. Normally, only one set of French windows will be permitted.

Entirely new window openings are unlikely to be acceptable on principal elevations as this can create an unbalanced composition.

Replacing Original Windows



Original windows are important features of any building and should not be removed or altered. The complete replacement of original windows will only be approved where they have clearly deteriorated beyond practicable repair. Proposals must be accompanied by evidence demonstrating that they are beyond repair; a professional survey may be requested.

In the event that replacement windows can be justified, they should be designed to replicate the original details, including materials, design and opening method. Particular attention must be paid to the mouldings; standard modern sections are not acceptable for reinstatement work. uPVC will not be acceptable.

Care should be taken to ensure that replacement windows are fitted in the same plane as the originals, are made of timber sections (the profile and dimensions of which match the originals) and

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have the meeting rails in the same position as the originals; this is especially important where the windows of only one property in a tenement or terrace block are being replaced.

Whenever an original window has been lost, any modern windows which are badly proportioned, of the wrong type, or incorrectly glazed, should be reinstated to the original proportion and detail. This is especially important in the case of unified terraces.

Double Glazing

Slim profile double glazing with a cavity (the space between the two sheets of glass) of a maximum of 6mm can be fitted into existing windows, provided early glass is not present.

Double glazing with a cavity of more than 6mm is not acceptable.

Secondary Glazing

Secondary glazing involves an independent internal window in addition to the existing. It should, wherever possible, be fitted immediately inside existing sashes or at a suitable position within the depth of the window reveal, being fixed either to the case or the surrounding framework of the ingoes. Secondary glazing should not disrupt architectural features, such as shutters.

The meeting rails and frames of secondary windows should be as small in section as possible to allow them to be disguised behind existing rails. Painting their external faces black helps to minimise visibility from the outside. Where necessary, detailing of internal secondary windows must allow for the use of the easy-clean hinges on the lower sash of the original outer window.

Additional glazing units fitted to the outside of existing windows are not acceptable.

Fanlights



Decorative fanlights should be retained, and where necessary, replaced.

Astragals

Where there is clear photographic or physical evidence that astragals (the glazing bars dividing panes of glass) have been removed, their replacement to the original profile and dimensions will be encouraged. The glazing pattern which forms part of a significant later re-modelling scheme should not be changed. Astragals applied to the surface of the glass or sandwiched between the glass of doubled glazed units are not considered acceptable.

Horns

Horns are Victorian projections of the side frames of the sashes, devised to strengthen them, following the introduction of heavy plate glass. Georgian and early Victorian windows with astragals never have horns and will therefore be strongly resisted. Edwardian windows sometimes had horns, and their use may, therefore, be appropriate.

Ventilators and Extractor Fans

Ventilators cut through the glass or visible on the window frames will not be considered acceptable; they should be located unobtrusively in the meeting rail or through the box frame.

Mechanical extractor fans should be located on rear or side elevations and will not normally be acceptable within windows or fanlights, or on front elevations.

Paint

Originally, most windows were painted dark brown or bottle green. However, window joinery, including fanlights, should normally be painted white or off-white to maintain uniformity (brilliant white should be avoided).

Freestanding buildings may have more scope to investigate and 'restore' the original colours.

All areas of dormer windows, other than the window frames, should be painted to tone in with the roof.

Special Cases

Institutional/Industrial buildings

Industrial and institutional buildings have a variety of window types, depending on their age and function. The original window type should be retained wherever practicable, although flexibility on window design may be acceptable to allow conversion to new uses. The glazing pattern should be reproduced and the manner of opening should be as close to the original as possible. Standard double glazing may be acceptable, provided discrepancies in the form, profile, section, materials and opening method are kept to a minimum.

Early Modern Metal Windows

Early modern metal framed windows should normally be repaired or replaced with matching windows of the same materials and design. New units manufactured from different materials will rarely be capable of accurately matching and will only be acceptable where exact replication of the original window is of less importance. In such cases, any discrepancy in form, profile, section and opening method should be kept to a minimum.

Casement Windows

Original inward opening casement windows are relatively rare and must be retained or identically replaced.

Special Types of Glass

There is a presumption in favour of retaining stained, decorative leaded, etched glass and historic glass. If the glass has to be removed and is of artistic merit, arrangements should be made for its recording and its careful removal. Proposals to use wired glass, obscured glass, and louvered glass or extract fans in windows on main elevations will not be considered acceptable.

Dormer Windows and Rooflights

New dormer windows will not normally be acceptable unless they are part of the original or early design of an area. Rooflights will almost always be a preferable solution, but these will not generally be permitted on roof slopes which are largely unaltered. Where acceptable, rooflights should be of



a conservation type and should be of an appropriate scale and proportion. The proposed number of rooflights will also be a determining factor.

Doors

The removal, replacement or alteration of doors will normally require listed building consent.

Original doors are important features of any building and should not be removed or altered. The complete replacement of original doors will only be approved where they have clearly deteriorated beyond practicable repair. Proposals must be accompanied by evidence demonstrating that they are beyond repair; a professional survey may be requested.

Replacement doors which incorporate integral fanlights or inappropriate glazing or panelling patterns will not be granted consent.

Entirely new door openings are unlikely to be acceptable on principal elevations as this can create an unbalanced composition.

Doors in street frontages, even though no longer used, should be retained.

Door furniture and later fittings of quality should be retained. Where these have not survived, the replacement of modern fittings with items appropriate to the period of the building will be encouraged.

Door entry systems should be discreetly designed and should be located on door ingoos, not the main façade.



Paint

Doors should be painted in an appropriate dark and muted colour.

Basements

Listed building consent may be required for external alterations to basements. Planning permission may also be required, depending on the proposal.

There is a presumption against the removal of original stone slabs from basement areas. They should never be covered in concrete or any other material such as gravel or chips. Where existing stone slabs need to be renewed new stone slabs should be laid. Similarly, stone steps and platts to ground floor entrances should be repaired or renewed in natural stone to match the original in



colour. Basement steps, floors and walls should not be painted .

Proposed extensions in front basement areas or under entrance platts are not normally acceptable and owners are encouraged to remove existing extensions.

The formation of lightwells in basements will only be permitted where they are part of the character of the street. These should always be in matching materials to the main building and covered with a flush cast iron grille.

Access Stairs

New external access stairs will require listed building consent and may also require planning permission.

There is a general presumption against the introduction of external access stairs on any elevation. External access stairs may be acceptable in exceptional circumstances where there is a pattern of original access stairs established relevant



to the elevation(s) in question and this can be fully supported by an historic building analysis.

Where access stairs can be justified, they should be in-keeping with the character of the building. The design of the stair should either be based on an original design for the type of building or a lightweight modern addition with metal being the preferred material. New doors and stairs should be painted appropriate colours, usually black for metal work. They should not be enclosed structures.

Stairs should normally be for access only. Where they include platforms for incidental use, the Council's guidelines on privacy must be complied with. Stairs should be kept close to the building, but should not obstruct daylight from existing windows.

When buildings are in single occupancy and there is an existing door at either ground floor or basement level, an access stair at upper levels will not normally be permitted. On all other properties, access stairs will be restricted to the floor above the lowest habitable floor level. Bridges over rear basement areas will not be considered acceptable.

Renewable Energy Technologies (Solar Panels, Wind Turbines etc.)

Listed building consent will normally be required for the installation of renewable energy technologies. Planning permission may also be required, depending on the proposal.

The installation of renewable energy technologies should be carefully sited in order to protect the architectural integrity of the listed building.

Poorly located renewable energy technologies can be visually intrusive and will not be acceptable where they detract from the character of the building. They should not be visible from public view. They may be acceptable in the following locations:

- On the ground to the rear of the building.
- On a modern extension to the rear of the building, providing that no part is higher than the main building.
- In the internal valley of a roof, provided that no part projects above the ridge.

In the New Town Conservation Area and World Heritage Site, aerial views will also be considered.

External Plumbing

Listed building consent may be required for external plumbing. In some circumstances, planning permission may also be required, depending on the proposal.

Additional pipework on important facades should be avoided especially if it would result in disturbance to, or the breaking through of masonry, mouldings or decorative features. Replacements should be in cast iron, painted to match the colour of the walling and should match the original sections.

Gas Pipes and Meter Boxes

Listed building consent is only required where the guidelines listed below cannot be complied with.

A maximum of a 450mm of supply pipe can be visible on the front wall of listed buildings. External pipes which are both horizontal and vertical must have the horizontal section within the basement areas (where applicable) and not be visible from the street.

Holes in stonework must be kept to a minimum and should be made through stone joints, except in the case of “V” jointing or rubble where holes should be in the stonework. Non-ferrous fixings must be used.

Pipe runs should not interfere with cornices and decorative plasterwork. Where pipes are chased into walls, plasterwork must be reinstated to original.

All redundant surface-run pipe work must be removed and the surfaces made good and painted to match existing materials and colour.

Meter boxes should not be fitted to the front or any conspicuous elevation of buildings.

Pipe work and meter boxes should be painted to match adjacent stone.

Flues

Listed building consent is required to install balanced flues on the front or any conspicuous elevation of listed buildings. In certain circumstances an application for planning permission will also be required.

Balanced flues will not normally be acceptable on the front or conspicuous elevations of listed buildings.

The balanced flue should be painted to match the colour of the surrounding stonework.

Holes to accommodate the balanced flue should be formed with a core cutter.

Ventilation Grilles

Listed building consent is required to install ventilation grilles on the front elevation (or any conspicuous elevations) of listed buildings. Planning permission is not normally required if of a domestic scale.

Ventilation grilles will not normally be acceptable on the front or other conspicuous elevations of listed buildings.

If acceptable in principle, ventilation grilles should generally be no bigger than the standard size, flush with the wall surface and coloured to match the background.

Air Conditioning and Refrigeration

Planning permission and listed building consent will normally be required to install air conditioning and refrigeration units on the exterior of buildings. Listed building consent may also be required to install units within listed buildings where units would disrupt architectural features and fixtures.

The preferred location for units on listed buildings are:

- Free standing within garden or courtyard areas, subject to appropriate screening and discreet ducting.
- Within rear basement areas.
- Inconspicuous locations on the roof (within roof valleys or adjacent to existing plant). However, in the New Town Conservation Area and World Heritage Site, aerial views will also be considered.
- Internally behind louvres on inconspicuous elevations. This should not result in the loss of original windows.

Where it is not practicably possible to locate units in any of the above locations, it may be acceptable to fix units to the wall of an inconspicuous elevation, as low down as possible; they should not be located on the front elevation.

Units should be limited in number, as small as practicably possible and painted to tone with the surrounding stonework or background.

Ducting must not detract from the character of the building.

Alarm Boxes

Alarm boxes on listed buildings should be the smallest available, fitted in the least conspicuous location and painted to match the background colour or stonework.



There will be a general presumption against the location of alarm boxes on the front elevation of listed buildings which retain their original domestic character, irrespective of the use of the premises.

Where alarm boxes have to be located on the front elevation, they should be restricted to the least visible location. On tenemental properties, alarm boxes should not normally be located above the ground floor.

In basement areas, it may be possible to fit alarm boxes in inconspicuous locations such as on in-facing walls, under entrance platts and stairs, and on the sides of platt supporting arches close to the junction with the pavement.

Concealed locations on side and rear elevations should also be considered. Consideration should also be given to fitting boxes inside the building behind windows and fanlights. Alarm boxes should not bridge mortar joints in the stone, particularly where V or square joints are used.

Alarm boxes will normally be considered acceptable in appropriate locations and on painted shop fronts and commercial frontages where the boxes are painted to match the background colour.

Satellite Dishes

Listed building consent will normally be required to install a satellite dish on a listed building. Planning permission may also be required if located within a Conservation Area.

Poorly sited satellite dishes can be visually intrusive and will not be acceptable where they detract from the character of the building. They should not be visible from public view. They may be acceptable in the following locations:

- On the ground to the rear of the building.
- On a modern extension to the rear of the building, providing that no part of the dish is higher than the main building.
- In the internal valley of a roof, provided that no part of the dish projects above the ridge.
- Behind a parapet, provided no part of the dish projects above it.

In the New Town Conservation Area and World Heritage Site, aerial views will also be considered.

Where the location for a dish is considered to be appropriate, it should be chosen to blend in with its background. This may require the dish to be painted.

All fixings should be non-ferrous.

Consent may be refused for additional dishes due to the visual effects of a multiplicity of dishes, even if this precludes some residents from receiving satellite television. The sharing of satellite dishes will be encouraged.

Other Additions

External fixtures will require listed building consent when they affect the character of the listed building. These include floodlighting, security cameras, window boxes, key boxes, bird control installations and eyebolts (unless on window reveals). Planning permission may also be required, depending on the proposal.

Only undamaging and visually unobtrusive positions for such fixtures will be considered acceptable.

Fixtures should not lie across, cut into or through any architectural feature or disturb the balance of a symmetrical façade. Fixings into stonework should be kept to a minimum and should be non-ferrous.

The size and number of additions will also be an important consideration and, where appropriate, applicants may be asked to erect fixtures on a temporary basis in order that their impact can be accurately assessed.

Proposals to erect any fixtures which fail to respect the form and detailing of the building and detract from its appearance are not likely to be acceptable.

The position and colour of cabling for lighting, television and other services should be inconspicuous. Cabling may often be accommodated behind or next to downpipes or on top of projecting string courses and cornices. Black or grey cabling is normally the most appropriate colour.

Adaptation for Accessibility

Listed building consent is required to install ramps, handrails, indicators and lifts and for alterations to doors. Planning permission may also be required.

While the Equality Act 2010 requires service providers to take “reasonable” steps to make their buildings and services accessible, there is also a statutory duty to protect the character of the historic environment. The provision of access for the less able to historic buildings will, therefore, require careful consideration and design.

Full access for everyone via the principal entrance may not be appropriate. Alternative access arrangements which preserve the character of the listed building may be required.

Listed building consent will be required for any internal alterations which will alter the character of the listed building.

Planning permission is not required for internal alterations.

Solutions should be tailored to the particular building through the use of innovative design and high quality materials.

Ramps

The placing of a ramp on a building should have minimal impact on the historic fabric.

The symmetry of existing elevations and the rhythm of the street as a whole should be respected, and where relevant, care should be taken to protect the relationship between railings, property and basement.



Where appropriate, consideration should be given to regrading the ground at the entrance in order to overcome the need for larger ramps and minimise the visual impact on the building. If this will cause a footway hazard, a ramp inside the building may be appropriate; the removal of steps and the lengthening of doors can sometimes accommodate this.

Ramps on the public footway will not generally be supported. Where acceptable, ramps must leave sufficient clear footway for pedestrians. This will vary according to the volume of pedestrian traffic. In general, this is 2 metres for residential areas, 3 metres for main roads and 5-6 metres for busy shopping streets.

Where a ramp is acceptable, high quality materials, such as stone to match the existing building, will be encouraged. In some circumstances, high quality design in modern materials may be more appropriate.

Handrails

Where required, handrails should be carefully designed and sensitively located to avoid being visually intrusive.

Appropriate contrast with the background material can be achieved with high quality traditional or contemporary materials.

Tactile Indicators

Historic flooring materials should not be replaced with standard tactile paving. A tactile grid can be achieved by using materials that match those of the surrounding area, and which have been textured with ridges or dimples. More information is available in the [Edinburgh Design Guidance](#).

Visual indicators

Brightly coloured high-visibility strips should be avoided, unless their use helps to avoid other more visually intrusive works.

Doors

There may be cases (particularly in the case of historic buildings) where it is less damaging to seek alternative access routes than to widen or alter a doorway. Historic doors are often an integral part of the design of the building, and should be retained wherever possible.

Where historic doors are heavy or difficult to operate, it is normally possible to adapt them by re-hanging and/or introducing opening mechanisms or visual indicators to make the handles more prominent.

Lifts

External chair and platform lifts can have a significant impact on the architectural character of a building, but may be more appropriate than a ramp in certain circumstances. The resting position of any external lift should be as low as possible, and the design of the platform and restraints should be as transparent as possible. Metal cages are unlikely to be acceptable as they are disruptive to the streetscape and can seem intimidating to the user.

Internal Alterations

Listed building consent will be required for any internal alterations which will alter the character of the listed building.

Planning permission is not required for internal alterations.

Subdivision

The original plan form of a building should always be respected.

All major works of alteration should be limited to areas of secondary importance. There will be a particular requirement not to sub-divide, either vertically or horizontally, principal rooms and entrance/stair halls. Where the interior is of particular architectural or historical importance, subdivision will not be permitted.

The degree of change to the plan form which may be acceptable will normally be dependent on previous alterations and use.

There will be a presumption against the sub-division of complete houses and flats currently in residential use. A greater degree of flexibility will be exercised where the current use is non-residential and a return to residential is proposed.

Where acceptable, subdivision should not normally result in the formation of more than one flat per floor in town houses.

Rear stairs should not be attached as part of a sub-division proposal. Access to rear gardens should be retained through a basement room, where possible.

Garden ground should not be formally divided up by the use of fences and other unsuitable boundary markers to delineate ownership. Particular care should be taken to conceal the clutter of intensified domestic use, e.g. garages and bin stores.

Internal Walls and Partitions

Internal walls in listed buildings should always be investigated with care in advance of alterations as historic or interesting features may be concealed by plaster or behind panelling. In some cases, the partitions themselves may be of historic interest.

In general, consent will not be granted for the removal of original internal walls or partitions between front and rear principal rooms at ground and first floor level.

In cases where it is considered acceptable for an existing wall or partition to be removed, it will be necessary to leave nibs and a downstand of at least 300mm with any original cornice left intact. Work should not cut through mouldings or enriched plaster decoration but be shaped around them to allow for reinstatement at a later date. In most cases it will be desirable to replicate the original cornice detail at the head of new partitions as well as dadoes and skirtings.

New partitions which affect the proportions of principal rooms will not be considered acceptable.

Internal Doors

Doors that form part of the architectural composition of a room or plan form should be retained. Where they are redundant in terms of circulation, they should be locked shut and left in position, rather than being removed.

If traditional panelled doors require to be upgraded for fire resistance, fire resistant paper applied to the panelling or intumescent paint and edge strips should be used. Door closers should be hidden.

In general, consent will not be granted for new doors connecting front and rear principal rooms at ground and first floor level. Jib (secret) doors may only be allowed in certain cases.

Where new door openings are considered acceptable, they should be correctly detailed with matching doors and architraves. They should not incorporate features such as glazed panels. Where doors are to be added, but are not in traditional positions it is often acceptable to design a jib door or modern opening, so as not to confuse the building's history.

Buffet recesses are an important feature in the dining rooms of listed buildings, particularly in the New Town, and should be retained. New door openings will not be granted within a buffet recess.

Plasterwork



Care should always be taken with works to old plaster to avoid destroying early decoration. All decorative features from a simple cornice or cove

to elaborate wall and ceiling decoration should be preserved. Suspended ceilings should never be formed in principal rooms or entrance halls which have decorative plasterwork. They may be acceptable in minor rooms provided they are above window height.

Chimneypieces

Chimneypieces, along with fireplaces containing original features are part of the decorative history of a building and are often central to the design of a room. Even later chimneypieces of interest can make a significant contribution to the character of a room. Original or later chimneypieces or fireplaces of interest should not be removed, even if the chimney is redundant. In cases where there is no alternative to the removal of a chimneypiece, it should be re-used in an appropriate location within the building. The removal of a chimneybreast is almost never acceptable, particularly as this may affect the structural stability and ventilation of the building. The restoration of missing chimneypieces will be supported.



Staircases



The removal or alteration of any historic staircase, including handrails and balusters, is not normally acceptable. The stair is often the most significant piece of design within a building and can be important dating evidence. Where subdividing ground and basement floors, the basement stair must be retained. In retail premises, the removal of the lowest flight of stairs, which provides access to and use of upper floors, will not be allowed.

Lifts and Stair Lifts

Wherever possible, lifts should be installed in an existing opening in order to minimise physical and visual disruption to the built fabric.

Stair lifts and chair lifts may not be acceptable in sensitive interiors. It may be better to use a secondary stair if possible, or to rationalise the service provision within the building so that access to all floors is not required. An independent device such as a stair climber could also be considered.

Floors and Ceilings

Floors which are original to the building and/or of interest because of their materials, form or surface treatment should be respected, and repaired and retained in situ. Care must be taken when such floors require to be lifted in order to install or repair services. In some instances, features of interest are concealed behind suspended or false ceilings. This should always be the subject of investigation prior to any works being carried out.

Kitchens and Bathrooms

New kitchens and bathrooms should be located at the rear of a building to prevent fittings being built across windows to the front of a property and to avoid cluttering a front elevation with downpipes and ventilators.

New kitchens will generally not be acceptable in principal rooms and must not obscure any architectural detailing.

Podded kitchens and bathrooms will rarely be permitted in principal rooms but may be permitted elsewhere provided they are of a limited area, are freestanding and do not have a detrimental effect on any fixtures of architectural interest.

En-suite bathrooms will not be acceptable in principal rooms. They should ideally be located within existing boxrooms or cupboards. Where this is not possible, it may be acceptable to locate them in larger, secondary rooms although this will be dependent on their form and how they affect room proportions.

En-suite bathrooms, where acceptable within rooms, will normally be height, appearing as a 'piece of furniture' within the room.

Sprinkler Systems

The introduction of sprinkler systems into important and/or vulnerable interiors will normally be acceptable. Whilst exposed pipework systems minimise the degree of disturbance to the structure, care must be exercised in the design of exposed pipework to ensure its appearance is appropriate to the historic interior to be protected. Pipework should not be cut into decorative plasterwork.

The location of sprinkler heads, either ceiling or wall mounted, must be carefully integrated into interiors in order to reduce their visual impact. In particular, ornate interior locations, will not normally be considered acceptable. On highly decorative ceilings, sprinkler heads are best concealed within the raised modelling of the ceiling.

The presence of sprinkler protection does not eliminate the need for preventative measures to reduce the risk of a fire occurring or spreading.

Other Services

The installation of services, such as computer trunking, fibre optics and central heating pipes, should be reversible and should not result in damage to architectural features. Surface mounting such services may be preferable.

New development in the grounds of listed buildings

Development within the curtilage of a listed building which is not physically attached to listed structures does not require listed building consent, but may require planning permission.

Buildings and structures erected before 1 July 1948 within the curtilage of a listed building are treated as part of the listing building, even if they are not included within the description. Listed building consent will, therefore, be required for works which affect their character. Planning permission may also be required.

The curtilage of a listed building is the area of land originally attached to, and containing the structure of the main house and its ancillary buildings, and which was used for the comfortable enjoyment of the house. The extent of the curtilage in individual cases will be based on an assessment of the physical layout, pattern of ownership, and the past or present use and function of the building. Thus, buildings such as coach-houses, doocots, mews/stable courts, walled gardens, lodges, boundary walls, garden ornaments and gates would all be considered to be part of the curtilage of the listed building and are treated as part of the listed building, even if they are not individually listed.

The setting of a listed building is the environment of which the building was designed to be a principal focus, and which it was designed to overlook. The 'setting' of a listed building takes into account a much broader assessment of the siting and situation

of the building. The curtilage of a house will normally form part of the setting, but it is also important to consider land immediately adjacent to, or visible from, the listed building.

Development within the setting of a listed building will only be acceptable if it can be demonstrated that the proposal would not be detrimental to the architectural or historic character of the listed building.

The sympathetic conversion and re-use of existing buildings on the site, particularly stable blocks, mews, service courts and steadings, should be considered prior to developing proposals for new build; care should be taken to incorporate surviving original features in these buildings where possible.

However, any proposals to alter unsympathetically, relocate or remove items within the curtilage, such as stables, mews, garden walls, stone steps, stone paving and cobbled or setted areas are likely to detract from the quality of the building's setting and are unlikely to be approved.

The condition of the main item of listing is critical and, where it has gone out of use, it is important that the restoration of the listed building is sought as a priority. It should be a condition that work on the listed building should be completed, or that an appropriate contract has been let for its restoration, prior to the commencement of new development.

New Development

Where new development within the grounds of a listed building is acceptable, the siting, design, scale, form, density and materials should be sympathetic to the listed building, including ancillary buildings.

The feeling of spaciousness of the grounds in relation to the main building should be protected for the amenity of the property. The scale of new development should be controlled so as not to crowd or obscure the house. No building of similar or greater bulk should be erected close to the main listed building.

The relationship that exists between the main house and its ancillary uses should not be disrupted by the new build.

Views

New development should always be set back from the original building line of the main house to avoid interfering with oblique views of the listed building and disrupting formal approaches. Development to the front of a listed building which breaks its relationship to the street is not acceptable. This is particularly destructive of character, not only to the building, but to the area, especially where the building is part of a unified group. The principal elevations should remain visible in their entirety from all principal viewpoints. New development should not restrict or obstruct views of, or from, the listed building or rise above and behind the building so that its silhouette can no longer be seen against the sky from the more familiar viewpoints. Distant views of features and landmarks which may have been exploited in the design of the building should not be obstructed by the development.

Landscape

The landscape setting of the building should be analysed as the loss of garden ground can seriously affect the setting of a listed building.

Planting which forms part of the original landscape should be retained and, where appropriate, the original landscape restored. New landscaping should be used imaginatively to screen and enhance new development and to retain the landscape setting of the building. Immediate surroundings should be maintained communally, avoiding individually defined gardens.

Conservation areas are areas of special architectural or historic interest which have a character and appearance which is desirable to preserve or enhance.

To check whether your property is located within a conservation area, the Council's [online map](#) can be used.

Artificial Grass

Artificial grass and the substructure/base required for its installation is development. It requires planning permission in conservation areas and in the grounds of listed buildings. In circumstances where permission is required, there is a general presumption against installation of artificial grass in the grounds of listed buildings and in conservation areas and other instances where it could impact adversely on the character of an area.

Part 2: Conservation Areas

Conservation Area Character Appraisals

Conservation Area Character Appraisals identify the essential character of conservation areas. They guide the local planning authority in making planning decisions and, where opportunities arise, preparing enhancement proposals. The Character Appraisals are a material consideration when considering applications for development within conservation areas.

Implications of Conservation Area Status

1. The permitted development right which allows any improvement or alteration to the external appearance of a flatted dwelling that is not an enlargement is removed.
2. Special attention must be paid to the character and appearance of the conservation area when planning controls are being exercised. Most applications for planning permission for alterations will, therefore, be advertised for public comment and any views expressed must be taken into account when making a decision on the application.
3. Within conservation areas the demolition of unlisted buildings requires conservation area consent.
4. Alterations to windows are controlled in terms of the Council's policy.

5. Trees within conservation areas are covered by the Town and Country Planning (Scotland) Act 1997. The Act applies to the uprooting, felling or lopping of trees having a diameter exceeding 75mm at a point 1.5m above ground level, and concerns the lopping of trees as much as removal. The planning authority must be given six week's notice of the intention to uproot, fell or lop trees. Failure to give notice renders the person liable to the same penalties as for contravention of a Tree Preservation Order (TPO).

Do I Need Planning Permission?

Planning Permission

Planning permission is required for many alterations, additions and changes of use. However, some work can be carried out without planning permission; this is referred to as 'permitted development'.

Within conservation areas, fewer alterations are permitted development and most changes to the outside of a building, including changing the colour, require planning permission.

The **Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended)** sets out the requirements for planning permissions.

If you believe your building work is 'permitted development' and doesn't need planning permission, you can apply for a Certificate of Lawfulness. This is a legal document from the Council which confirms that the development is lawful.

What Other Consents Might Be Required?

Listed Building Consent

Listed building consent is required for works affecting the character of listed buildings, including the interior and any buildings within the curtilage. Planning permission may also be required in addition. If your building is listed, the Listed Buildings Guidance should be used.

Advertisement Consent

Advertisements are defined as any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, and employed wholly or partly for the purposes of advertisement, announcement or direction.

While many advertisements require permission, certain types do not need permission as they have "deemed consent". You can check this by consulting **The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984**.

Building Warrant

Converted, new or altered buildings may require a Building Warrant, even if Planning Permission is not required. Please contact Building Standards for more information on 0131 529 7826 or **email: buildingwarrant.applications@edinburgh.gov.uk**.

Road Permit

A Road Permit will be required if forming a new access or driveway. Please contact the Area Roads Manager in your **Neighbourhood Team** for more information.

Biodiversity

Some species of animals and plants are protected by law. Certain activities, such as killing, injuring or taking the species or disturbing it in its place of shelter, are unlawful.

If the presence of a European Protected Species (such as a bat, otter or great crested newt) is suspected, a survey of the site must be undertaken. If it is identified that an activity is going to be carried out that would be unlawful, a licence may be required.

More information on European Protected Species, survey work and relevant licenses is available in the Edinburgh Planning Guidance on Biodiversity and the **Scottish Natural Heritage** website.

Trees

If there are any trees on the site or within 12 metres of the boundary, they should be identified in the application. Please refer to **Edinburgh Design Guidance** for advice.

Trees with a Tree Preservation Order or in a conservation area are also protected by law, making it a criminal offence to lop, top, cut down, uproot, wilfully damage or destroy a tree unless carried out with the consent of the Council. You can read more about this on our website at www.edinburgh.gov/privatetrees

General Principles

Designation of a conservation area does not mean development is prohibited.

However, when considering development within a conservation area, special attention must be paid to its character and appearance. Proposals which fail to preserve or enhance the character or appearance of the area will normally be refused. Guidance on what contributes to character is given in the conservation area character appraisals.

The aim should be to preserve the spatial and structural patterns of the historic fabric and the architectural features that make it significant.

Preservation and re-use should always be considered as the first option.

Interventions need to be compatible with the historic context, not overwhelming or imposing.

Without exception, the highest standards of materials and workmanship will be required for all works in conservation areas.

Repair

Planning permission is not normally required for repairs which match the original materials and methods and do not affect the character of the building.

Demolition

Conservation area consent is required for the complete demolition of unlisted buildings within conservation areas.

Demolition will only be acceptable if the new development preserves or enhances the area.

Extensions and Alterations

Information on extensions and alterations to residential properties is included within '**Guidance for Householders**'.

Proposals must preserve or enhance the character or appearance of the conservation area.

The use of traditional materials will be encouraged. UPVC will not be acceptable.

Shopfront Alterations and Signage

Specific information is included in Guidance for Businesses. This should be considered alongside this document, where relevant.

Windows and Doors

The replacement, repair and painting of windows and doors which match the design, materials and methods utilised in the existing build will not require planning permission.

Planning permission will not be required where replacement or altered windows and doors meet the following requirements.

Replacement windows and doors on all elevations of unlisted properties of a traditional design within conservation areas must match the original proportions, appearance, materials, and opening method. Appropriate timber sealed unit double glazing will normally be considered acceptable. Rooflights on unlisted properties of a traditional design should be of a 'conservation style', i.e. with a central vertical glazing bar with flush flashings preferably top hung. Alternative materials such as uPVC will not be acceptable.

A departure from these guidelines must be fully justified. The form of the existing windows &



doors within the building and in its immediate surroundings will be taken into consideration.

Replacement windows and doors in less traditional developments within conservation areas should maintain the uniformity of original design and materials and should open in a manner that does not disrupt the elevation. However, the exact replication of the original windows or doors may, in some cases, be of lesser importance.

Doors should be painted in an appropriate dark and muted colour. Windows should normally be painted white or off-white.

Planning permission is required for the stonecleaning of any building within a conservation area.

Stone Cleaning

Stone cleaning cannot be undertaken without damaging a building. It can also reveal the scars of age, such as staining, poor previous repairs and surface damage. It may also remove the natural patina, the protective layer on the stone, opening up the surface pore structure and making re-soiling much easier.

There will therefore be a presumption against the stone cleaning of buildings within conservation areas. Stone cleaning will not be considered acceptable on any street where cleaning has not commenced.



Where cleaning of a street has commenced, the issue of reinstating architectural unity will be a material consideration in assessing the merits of individual applications.

Specialist professional skills should be sought to undertake analysis and, where acceptable, design a suitable cleaning method and undertake work.

1. Fabric Survey

A full drawing and photographic survey should be submitted. This should identify the types of stone on the building and the extent and nature of any current defects, including previous mortar or plastic repairs and the condition of pointing. The photographic survey should illustrate the frontage in relation to neighbouring properties and streetscape. This will allow an assessment of the impact of a 'clean' building within its wider environmental context. For comparative purposes, the fabric survey should also include a record of 'colour value' measured either by chromatic or Kodak colour strip.

2. Laboratory Analysis

To assess the most appropriate method of stone cleaning, applicants will be required to ascertain geological characteristics through laboratory tests. These tests should be carried out on uncleaned and trial area cleaned samples. The tests should include:

- (i) depth profiling
- (ii) petrological analysis
- (iii) stone permeability

These may reveal the presence of potentially damaging salts, the types of density of mineral grains and the stone's resistance to surface water penetration.

Applicants will also be asked to provide photographs to allow assessment of surface texture and roughness, both before and after trial cleaning.

The extent of laboratory analysis required may vary, subject to the architectural and historic importance of the building.

3. Trial Cleaning Samples

Paint removal methods should be tested on an inconspicuous trial area of two or three stones. A photographic survey should be carried out of the pre and post cleaning samples and the visual and chemical effects recorded. This enables an assessment of the technique's effectiveness. Applicants may be asked for further samples.

The number of samples should reflect the nature of the specific building being tested; all varieties of stone should be tested.

4. Post-Cleaning

If acceptable, post-cleaning photographic records should be submitted and should be documented for research purposes.

It is expected that most necessary repairs will be identified at the initial application stage. Therefore, consent would be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to stonecleaning.

Stone Cleaning Methods

The following are the most common stone cleaning methods. Their inclusion in this guideline is for information only and does not imply their acceptability.

1. Mechanical - Carborundum Disc

This method comprises a hand-held rotary disc with a carborundum pad. The surface layer of stone is removed along with the dirt, often creating contours as the disc hits hard and soft areas. This produces an uneven surface and causes the loss of fine detail.

2. Air and Water Abrasive

These methods comprise grits carried by jets of air and/or water. The impact of the particles on the surface of the stone removes both dirt and stone and relies upon the skill of the operative to ensure that not too much stone is lost. The results of this method vary, but the pitting of the surface of the stone and the loss of fine detail are common. Dry grit blasting is usually more aggressive than wet grit washing.

3. Chemical Cleaning

This method comprises the application of chemicals and a high pressure water wash. The balance of chemicals varies with the type of stone and surface deposit to be removed. Poultices can also be used; these are more gentle but damage still occurs.

After chemical cleaning, most stones retain the chemicals, even after pressure washing. This then increases decay.

4. Water

When water pressure is used as part of the cleaning method, water is forced into the stone to a depth where natural evaporation will not take place. The water can then percolate down through the fabric of the wall and cause accelerated

weathering at lower levels in the building. High pressure water can also cause damage to the stone.

A water wash, pressurised or not, remains an alternative stone cleaning technique. It is likely that a low pressure water wash remains the least aggressive method of stone cleaning. However, it will not remove dirt which has combined with the surface to form an insoluble compound. High pressure and/or excessive water can cause surface erosion, pointing wash-out, staining and force water into the core of the wall. Due to the dangers of thermal expansion, water washing should be avoided in frosty conditions.

Painting

Planning permission will be required to paint or render a previously untreated surface or change the colour of a building.

Paint which matches the existing in colour and uses traditional materials and methods will not require planning permission.

External stonework must not be painted or rendered, unless the surface was originally painted or rendered.

In basements, painting the underside of the entrance platt will be considered exceptions. Coping stones and the edge of steps should not be painted.

Walls covered with smooth cement render or a harled finish should generally be painted in earth colours or neutrals (grey, cream or beige). Rendered bands to windows should generally be in stone colours.

Information on painting a shop or other commercial premises is included within the **Guidance for Businesses**.

Doors should be painted in an appropriate dark and muted colour. Windows should normally be painted white or off-white. All areas of dormer windows, other than the window frames, should be painted to tone in with the roof.

Railings, balconies, other ornamental ironwork and downpipes should be painted black gloss, although other very dark colours may be appropriate for railings, such as dark green for railings around gardens.

Paint Removal

Paint removal will require planning permission.

The restoration of the original surface through the removal of paint can improve the character and appearance of a building. Where surfaces have been previously painted, the removal of paint will be supported in principle, provided that the proposed removal method does not adversely affect the original surface.

The removal of paint requires chemical and/or abrasive cleaning to re-expose the stone beneath. Abrasive methods can cause severe damage to the surface and will be unlikely to remove all traces of paint from coarse, porous sandstone. In certain circumstances, a minimally abrasive method may be appropriate to remove the outermost paint layers not in contact with the stone surface. Chemical paint removal varies from paint stripper to a proprietary poultice (a substance placed on the stone to draw

out the paint). Each requires extreme caution due to their potentially damaging effects and trial samples should be carried out.

Previous painting could have disguised the poor condition or appearance of the surface so repair work may be required following paint removal. Therefore, consents will be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to paint removal.

Where paint removal is not appropriate, the property should be repainted in a matt finish stone coloured paint to tone with the adjoining stonework.

Specialist professional skills should be sought to undertake analysis, design a suitable treatment method and undertake any work.

1. Fabric Survey

A full drawing and photographic survey should be submitted. This should identify the types of stone on the building and the extent and nature of any current defects, including previous mortar or plastic repairs and the condition of pointing. The photographic survey should illustrate the frontage in relation to neighbouring properties and streetscape. This will allow an assessment of the impact of paint removal within its wider environmental context. For comparative purposes, the fabric survey should also include a record of 'colour value' measured either by chromatic or Kodak colour strip.

2. Trial Paint Removal Samples

Paint removal methods should be tested on an inconspicuous trial area of two or three stones. A photographic survey should be carried out of the pre and post painting samples and the visual

and chemical effects recorded. This enables an assessment of the technique's effectiveness. Applicants may be asked for further samples.

The number of samples should reflect the nature of the specific building being tested; all varieties of stone should be tested.

Telecommunications including Satellite Dishes

Planning permission will be required for a satellite dish on a building within a conservation area.

The installation of cable television equipment in conservation areas requires planning permission. Equipment should be sensitively sited to minimise the affect on the special character and appearance of the conservation area.

Satellite dishes in conservation areas should not be easily visible from public view.

They should be located in inconspicuous locations, such as behind a parapet wall, within a roof valley or concealed behind by a chimney. They may also be acceptable on modern extensions to the rear, providing no part is higher than the main building.

To prevent a multiplicity of satellite dishes, the Council may refuse consent for additional dishes, even if this may prevent some properties from receiving satellite television. The sharing of dishes on buildings will be encouraged.

Where acceptable, satellite dishes should blend in with the background; this may require it to be painted. All fixings should be non-ferrous.

Gas Pipes and Meter Boxes

Planning permission is only required where the guidelines below cannot be complied with.

A maximum of a 450mm of supply pipe should be visible on the front wall. External pipes which are both horizontal and vertical must have the horizontal section within the basement areas (where applicable) and not be visible from the street.

Holes in stonework must be kept to a minimum and should be made through stone joints, except in the case of “V” jointing or rubble where holes should be in the stonework. Non-ferrous fixings must be used.

All redundant surface-run pipe work must be removed and the surfaces made good and painted to match existing materials and colour.

Meter boxes should not be fitted to the front or any conspicuous elevation of buildings.

Pipe work and meter boxes should be painted to match adjacent stone.

Flues

Balanced flues will only be permitted where it is not possible to line an existing chimney to form an internal flue.

Balanced flues will not normally be acceptable on the front or conspicuous elevations of listed buildings.

Air Conditioning and Refrigeration

Planning permission will normally be required to install air conditioning and refrigeration units on the exterior of buildings.

The preferred location for units within conservation areas is:

- Free standing within garden or courtyard areas, subject to appropriate screening and discreet ducting.
- Within rear basement areas.
- Inconspicuous locations on the roof (within roof valleys or adjacent to existing plant). However, aerial views will also be considered.
- Internally behind louvres on inconspicuous elevations. This should not result in the loss of original windows.

Where it is not practicably possible to locate units in any of the above locations, it may be acceptable to fix units to the wall of an inconspicuous elevation, as low down as possible; they should not be located on the front elevation.

Units should be limited in number, as small as practicably possible and painted to tone with the surrounding stonework or background.

Ducting must not detract from the character and appearance of the building and area.

Artificial Grass

Artificial grass and the substructure/base required for its installation is development. It requires planning permission in conservation areas and in the grounds of listed buildings. In circumstances where permission is required, there is a general presumption against installation of artificial grass in the grounds of listed buildings and in conservation areas and other instances where it could impact adversely on the character of an area.

Adaptation for Accessibility

Planning permission may be required to install ramps, handrails, indicators and lifts and for alterations to doors.

While the Equality Act 2010 requires service providers to take “reasonable” steps to make their buildings and services accessible, there is also a statutory duty to protect the character of the historic environment. The provision of access for the less able to historic buildings will therefore require careful consideration and design.

Full access for everyone via the principal entrance may not be appropriate. Alternative access arrangements which preserve the character of the listed building may be required.

Solutions should be tailored to the particular building through the use of innovative design and high quality materials.

Apply for planning permission or a certificate of lawfulness at www.eplanning.scot.

apply

Ramps

The placing of a ramp on a building should have minimal impact on the historic fabric.

The symmetry of existing elevations and the rhythm of the street as a whole should be respected, and where relevant, care should be taken to protect the relationship between railings, property and basement.

Where appropriate, consideration should be given to regrading the ground at the entrance in order to overcome the need for larger ramps and minimise the visual impact on the building. If this will cause a footway hazard, a ramp inside the building may be appropriate; the removal of steps and the lengthening of doors can sometimes accommodate this.

Ramps on the public footway will not generally be supported. Where acceptable, ramps must leave sufficient clear footway for pedestrians. This will vary according to the volume of pedestrian traffic. In general, this is 2metres for residential areas, 3metres for main roads and 5-6metres for busy shopping streets.

Where a ramp is acceptable, high quality materials, such as stone to match the existing building, will be encouraged. In some circumstances, high quality design in modern materials may be more appropriate.

Handrails

Where required, handrails should be carefully designed and sensitively located to avoid being visually intrusive.

Appropriate contrast with the background material can be achieved with high quality traditional or contemporary materials.

Tactile Indicators

Historic flooring materials should not be replaced with standard tactile paving. A tactile grid can be achieved by using materials that match those of the surrounding area, and which have been textured with ridges or dimples. More information is available in the [Edinburgh Design Guidance](#).

Visual indicators

Brightly coloured high-visibility strips should be avoided, unless their use helps to avoid other more visually intrusive works.

Doors

There may be cases (particularly in the case of historic buildings) where it is less damaging to seek alternative access routes than to widen or alter a doorway. Historic doors are often an integral part of the design of the building, and should be retained wherever possible.

Where historic doors are heavy or difficult to operate, it is normally possible to adapt them by re-hanging and/or introducing opening mechanisms or visual indicators to make the handles more prominent.

Lifts

External chair and platform lifts can have a significant impact on the architectural character of a building, and should only be proposed where no other option is suitable. The resting position of any

external lift should be as low as possible, and the design of the platform and restraints should be as transparent as possible. Metal cages are unlikely to be acceptable as they are disruptive to the streetscape and can seem intimidating to the user.



HAPPY TO TRANSLATE

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**Full Planning Application
at
35 Ravelston Dykes Road
Edinburgh
EH4 3PA**

**Development Quality Sub-Committee
of the Planning Committee**

Proposal: Garden room extension (as amended)
Applicant: Mr Bowland
Reference No: 03/04016/FUL

1 Purpose of report

To recommend that the application be **GRANTED** subject to;

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. NB This consent is for planning permission only. Work must not begin until other necessary consents, e.g. listed building consent, have been obtained.

2 Main report

Site description

This application relates to a semi-detached two storey stone dwelling house within the grounds of A listed Ravelston House.

Site history

23/10/96 - consent granted to alter window to form balcony

25/10/01 - planning permission granted for identical application

24/12/01 - consent granted for internal alterations and new dormer window

Development

This is an amended application to form a garden room extension and erect a minimal glass canopy, all to the front of the property. The walls of the garden room extension would be predominantly glazed with timber doors but would also incorporate some rendered areas. The roof will be formed in copper. In addition to the garden room, it is proposed to form an extension to the existing ground floor bedroom using frameless glass.

In the original scheme, it was proposed to extend the area of frameless glass across part of the original frontage of the house. This has been brought back to the corner of the original frontage. It had also been intended to extend the mono pitch roof. This part of the proposal has also been deleted.

Consultations

Historic Scotland

No comments

Representations

One letter of objection was received. The objector is concerned that the proposed extension would impact adversely on the defining characteristics of the property and would detract from its amenity and character. The objector is also concerned about the impact on the privacy and amenity of adjoining feus.

Policy

Housing and Compatible Uses of Central Edinburgh Local Plan

Relevant Policies:

Policy CD19 (BUILDING ALTERATIONS) sets out requirements for the design, form, materials and positioning of alterations and extensions.

Policy CD17 (MATERIALS) sets out requirements for materials in new developments and seeks a greater use of stone, roofing slate and other traditional materials in appropriate cases.

Non-statutory guidelines on 'HOUSE EXTENSIONS' set out the design principles against which proposals will be assessed.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If they do not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to a building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character;
- Do the proposals comply with the development plan?
- If the proposals do comply with the development plan, are there any compelling reasons for not approving them?
- If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

ASSESSMENT

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

- a) Whether the proposals have an adverse impact on the building or its setting;
- b) Whether the design is satisfactory given the setting of the site;
- c) Whether the proposals are detrimental to residential amenity.

a) The Council's non-statutory guidance states that "there is a general presumption against extensions which project beyond the front building line." In this particular case, the original house has already been extended to the side and it is this part of the building that is proposed to be extended further. This means that the original frontage of the property will not be compromised. The proposed extension is single storey and would not be visible behind the side stone boundary wall which is to be slightly increased in height. Overall, as the proposed additions to the property are to be restricted to the existing extension, they will not have an adverse impact on the building or its setting.

b) The proposed single storey extensions have been designed in a contemporary style, using high quality materials and, as they are related to the existing extension rather than the original frontage, this is acceptable given the setting of the site.

c) The proposals would not result in any loss of privacy or amenity as, for the most part, they are restricted to the front garden area of the property. The extension of the mono-pitched roof would not cause any overshadowing and would not result in any loss of privacy.

The proposals comply with the development plan and non-statutory policies, have no adverse effect on the setting of the listed building and have no detrimental impact on residential amenity.

There are no material planning considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to the conditions stated.

Alan Henderson
Head of Planning and Strategy

Contact/Tel Martin Easson on 0131 529 3989 (FAX 529 3717)

Ward affected 15 -Murrayfield

Local Plan CELP

**Statutory Development
Plan Provision** Housing and Compatible Uses

File

Date registered 31 October 2003

**Drawing numbers/
Scheme** 16-20
Scheme 3

Scott Hobbs Planning

Appeal Statement on behalf of:

Mr & Mrs F Dey

Date:

02 September 2022

Statement and Grounds of Appeal

39 Ravelston Dykes Road, Edinburgh



Info

Local Review Body (LRB) Appeal against Decision of City of Edinburgh Council (CEC) to refuse Planning Permission (22/01619/FUL)

Form new opening with glazed door and screens, plus new external timber frame and glass canopy to rear elevation.

39 Ravelston Dykes Road, Edinburgh, EH4 3PA

Statement of Grounds of Appeal

The proposed external alterations to this residential property are minor given their size, form, design and positioning on a modern rear 2000 extension which is and hidden from public view. The officer's report of handling incorrectly states that the property is a Category C listed Ice House (2002). There is already council agreement that the proposals will not affect the character and appearance of the conservation area, will have no impact on amenity, and that the canopy will not affect the architectural merits of the property. As the proposed additions are restricted to an existing modern extension they will not have an adverse impact on the character of the original building. There have been no letters of objection.



Contents

1.0 Introduction

2.0 The Appeal Proposal

3.0 The Site and Surrounding Area

4.0 Relevant Legislative, Policy and Other Considerations

5.0 Conclusions



1.0 Introduction

1.1 This Statement of Grounds of Appeal (the Statement) relates to:

- An Appeal under Section 43A of the Town and Country Planning (Scotland) Act 1997 to the Local Review Body (LRB) against the decision of the City of Edinburgh Council (CEC) to refuse Planning Permission for application (22/01619/FUL - “the application”).

1.2 For ease of reference, the proposal is referred to throughout this Statement as ‘the appeal.’

1.3 The appeal is submitted on behalf of Mr & Mrs F Dey, the applicant to the planning application, and who is referred to throughout this Statement as “the Appellant.”

1.4 The planning application is to “*Form new opening with glazed door and screens, plus new external timber frame and glass canopy*”. The submitted planning application form is included as Document A1.

1.5 The address is 39 Ravelston Dykes Road. The application red line site boundary is shown below in Figure 1. All 14 plans submitted with the planning application are included as Documents B1-B14.

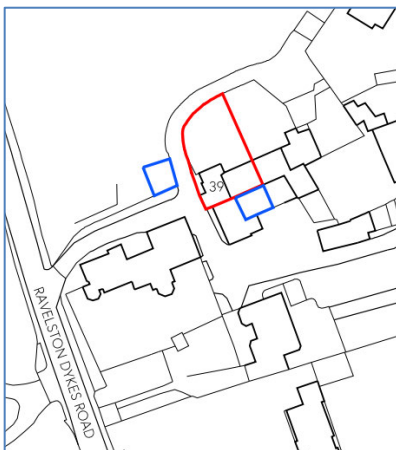


Figure 1: Site Location Plan

The Application Process

1.6 The planning application was validated by CEC on 30 March 2022. There were no letters of objection received.

1.7 A Report of Handling (Document A2) was prepared for the planning application. It should be noted that the case officer did not visit the application site. The refusal decision notice, written by the case officer under delegated powers, is dated 14 June 2022 (See Document A3). The reasons for refusal are:

1. “*The proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings – Alterations and Extensions, as it would have a detrimental impact on the architectural merits of the building.*”

2. *“The proposal is contrary to the Local Development Plan Policy Env 3 in respect of Listed Buildings – Setting, as it would have a detrimental impact on the setting of the listed building.”*
3. *“The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would have an unacceptable impact on the design of the host property.”*
4. *“The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it would have a detrimental impact on the character and appearance of the host property.”*

The Appeal and Review Process

- 1.8 In accordance with requirements, this appeal against CEC’s decision to refuse planning permission is made to the City of Edinburgh Council’s Local Review Body (LRB) to determine.
- 1.9 The Appellant considers that the proposed works preserve the character and appearance of the property and this part of the West Murrayfield Conservation Area. Due to its location and orientation the proposals are hidden from public view; the rear elevation is enclosed by a two-metre-high stone wall with hedging on top. The planning case officer agrees by saying, in their report of handling: *“The proposed changes are almost wholly obscured from the public realm. By virtue of this lack of visibility to the public realm, the proposal would have a neutral impact on the conservation area”*. Please refer to Figures 2 and 3 below.



Figures 2 and 3: shows the proposal is hidden from public view as the rear elevation of No. 39 is enclosed by a two-metre-high stone wall with hedging on top.

- 1.10 The case officer has incorrectly stated that the appellant’s property is a Category C building within their report of handling. No. 39 Ravelston Dykes Road is not listed. A Category C listed Ice House is located by No. 37 Ravelston Dykes Road 400 metres north east of the appeal site and its relationship to the appeal site is in the process of being corrected by Historic Environment Scotland who recognise a mapping error (see Figure 8). At no point did the case officer ask for a listed building consent application to be submitted alongside this planning application.

References to Edinburgh City Plan Policies Env 3 and Env 4 within the report of handling and reasons for refusal are therefore not considered to be relevant. This relates to refusal reasons 1 and 2 noted in paragraph 1.7 of this Appeal Statement. Notwithstanding, these policies have been considered and found to be acceptable with regards to the acceptability of the proposal.

1.11 This Appeal Statement:

- provides full details of the appeal proposal (section 2);
- describes the site and its surroundings (section 3);
- identifies the Development Plan and assesses the proposal against its requirements and other material considerations (section 4); and
- reaches conclusions in respect of the appeal proposal (section 5).

2.0 The Appeal Proposal

2.1 The planning application description which is the subject of this appeal is:

- *Form new opening with glazed door and screens, plus new external timber frame and glass canopy.*



Figure 4: The red line shows the extent of the new glazed opening to be created on the pastiche modern 2000 extension



Figure 5: Aerial view showing the extent of the original house (Nos 35 to left and the appeal site – No.39 – to right). Note the glazed extension in No. 35 consented in 2003 (ref: 03/04016/FUL and please refer to Document D1)

2.2 The proposal seeks to remove an existing window, door, and associated stonework from the north elevation of a modern pastiche two storey extension to the original property which was granted planning consent in 1997 and completed in 2000 (Ref: 97/02877/FUL). This pastiche extension is built of a mixture of reconstituted/natural stone and has squat windows which do not reflect the original elongated windows of the original building. The proposal will facilitate the installation of a new high quality glazed door and screens to the rear elevation wall of the extension which will be more in keeping with the patio doors on the original building. It is also proposed to erect a single storey, mono-pitch, canopy to this same modern recent elevation.

This canopy will be of timber frame construction and contain a glazed roof. The case officer accepted this transparent canopy as appropriate; not detracting from or hiding the stone wall behind. Figure 6 provides details of the proposed changes.

- 2.3 These changes are needed to introduce more natural light into the property, which is currently inadequate given the rear elevation is north facing with a low ceiling. They will improve the functionality of the kitchen space and enhance natural ventilation and daylight, making the property more conducive to family living and maximising solar gain. They echo other adjacent modern high quality glazing changes as shown in Figures 12, 13 and 14 (Nos 35, 37 Ravelston Dykes Road); see also the aerial view of No. 35 Ravelston Dykes Road in Figure 5. Significantly, the property shown in Figures 5 and 12 (No. 35 Ravelston Dykes Road) used to form one larger property with No. 39 and was subdivided in the 1980's. What is being asked for here is a consistent approach to allow increased glazing at No. 39 Ravelston Dykes Road.
- 2.4 There is case officer agreement that the proposal will not be visible from outwith the property given the presence of a 2m high stone boundary wall and hedge which the proposal is below the height of (see Figures 2 and 3).
- 2.5 The property is not listed in its own right and has no features of special architectural merit. As such there will no impact to a historic structure which needs justified.
- 2.6 The canopy has already been accepted by the case officer as representing a *“congruous addition that would not have a detrimental impact on the architectural merits of the host property”*.
- 2.7 Impact on the West Murrayfield Conservation Area has also been accepted: *“By virtue of the lack of visibility to the public realm, the proposal would have a neutral impact on the conservation area”*.
- 2.8 The only area of contention that remains, therefore, is the creation of a new opening with glazed door and screens to a modern pastiche extension.



Figure 6: Proposed alterations to the rear (north) modern elevation of the appellant's property

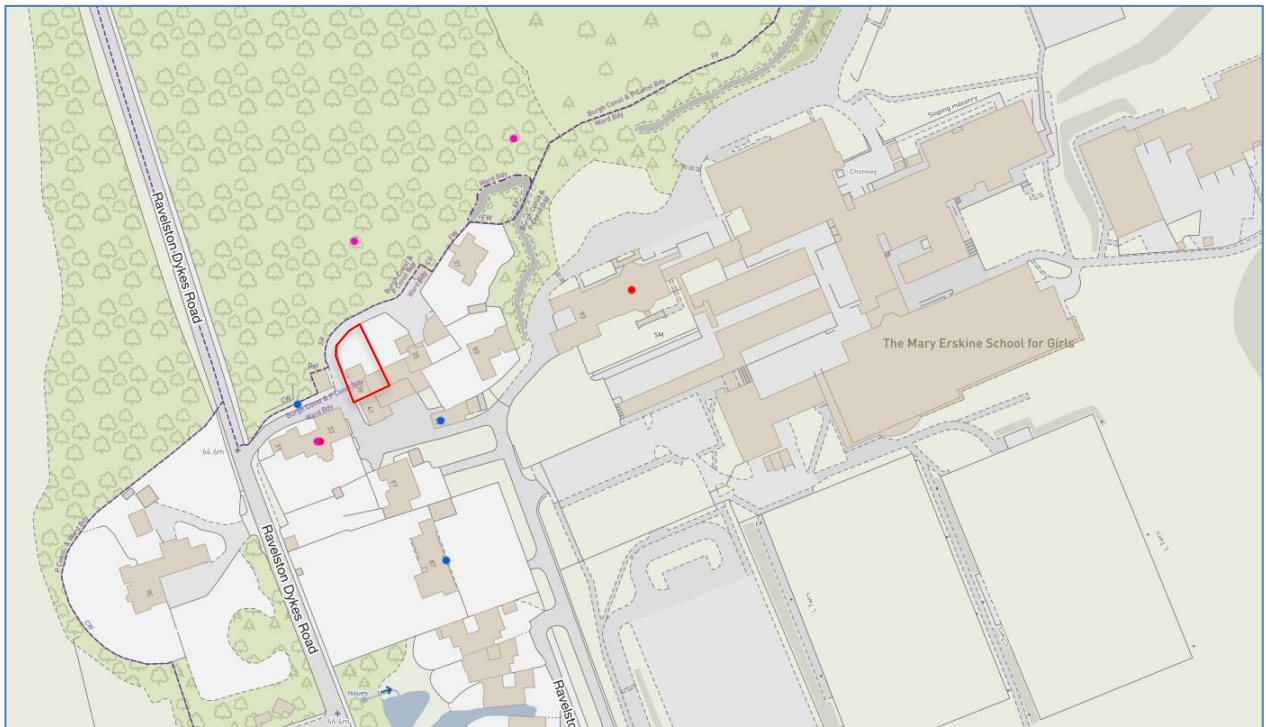
3.0 The Site and Surrounding Area

- 3.1 The appeal site at No.39 Ravelston Dykes Road comprises a two-storey house with associated garden ground. It used to form part of a larger property which was subdivided in the 1980's to create two properties – Nos 35 and 39 Ravelston Dykes Road.
- 3.2 The property is accessed via a private road off the public Ravelston Dykes Road. The main property was built between 1810-1830. A modern pastiche extension was built in 2000 and this proposal creates an opening and canopy onto this later extension. The rear elevation affected is shown in Figures 4, 6 and 7.
- 3.3 The proposed alterations are to the rear (north) elevation. The rear garden of the property is bounded by a mix of high stone walls and hedging and the proposal is not readily visible from public views.

Figure 7: The existing rear (north) elevation of the property's later two storey extension. Note patio doors already exist on the back of the original main building creating a precedent for increased similar glazing to the rear of the property.



Figure 8: HES map extract showing neighbouring listed buildings. No.39 Ravelston Dykes Road is shown in red outline.



- 3.4 The site and surrounding properties of this part of Ravelston Dykes Road are residential; some of these properties are listed – as shown in Figure 8. To the north lies an area of extensive woodland, to the east of the site lies the Mary Erskine School and its associated grounds, to the south are residential properties and to the west is Ravelston Dykes Road.
- 3.5 The HES map extract as shown above in Figure 8 shows that the property (No. 39 in red outline) is not listed (there is no listed dot at No. 39). The nearby Ravelston Tower and 95 Ravelston Dykes Road are Category A listed (**red dots**). 37 and 91 Ravelston Dykes Road are Category B listed (**blue dots**). 31, 33 Ravelston Dykes Road and two Ice Houses are Category C listed (**pink dots**). Whilst all of these buildings are situated in the locality of the appellant’s property, the proposed minor alterations to the modern two storey extension will not have a harmful impact upon the character, setting or appearance of these listed buildings as the alterations are wholly contained within the modern extension, are not within the curtilage of any of these listed properties, nor are they visible from any of these listed properties. HES has not objected to this planning application nor has anyone else, including neighbours.
- 3.6 The case officer’s report of handling incorrectly states that the appellant’s property is Category C listed (2002). To clarify, the listing the case officer refers to is a Category C listed Ice House, the description of which reads “*Ravelston Dykes Road, Ice House (to left of No. 37)*” – see Figure 10 for the listing of the Ice House at No. 37 as taken from Historic Environment Scotland’s website). The listed building reference for this point is [LB48905](#). For the avoidance of doubt, the appellant’s property does not contain an Ice House and the listing referred to in the report does not relate to the appellant’s property – see Figures 8-10. Note - when the application was determined by the case officer the spot for this Category C Ice House listing had been placed in error on No.39 Ravelston Dykes Road and has since been moved by Historic Environment Scotland into Ravelston Woods whilst investigations take place with No. 37 Ravelston Dykes Road (see Figure 8).

- 3.7 The ice house listing in Figure 10 refers to a group listing: “A-Group with Ravelston House, Dovecot, Entrance Gateway and Boundary Walls, Gardens Walls of No 37 and No 87, Queensferry Road Entrance gate, ice houses, and 31 & 33 Ravelston Dykes Road”. The appeal site – No. 39 Ravelston Dykes Road - is not described in this group listing and therefore does not form part of the statutory address. This statutory entry is specific.
- 3.8 Therefore, it is considered that first two reasons for refusal (as noted in 1.7 of this statement) are not relevant in reaching a decision on this appeal. Notwithstanding, Policies Env4 and Env3 have been considered for completeness.

Figure 9: The relationship of the proposal site (No. 39) to Nos. 35 and No. 37 Ravelston Dykes Road. Reinforces the remoteness between No. 39 and No 37 Ravelston Dykes Road; the latter of which is close to the Category C listed Ice House as referred to by the officer in their report of handling.



RAVELSTON DYKES ROAD, ICE HOUSE (TO LEFT OF NO 37)
LB48905

Status: Designated

Jump To:

- Documents
- Summary
- Description
- Statement
- References
- About
- Images

Documents

There are no additional online documents for this record.

Summary

Category C	Local Authority Edinburgh	NGR NT 21680 73997
Group Category Details 100000019 - see notes	Planning Authority Edinburgh	Coordinates 321680, 673997
Date Added 18/09/2002	Burgh Edinburgh	

Description

17th century; 19th century entrance refaced. Small, rectangular ice house; stone; iron grille door.

Statement of Special Interest

A-Group with Ravelston Tower, Ravelston House, Dovecot, Entrance Gateway and Boundary Walls, Garden Walls of No 37 and No 87, Queensferry Road Entrance Gate, ice-houses and 31 & 33 Ravelston Dykes Road. The old tower house at Ravelston was erected by George Foulis, who purchased the estate in 1620. The new mansion house was probably built by Alexander Keith in the late 18th-century; he died in 1792. It is probable that this ice house formed part of the old estate. Built into the wall of the garden of No 87 Ravelston Dykes Road are carved stones (see separate list description) that may have originally framed the entrance to the ice house. On the lintel of the stones in the wall of No 87 is the coat of arms of the Foulis family - 3 bay leaves - with that of the Bannatynes of Newtyle (the family of George Foulis' wife).

Figure 10: Extract from the Ice House Category C listing (2002) at No. 37 Ravelston Dykes Road as taken from Historic Environment Scotland's website.

- 3.9 The application site is located within the West Murrayfield Conservation Area (1986). Ravelston Dykes Road sits on the northern edge of this conservation area which is characterised by a relatively small cluster of residential properties to the east and west of Ravelston Dykes Road, broken up by Ravelston Woods Local Nature Reserve and Ravelston Golf Course.
- 3.10 There are many examples in the surrounding area of properties which have created large window openings and modern window openings, all of which have been accepted within this conservation area. Figures 11 and 12 below are immediately adjacent to No. 39 and, together, used to form part of one larger property which was subdivided in the 1980's.
- 3.11 The rear extension at No. 35 Ravelston Dykes Road (Figure 11) was granted consent in 2003 (03/04016/FUL). Extracts from its committee report (see Document D1) are also relevant conclusions that could be made here:
- *“As the proposed additions to the property are to be restricted to the existing extension they will not have an adverse impact on the character of the building”.*
 - *“The contemporary style uses high quality materials”.*



Figure 11: 35 Ravelston Dykes Road rear glazed modern extension. This property used to form a larger property with No. 39 (the appeal site) - see also Figure 5 which shows both No. 35 and 39 alongside each other.



Figures 12 and 13: the former shows a new vertical window in No. 35 Ravelston Dykes Road in full public view. The latter shows a modern extension at No. 37 Ravelston Dykes Road. A consistent approach should be applied at No. 39 Ravelston Dykes Road.



4.0 Relevant Legislative, Policy and Other Considerations

- 4.1 Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (“the Act”) requires that in considering buildings or land within a conservation area the determining authority pay special attention to “*the desirability of preserving or enhancing the character or appearance of that area.*”
- 4.2 The requirements of Section 64(1) of the Act are applied in a local context via the policies of the Development Plan and associated material considerations.

The Development Plan

- 4.3 The Development Plan for the City of Edinburgh comprises SESplan Strategic Development Plan (approved in June 2013) and the Edinburgh Local Development Plan (ELDP) (adopted November 2016 – see Document C1), which sets out specific and detailed policies to guide the location and form of development within Edinburgh. The ELDP was prepared in accordance with the strategic policy of SESplan.

SESplan

- 4.4 SESplan sets the strategic context for major developments. It does not provide development management policy of relevance to applications for minor local planning applications and is not relevant to this proposal.

ELDP

- 4.5 The appellant’s property is not listed. Therefore, Policies Env 3 (Listed Buildings – Setting) and Env 4 (Listed Buildings – Alterations and Extensions) are not considered to be applicable to the determination of this appeal. Notwithstanding these policies have been considered for completeness as they are noted as the first and second reasons for refusal.
- 4.6 **Policy Env3 Listed Buildings Setting** states that development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance, or historic interest of the building, or to its setting. **Policy Env4 Listed Buildings Alterations and Extensions** states that proposals to alter or extend a listed building will be permitted where a) those alterations or extensions are justified; b) there will be no unnecessary damage to historic structures or diminution of its interest; and c) where any additions are in keeping with other parts of the building.
- 4.7 To address Env3 and Env4 it is strongly argued that a 2000 extension does not contribute to the ‘special interest’ of the curtilage of any nearby listed buildings as this 2000 modern extension is not the original fabric and is weak in design terms. As such it cannot affect any special interest. As the proposed additions to the property are to be restricted to the existing extension, they will not have an adverse impact on the character of the original building. This was the case officer’s conclusion in granting consent for the neighbouring No. 35 glazed extension (03/04016/FUL - see Document D1) and should also be the case here (see Figures 5 and 11). Whilst there are other listed buildings situated in the locality of the appellant’s property, the proposed minor alterations to the modern two storey extension will not have a harmful impact upon the character, setting or appearance of these listed buildings as the alterations are wholly contained within the modern extension, are not within the curtilage of any of these listed properties, nor are they visible from any of these listed properties.

- 4.8 Policies Des 1 and Des 12 are stated as the remaining two reasons for refusal.
- 4.9 **Policy 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. Design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance. Policy Des 1 is stated as the third reason for refusal. It has been agreed by the case officer that the proposal has a neutral effect on the character and appearance of the conservation area and will therefore not damage the wider area. The proposal's design is of a high quality and minor in nature. The opening created is not significant and removes only 3% of modern largely reconstituted stonework on a modern 2000 extension. Large areas of glazing have been consented in surrounding residential properties, including adjacent No. 35 that used to form part of a larger house with No. 39 (see Figures 5, 11, 12, and 13). It cannot be said that the proposal will have an unacceptable impact on the host property.
- 4.10 **Policy Des 12 Alterations and Extensions** states that planning permission will be granted for alterations and extensions to existing buildings which a) in their design and form, choice of materials and positioning are compatible with the character of the existing building; b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties; and c) will not be detrimental to neighbourhood amenity and character. Policy Des 12 is stated as the fourth reason for refusal. The opening will be created on a modern pastiche extension. Materials are suitable and of a high quality. The proposal cannot be seen by neighbouring properties and will result in no loss of privacy or natural light. There have been no neighbour objections. Neighbourhood amenity and character is not affected. It cannot be said that the proposal will have an unacceptable impact on the character and appearance of the host property.
- 4.11 In relation to size, scale and design, the report of handling states *"the proposal is unacceptable in terms of the creation of an enlarged opening to the rear elevation, specifically at ground floor level. This would create a discordance with the existing symmetry on that elevation while removing a significant degree of fabric"* (SHP emphasis). Only 3% of the surface area of the 1990's extension will be removed to facilitate the proposal which in no way can be considered 'significant'. The proposal seeks to remove a modest section of mixed constituted stone on a modern two storey extension to facilitate the installation of a high-quality glazed door and screens in place of an existing window and door on a rear non-principal elevation hidden from public view. The perimeter of the external wall is 18m in length; the proposal removes just 1.35m of this between an existing rear window and rear door.
- 4.12 With regards to the proposed glazed canopy, this would also be attached to this same rear elevation and be subservient in size, scale, and positioning; being of a timber frame construction, with a glazed canopy, it will appear as a lightweight structure and will not detract from the character or appearance of the property, or the conservation area. This canopy will also not be readily visible from public view due to the location and orientation of the property. The case officer is content with the size and location of the canopy with reference to the report of handling where it is stated that it would be a *"congruous addition that would not have a detrimental impact on the architectural merits of the host property"*.
- 4.13 **Policy Env 6 Conservation Areas** - Development states that development within a conservation area or affecting its setting will be permitted which a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant

conservation area character appraisal; b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area; and c) demonstrates high standards of design and utilises material appropriate to the historic environment. In relation to Policy Env 6, the report of handling states *“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.”* Therefore, there is already agreement that the proposal complies with Policy Env 6 of the ELDP.

Other Material Documents and Considerations

- 4.14 In addition to the Development Plan, a number of local and national policy considerations are relevant to the determination of the appeal.

Scottish Planning Policy

- 4.15 Scottish Planning Policy (SPP – Document C2) introduces, as a first policy principle, a presumption in favour of development that contributes to sustainable development. This means that policies and decisions should be guided by several principles including (at paragraph 29) supporting good design and the six qualities of successful places.
- 4.16 Paragraph 143 of SPP states: *“Proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance.”*
- 4.17 The proposed minor alterations seek to remove a modest section of reconstituted stonework on a modern two storey extension to facilitate the installation of a glazed door and screens in place of an existing window and door on the north elevation rear wall. The proposed glazed canopy will be subservient in size, scale, and positioning. By being of a timber frame construction with a glazed canopy it will appear as a lightweight structure and will not detract from the character or appearance of the property or the conservation area. As the proposals will not be visible from public views the proposal will not harm the character or appearance of the conservation area and should be treated as preserving its character and appearance. The case officer has already agreed that the changes will have a neutral effect on the conservation area. The alterations are therefore considered consistent with paragraph 143
- 4.18 It is stated in the report of handling that the proposal is contrary to Paragraph 29 of SPP, specifically Principle 3 which supports good design and the six qualities of successful places. Whilst an assessment against these six qualities is considered to be excessive given the minor nature of this proposal, this is given below:
- **Distinctive:** the distinctive nature of the wider area/conservation area will not be affected by the proposal, which will be hidden from public view.
 - **Easy to Move Around:** the proposal will make it easier to navigate the garden space and movement generally on the ground floor of the property.
 - **Safe and Pleasant:** enjoyment of the garden space will make site amenity more pleasurable.
 - **Adaptable:** the canopy can easily be removed and adapted, and the new glazed opening will allow the kitchen space to be rearranged / adapted to better suit family use.

- **Welcoming:** a more welcoming private rear garden entrance will be created.
- **Resource Efficient:** the window openings will make best use of natural light to maximise solar gain.

CEC Non-Statutory Guidance on Listed Buildings and Conservation Areas

- 4.19 CEC adopted this updated planning guidance for householders in February 2019 – see Document C3.
- 4.20 Page 11 of this guidance states: *“It is usually acceptable for an addition to be different and distinguishable from the existing building, in terms of design. The use of high-quality materials which complement the main building will be required”.*
- 4.21 The proposed glazed door and screens to the rear (north) elevation of the property are not dissimilar from the vertical glazed patio doors that already exist on the rear elevation of the main building (see Figure 7). There is also a fully glazed extension at No. 35 which, before subdivision, used to form one house with No. 39 (see Figures 5 and 11). No. 35 also has large modern windows recently added to its south elevation. Floor to ceiling glazing are typical features to the rear of residential properties throughout Edinburgh, including in Category A listed premises and in Edinburgh’s World Heritage Site.
- 4.22 The proposed works will affect a modern two storey extension to the rear of the property not visible from public view. Even when viewed from the private road that runs adjacent to the appellant’s property the rear garden is bounded by high stone walls and hedging and will not allow for any external views of the proposed door and screens. This is shown in Figure 14 below and also in Figures 2 and 3. Given these considerations, the proposal will protect and enhance the character/appearance of the conservation area and allow for better access to the rear garden of the property as well as increased light to the kitchen area.

Figure 14: Rear Garden boundary of appellant's property showing the 2-metre boundary wall and hedging.



5.0 Conclusions

- 5.1 The proposed external alterations to this unlisted residential property are minor given their size, form, design, and positioning on a modern pastiche rear extension hidden from public view. There is already council agreement that the proposal will not affect the character and appearance of the West Murrayfield Conservation Area, will have no impact on amenity, and that the proposed canopy will not affect the architectural merits of the property. There have been no letters of objection.
- 5.2 The property has been incorrectly stated as a Category C listed Icehouse in the case officer's report of handling. Notwithstanding, the first two reasons for refusal, which relate to listed building development plan policies Env3 and 4, can be addressed given the original house has already been extended to the rear and it is this modern 2000 re-constituted stone extension where the proposed glazing is to be inserted; the original house will not be compromised. If the council believe the appeal site to be within the curtilage of a surrounding listed building it is strongly argued that this 2000 modern extension does not contribute to the 'special interest' of the curtilage of any listed building as this 2000 extension is not the original fabric and is weak in design terms. As such it cannot affect any special interest.
- 5.3 With regards to ELDP Policies Des 1, Des 12, and how they relate to the remaining two reasons for refusal, the proposed formation of the new glazed door and screens is minor. It removes just 3% of the façade of a 2000 modern extension, which is certainly not significant, to create a glazed opening between an existing rear window and rear door. Modern windows/glazing have recently been added/consented to the immediately adjacent property at No. 35 which, together with No. 39 Ravelston Dykes Road, originally formed one house. There is a need for a consistent approach.
- 5.4 We ask that this appeal be allowed, and planning permission be granted.

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2 Design Principles for New Development

150 The Council encourages innovation and well designed developments that relate sensitively to the existing quality and character of the local and wider environment, generate distinctiveness and a sense of place, and help build stronger communities. Policies Des 1–Des 13 will be used to assess planning applications to meet the following objectives. More detailed advice on how to interpret and apply these policies can be found in Council guidance including in the Edinburgh Design Guidance document.



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Objectives

- a) To ensure that new development is of the highest design quality and respects, safeguards and enhances the special character of the city
- b) To ensure that the city develops in an integrated and sustainable manner
- c) To create new and distinctive places which support and enhance the special character of the city and meet the needs of residents and other users

Policy Des 1 Design Quality and Context

Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.

151 This policy applies to all new development, including alterations and extensions. The Council expects new development to be of a high standard of design. The Council's policies and guidelines are not to be used as a template for minimum standards. The purpose of the policy is to encourage innovation in the design and layout of new buildings, streets and spaces, provided that the existing quality and character of the immediate and wider environment are respected and enhanced and local distinctiveness is generated.

Agenda Item 7.1

Policy Des 2 Co-ordinated Development

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.

152 This policy applies to all development involving one or more new buildings. The Council encourages a comprehensive approach to redevelopment and regeneration wherever possible, and the preparation of development frameworks or master plans, to identify the full design potential for creating successful places. Piecemeal development is less likely to lead to the creation of well-defined and cohesive networks of streets and spaces. In exceptional cases, it may be necessary for the Council to use its powers of compulsory purchase to assemble a site for development and enable a satisfactory outcome to be achieved.

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Policy Des 3 Development Design - Incorporating and Enhancing Existing and Potential Features

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.

153 This policy is relevant for all new development involving one new building or more. Its aim is to ensure that development proposals are informed by a detailed analysis and understanding of the site. The incorporation of existing features including built structures, archaeology, trees and woodland, landscape character, views and biodiversity can enhance a development's sense of place and contribution to the wider habitat and green network. Where practicable, proposals should provide new habitat to further the conservation of biodiversity.

Policy Des 4 Development Design – Impact on Setting

Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- a) height and form
- b) scale and proportions, including the spaces between buildings
- c) position of buildings and other features on the site
- d) materials and detailing

154 This policy applies to all new development of one or more buildings. Where the built environment is of high quality and has a settled townscape character, new development proposals will be expected to have similar characteristics to the surrounding buildings and urban grain. Where the surrounding development is fragmented or of poor quality, development proposals should help repair the urban fabric, establish model forms of development and generate coherence and distinctiveness – a sense of place. The siting and design of development should also be guided by views within the wider landscape and an understanding of local landscape character, including important topographical features, e.g. prominent ridges, valleys and patterns of vegetation.

Policy Des 5 Development Design – Amenity

Planning permission will be granted for development where it is demonstrated that:

- a) the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook
- b) the design will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses
- c) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural surveillance over all footpaths and open areas
- d) a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms
- e) refuse and recycling facilities, cycle storage, low and zero carbon technology, telecommunications equipment, plant and services have been sensitively integrated into the design

155 This policy applies to all new development for one or more new buildings. Buildings must meet the needs of users and occupiers, with consideration given to impacts on neighbouring properties to ensure no unreasonable noise impact or loss of daylight, sunlight or privacy. Buildings should be designed to be flexible in use and interact closely with the street, providing continuity of urban frontage and natural surveillance. Cul-de-sac and single access residential layouts and gated communities should be avoided to help the integration of new development into the wider neighbourhood. Ancillary facilities must be sensitively integrated into the design of buildings to avoid impacting upon the surrounding townscape.

Policy Des 6 Sustainable Buildings

Planning permission will only be granted for new development where it has been demonstrated that:

- a) the current carbon dioxide emissions reduction target has been met, with at least half of this target met through the use of low and zero carbon generating technologies.
- b) other features are incorporated that will reduce or minimise environmental resource use and impact, for example:
 - i. measures to promote water conservation
 - ii. sustainable urban drainage measures that will ensure that there will be no increase in rate of surface water run-off in peak conditions or detrimental impact on the water environment. This should include green roofs on sites where measures on the ground are not practical
 - iii. provision of facilities for the separate collection of dry recyclable waste and food waste
 - iv. maximum use of materials from local and/or sustainable sources
 - v. measures to support and encourage the use of sustainable transport, particularly cycling, including cycle parking and other supporting facilities such as showers.

156 This policy applies to all development involving one or more new buildings. The purpose of this policy is to help tackle the causes and impacts of climate change, reduce resource use and moderate the impact of development on the environment.

157 Buildings account for a substantial proportion of total carbon emissions through the energy they consume. Local authorities, through their planning and building standards responsibilities have a key role in helping to meet the Scottish Government's target for nearly zero carbon homes and buildings by 2016. Scottish Building Standards set carbon dioxide emissions reduction targets. At March 2013,

Policy Des 11 Tall Buildings – Skyline and Key Views

Planning permission will only be granted for development which rises above the building height prevailing generally in the surrounding area where:

- a) a landmark is to be created that enhances the skyline and surrounding townscape and is justified by the proposed use
- b) the scale of the building is appropriate in its context
- c) there would be no adverse impact on important views of landmark buildings, the historic skyline, landscape features in the urban area or the landscape setting of the city, including the Firth of Forth.

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 166 Proposals for development that would be conspicuous in iconic views of the city will be subject to special scrutiny. This is necessary to protect some of the city's most striking visual characteristics, the views available from many vantage points within the city and beyond, of landmark buildings, the city's historic skyline, undeveloped hillsides within the urban area and the hills, open countryside and the Firth of Forth which create a unique landscape setting for the city. In addition, the height of new buildings may need to be suppressed where necessary so that the city's topography and valley features continue to be reflected in roofscapes. This policy will play an important role in protecting the setting of the World Heritage Sites.

167 A study undertaken for the Council identifies key public viewpoints and is used in assessing proposals for high buildings. Further advice is provided in Council guidance.

Policy Des 12 Alterations and Extensions

Planning permission will be granted for alterations and extensions to existing buildings which:

- a) in their design and form, choice of materials and positioning are compatible with the character of the existing building
- b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties
- c) will not be detrimental to neighbourhood amenity and character

168 Every change to a building, street or space has the potential to enrich or, if poorly designed, impoverish a part of the public realm. The impact of a proposal on the appearance and character of the existing building and street scene generally must be satisfactory and there should be no unreasonable loss of amenity and privacy for immediate neighbours.

Policy Des 13 Shopfronts

Planning permission will be granted for alterations to shopfronts which are improvements on what already exists and relate sensitively and harmoniously to the building as a whole. Particular care will be taken over proposals for the installation of illuminated advertising panels and projecting signs, blinds, canopies, security grills and shutters to avoid harm to the visual amenity of shopping streets or the character of historic environments.

169 Shopfront design, shop designs and shopfront advertising play an important role in the visual environment of the city. Important traditional or original features on older buildings, such as stall risers, fascias and structural framing of entrances and shop windows, should be retained and incorporated into the design. In conservation areas and on listed buildings, design and materials used will be expected to be of a high standard, and not damaging to existing fabric of buildings or wider character. Detailed advice on shopfronts is provided in Council guidance.

Policy Env 3 Listed Buildings - Setting

Development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

Proposals to alter or extend a listed building will be permitted where

- a) those alterations or extensions are justified;
- b) there will be no unnecessary damage to historic structures or diminution of its interest; and
- c) where any additions are in keeping with other parts of the building.

173 In determining applications for planning permission or listed building consent, the Council is required to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest that it possesses. Applications for the demolition or substantial alteration of a listed building must be accompanied by a thorough structural condition report demonstrating that the proposals are necessary or justified. Information must be provided on the proposed replacement building; these should be of comparable quality in terms of construction and design. The loss of a listed building will only be justified in exceptional circumstances. Scottish Historic Environment Policy (SHEP) and Council guidance provide further advice for applications relating to Listed Buildings.

Development within a conservation area or affecting its setting will be permitted which:

- a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal
- b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area and
- c) demonstrates high standards of design and utilises materials appropriate to the historic environment.

Planning applications should be submitted in a sufficiently detailed form for the effect of the development proposal on the character and appearance of the area to be assessed.

Policy Env 14 Sites of National Importance

Development which would affect a Site of Special Scientific Interest will only be permitted where an appraisal has demonstrated that:

- a) the objectives of the designation and the overall integrity of the area will not be compromised or
- b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.

189 Sites of Special Scientific Interest (SSSIs) are areas of land (including land covered by water) which are considered by Scottish Natural Heritage (SNH) to be of special interest by reason of their natural features, i.e. their flora, fauna or geological or geomorphological features. Development which could harm an SSSI will be required to demonstrate reasons which clearly outweigh the nature conservation interest of the site and justify a departure from the national policy to protect such sites.

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Policy Env 15 Sites of Local Importance

Development likely to have an adverse impact on the flora, fauna, landscape or geological features of a Local Nature Reserve or a Local Nature Conservation Site will not be permitted unless it can be demonstrated that:

- a) the reasons for allowing the development are sufficient to outweigh the nature conservation interest of the site
- b) the adverse consequences of allowing the development for the value of the site have been minimised and mitigated in an acceptable manner.

190 The purpose of this policy is to protect sites of local nature conservation value and designated Local Nature Reserves from damaging development. The network of Local Nature Conservation sites and Local Nature Reserves is shown on the Proposals

Map. Many of these provide connectivity between internationally and nationally important sites and contribute to green networks. A Site Report has been prepared for each LNCS.

Policy Env 16 Species Protection

Planning permission will not be granted for development that would have an adverse impact on species protected under European or UK law, unless:

- a) there is an overriding public need for the development and it is demonstrated that there is no alternative
- b) a full survey has been carried out of the current status of the species and its use of the site
- c) there would be no detriment to the maintenance of the species at 'favourable conservation status'
- d) suitable mitigation is proposed

191 European Protected Species (EPS) are covered by the Habitats Regulations. EPS found in the Edinburgh area are bats, otters, and great crested newts. Other species-specific legislation to be taken into account includes the Protection of Badgers Act 1992 and those species listed in the Schedules of the Wildlife and Countryside Act 1981. If the presence of an EPS or other protected species is suspected, appropriate survey work must be carried out to enable the Council to assess the likely impact of development on the species.

* *The EU Habitats Directive defines 'favourable conservation status' as the distribution and population of the species being at least the same as when the Directive came into force in 1994.*

Countryside Access and Open Space

Policy Env 17 Pentlands Hills Regional Park

Development which supports the aims of the Pentlands Hills Regional Park will be permitted provided it has no unacceptable impact on the character and landscape quality of the Park.

192 This policy aims to ensure that proposals for outdoor recreation activities, whilst likely to be supported in principle, do not detract from the special rural character of the Regional Park. Proposals will also be assessed in terms of other relevant policies such as Env 10 Green Belt and Env 11 Landscape Quality.

Open Space

193 The Proposals Map shows the significant areas of open space identified in an audit of the city. The criteria in Policy Env 18 will be applied to development proposals affecting all such open spaces citywide. Proposals affecting a playing field will be considered against relevant criteria in both Policy Env 18 and Policy Env 19.

Policy Env 18 Open Space Protection

Proposals involving the loss of open space will not be permitted unless it is demonstrated that:

- a) there will be no significant impact on the quality or character of the local environment and
- b) 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 and
- c) the loss would not be detrimental to the wider network including its continuity or biodiversity value and either

- d) there will be a local benefit in allowing the development in terms of either alternative equivalent provision being made or improvement to an existing public park or other open space or
- e) the development is for a community purpose and the benefits to the local community outweigh the loss.

194 This policy aims to protect all open spaces, both public and privately owned, that contribute to the amenity of their surroundings and the city, provide or are capable of providing for the recreational needs of residents and visitors or are an integral part of the city's landscape and townscape character and its biodiversity. The Council will only support development on open space in exceptional circumstances, where the loss would not result in detriment to the overall network and to open space provision in the locality. Such circumstances tend to exist where large areas of residential amenity space have been provided without a clear purpose or sense of ownership. The Council's Open Space Strategy sets the standards to be met for open space provision across Edinburgh and will be used to assess whether there is an over provision of open space in the immediate area (criterion b). To accord with criterion d), proposals for alternative provision or improvements to open space should normally address an identified action in the Open Space Strategy.

Policy Env 19 Protection of Outdoor Sports Facilities

In addition to the requirements of Policy Env 18, the loss of some or all of a playing field or sports pitch will be permitted only where one of the following circumstances applies:

- a) The proposed development is ancillary to the principal use of the site as outdoor sports facilities
- b) The proposed development involves a minor part of outdoor sports facilities and would not adversely affect the use or potential of the remainder for sport and training
- c) An alternative outdoor sports facility is to be provided of at least equivalent

sporting value in a no less convenient location, or existing provision is to be significantly improved to compensate for the loss

- d) The Council is satisfied that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and the site can be developed without detriment to the overall quality of provision.

195 Outdoor sports facility provision must be considered as a city-wide resource and in terms of its contribution to local needs. The Council's assessment of provision in the city as a whole has concluded that the amount of pitches, whether or not in public ownership or publicly accessible, is equivalent to the need. However, there needs to be significant improvements in quality. On this evaluation, the loss of pitches to development cannot be justified in principle. However, the loss might be acceptable if alternative equivalent provision is to be made in an equally convenient location. Development has been allowed where other pitches serving the local community are to be equipped with all-weather playing surfaces. The Open Space Strategy identifies the locations where such investment is to be concentrated in multi-pitch venues.

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Policy Env 20 Open Space in New Development

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 development proposed and the needs it will give rise to. In particular, the Council will seek the provision of extensions and/or improvements to the green network.

196 This policy ensures that development proposals (other than housing which is covered by Policy Hou 3) include appropriate open space provision and, where the opportunity arises, contribute to Edinburgh's green network. The term 'open space' covers green space and civic space.

Protection of Natural Resources

Policy Env 21 Flood Protection

Planning permission will not be granted for development that would:

- a) increase a flood risk or be at risk of flooding itself
- b) impede the flow of flood water or deprive a river system of flood water storage within the areas shown on the Proposals Map as areas of importance for flood management
- c) be prejudicial to existing or planned flood defence systems.

197 This purpose of this policy is to ensure development does not result in increased flood risk for the site being developed or elsewhere. Identified areas of importance for flood management are identified on the Proposals Map. It is essential to maintain strict control over development in these areas. Proposals will only be favourably considered if accompanied by a flood risk assessment demonstrating how compensating measures are to be carried out, both on and off the site, and that any loss of flood storage capacity is mitigated to achieve a neutral or better outcome. In some circumstances, sustainable flood management or mitigation measures may not be achievable.

198 Culverting of watercourses can exacerbate flood risk and have a detrimental effect on biodiversity. Any further culverting across the city will be opposed, and the removal of existing culverts will be sought when possible.

199 New development can add to flood risk if it leads to an increase in surface water run-off. It is also at risk from water flowing over land during heavy rainfall. Policy Des 6 states that these risks should be avoided by the use of sustainable drainage techniques (SUDs).

5 Housing and Community Facilities

221 Edinburgh needs more housing to provide homes for an increasing population and support economic growth. More housing increases the need for community facilities such as schools, health care facilities and community centres in easily accessible locations. This plan looks beyond the amount of housing to be provided. It also aims to address issues of quality, affordability, environmental quality in existing housing areas and the housing needs of particular groups such as students, gypsies, travellers and travelling showpeople. Policies Hou 1 – Hou 10 will be used to assess planning applications to meet the following objectives



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Objectives

- To meet the requirement for additional housing in Edinburgh whilst protecting environmental quality in established housing areas
- To promote more sustainable, better balanced communities
- To ensure that provision is made for necessary community facilities

Policy Hou 1 Housing Development

- 1 **Priority will be given to the delivery of the housing land supply and the relevant infrastructure* as detailed in Part 1 Section 5 of the Plan including:**
 - a) sites allocated in this plan through tables 3 and 4 and as shown on the proposals map
 - b) as part of business led mixed use proposal at Edinburgh Park/South Gyle
 - c) as part of the mixed use regeneration proposals at Edinburgh Waterfront (Proposals EW1a-EW1c and EW2a-2d and in the City Centre)
 - d) on other suitable sites in the urban area, provided proposals are compatible with other policies in the plan
- 2 Where a deficit in the maintenance of the five year housing land supply is identified (as evidenced through the housing land audit) greenfield/greenbelt housing proposals may be granted planning permission where:
 - a) The development will be in keeping with the character of the settlement and the local area
 - b) The development will not undermine green belt objectives
 - c) Any additional infrastructure required* as a result of the development and to take account of its cumulative impact, including cross boundary impacts, is either available or can be provided at the appropriate time.
 - d) The site is effective or capable of becoming effective in the relevant timeframe.

e) The proposal contributes to the principles of sustainable development.

* This should be addressed in the context of Policy Del 1, Tra 8 and the associated Supplementary Guidance.

222 Policy Hou 1 reflects the emphasis on delivery of the identified land supply. However, it also sets out a mechanism through which to bring forward additional land if a 5 year supply is not maintained. The criteria which apply reflect the considerations already established through SESplan (Policy 7) as well as the Scottish Planning Policy presumption in favour of sustainable development. Whilst the green belt is established by the plan this should not automatically preclude housing development where the relevant balance of considerations points to approval and the objectives of the city wide designation of green belt are maintained.

Page 760 Policy Hou 2 Housing Mix

The Council will seek the provision of a mix of house types and sizes where practical, to meet a range of housing needs, including those of families, older people and people with special needs, and having regard to the character of the surrounding area and its accessibility.

223 It is important to achieve a good mix of dwelling types and sizes to avoid the creation of large areas of housing with similar characteristics. This approach supports more socially diverse and inclusive communities by offering a choice of housing and a range of house types to meet the needs of different population groups, from single-person households to larger and growing families.

Policy Hou 3 Private Green Space in Housing Development

Planning permission will be granted for development which makes adequate provision for green space to meet the needs of future residents.

- a) In flatted or mixed housing/flatted developments where communal provision will be necessary, this will be based on a standard of 10 square metres per flat (excluding any units which are to be provided with private gardens). A minimum of 20% of total site area should be useable greenspace.
- b) For housing developments with private gardens, a contribution towards the greenspace network will be negotiated if appropriate, having regard to the scale of development proposed and the opportunities of the site.

224 This policy ensures an appropriate level of greenspace provision in new housing developments.

225 This policy applies to mainstream housing, whether flatted or otherwise. All mainstream housing should be provided with either individual private gardens or communal areas of greenspace, or a combination of both. In some sites, some of the greenspace provision should be in the form of publicly accessible space to connect with the wider network. The site briefs for the new strategic housing proposals in West and South East Edinburgh show this type of provision.

226 The Council expects most housing development to meet these greenspace requirements in full within the site. However exceptions may be justifiable if there are good reasons why this cannot happen, for example where justified by the following policy on density. The Council's Open Space Strategy sets standards for publicly-accessible large and local greenspace and play space and identifies actions to address any deficiencies or meet other needs. A proposal which does not meet the full requirements of policy Hou 3 on-site may be supported if appropriate provision or financial contribution is made to implement an identified action in the Open Space Strategy which will address a deficiency in the area.

227 The policy does not apply to housing built for occupation by particular groups such as students or the elderly. In these circumstances, provision appropriate to their particular needs will be negotiated.

Policy Hou 4 Housing Density

The Council will seek an appropriate density of development on each site having regard to:

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

Higher densities will be appropriate within the City Centre and other areas where a good level of public transport accessibility exists or is to be provided. In established residential areas, proposals will not be permitted which would result in unacceptable damage to local character, environmental quality or residential amenity.

229 The aim of this policy is to promote an appropriate density of development, taking account of site characteristics and location. There are many benefits of higher density development – it makes efficient use of urban land, helps maintain the vitality and viability of local services and encourages the effective provision of public transport. However higher densities are not always appropriate. Particular care will be taken in established residential areas to avoid inappropriate densities.

Policy Hou 5 Conversion to Housing

Planning permission will be granted for the change of use of existing buildings in non-residential use to housing, provided:

- a) a satisfactory residential environment can be achieved
- b) housing would be compatible with nearby uses
- c) appropriate open space, amenity and car and cycle parking standards are met
- d) the change of use is acceptable having regard to other policies in this plan including those that seek to safeguard or provide for important or vulnerable uses.

229 A significant contribution to housing needs has been made over the years by the conversion of redundant commercial buildings to housing. This has included office buildings in the New Town which were originally houses, warehouses in Leith and vacant hospital and school buildings. The recycling of buildings achieves sustainability goals and provides the essential means by which the historic character of different localities can be maintained. It can help to create the high density, mixed use environments which are appropriate for central sites. It is an objective of the Plan to resist the conversion of empty shop units to residential use, and to safeguard these for shopping and small business use (see Policy Ret 10). However, conversions to residential use could be supported where the shop unit has been vacant for a significant period of time and been actively marketed, where there is local need and demand for a range of housing types and for town centre living.

Policy Hou 6 Affordable Housing

Planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed. For proposals of 20 or more dwellings, the provision should normally be on-site. Whenever practical, the affordable housing should be integrated with the market housing.

230 Government policy states that where a shortage of affordable housing has been identified, this may be a material consideration for planning and should be addressed through local development plans.

231 Affordable housing is defined as housing that is available for rent or for sale to meet the needs of people who cannot afford to buy or rent the housing generally available on the open market. Affordable housing is important in ensuring that key workers can afford to live in the city as well as helping meet the needs of people on low incomes.

232 A key aim is that affordable housing should be integrated with market housing on the same site and should address the full range of housing need, including family housing where appropriate. Provision on an alternative site may be acceptable where the housing proposal is for less than 20 units or if there are exceptional circumstances. Where planning permission is sought for specialist housing an affordable housing contribution may not always be required depending on the nature of the specialist housing being proposed and economic viability considerations.

233 Further information on affordable housing requirements is provided in planning guidance. The details of provision, which will reflect housing need and individual site suitability, will be a matter for agreement between the developer and the Council.

Policy Hou 7 Inappropriate Uses in Residential Areas

Developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted.

234 The intention of the policy is firstly, to preclude the introduction or intensification of non-residential uses incompatible with predominantly residential areas and secondly, to prevent any further deterioration in living conditions in more mixed use areas which nevertheless have important residential functions. This policy will be used to assess proposals for the conversion of a house or flat to a House in Multiple Occupation (i.e. for five or more people). Further advice is set out in Council Guidance

Policy Hou 8 Student Accommodation

Planning permission will be granted for purpose-built student accommodation where:

- a) The location is appropriate in terms of access to university and college facilities by walking, cycling or public transport
- b) The proposal will not result in an excessive concentration of student accommodation (including that in the private rented sector) to an extent that would be detrimental to the maintenance of balanced communities or to the established character and residential amenity of the locality.

235 It is preferable in principle that student needs are met as far as possible in purpose-built and managed schemes rather than the widespread conversion of family

Alternative Use of Shop Units

Policy Ret 9 Alternative Use of Shop Units in Defined Centres

In the City Centre Retail Core and town centres, change of use proposals which would undermine the retailing function of the centre will not be permitted. Detailed criteria for assessing proposals for the change of use of a shop unit to a non-shop use will be set out in supplementary guidance. Supplementary Guidance will detail an approach tailored to different parts of the city centre retail core and each town centre to be informed by town centre health checks which will assess the centres strengths, vitality and viability, weaknesses and resiliencies.

The change of use of a shop unit in a local centre to a non-shop use will be permitted provided:

- a) the change of use would not result in four or more consecutive non-shop uses and;
- b) the proposal is for an appropriate commercial, community or business use, which would complement the character of the centre and would not be detrimental to its vitality and viability.

259 This plan aims to protect the important retailing function of defined centres but recognises the benefits of a wide range of complementary service, leisure and other community uses. The right mix of shopping and other uses will vary in the different centres and in the case of the city and town centres, in different parts of the centre. The policy applies to ground floor units only or basement/first floor units that are directly accessed from the pavement.

260 Within the City Centre Retail Core, a strong, high quality retail offer is a key aspect of sustaining and enhancing the city centre and policies are required to ensure that shopping continues to be the predominant use. However in order to achieve a diverse, thriving and welcoming city, a more flexible approach to the introduction of

complementary uses that support the main shopping function and encourage use into the evening is proposed. Supplementary guidance will be prepared to guide the mix of uses in different parts of the City Centre Retail Core and set out criteria for assessing proposals for uses other than shops.

261 Previous local plans incorporated a standard approach to change of use applications in town centres based on identifying primary frontages where there should be a greater proportion of units in shop use. However, each town centre is different in terms of the current mix of uses and how well it is meeting the needs of those who live, work and shop in the surrounding area. In order to take account of these differences, this plan proposes a tailored approach for each town centre. Separate supplementary guidance will be produced to guide change of use applications in each of the nine town centres. The supplementary guidance may also recommend changes to the town centre boundaries to be included in the next Local Development Plan.

262 The policy aims to avoid areas of 'dead frontage' and reduced pedestrian flow which would detract from the character and vitality of the centre by requiring that at least one unit in every four is in shop use. Beyond this requirement, the policy applies a flexible approach to change of use applications in local centres provided the use will be beneficial to the local community such as providing services, hot food or entertainment facilities. In local centres, former shop units may also be suitable for business use, providing a beneficial use for vacant properties and opportunities for small start up businesses and job creation close to where people live.

Policy Ret 10 Alternative Use of Shop Units in Other Locations

Outwith defined centres, planning applications for the change of use of a shop unit will be determined having regard to the following:

- a) where the unit is located within a speciality shopping street (defined on the Proposals Map and in Appendix B), whether the proposal would be to the detriment of its special shopping character
- b) where the unit is located within a predominantly commercial area, whether the proposal would be compatible with the character of the area
- c) whether the proposal would result in the loss of premises suitable for small business use
- d) whether there is a clear justification to retain the unit in shop use to meet local needs
- e) where residential use is proposed, whether the development is acceptable in terms of external appearance and the standard of accommodation created.

263 The purpose of this policy is to guide proposals for change of use involving shop units not located within defined centres.

264 Independent and specialist retailers may be found in secondary locations throughout the city. But their concentration in some streets in the Old Town and on the fringes of the City Centre has given these a distinctive shopping character and interest worthy of protection. The defined speciality shopping streets are Cockburn Street; High Street (parts) Lawnmarket and Canongate; Victoria Street and West Bow, Grassmarket; Jeffrey Street and St Mary's Street; Stafford Street, William Street and Alva Street in the New Town. More detailed information on the frontages to which Policy Ret 10 applies is provided in Appendix B.

265 In parts of the city, mainly the City Centre and Leith, there are concentrations of commercial uses including retail, food and drink, and entertainment uses which, although not fulfilling the role of a local centre, do make a positive

contribution to the vibrancy of the city. Proposals incompatible with the commercial character of such areas will be resisted.

266 Single convenience shops and parades of small shops play an important role in meeting neighbourhood shopping needs and creating a sense of community, particularly in areas not well served by the network of shopping centres. It may be necessary to resist the loss of shop units to ensure local needs, particularly for people without access to car, are met

267 The Council's Guidance for Business provides advice on relevant design and amenity considerations for the conversion of shop units to residential use.

Policy Ret 11 Food and Drink Establishments

The change of use of a shop unit or other premises to a licensed or unlicensed restaurant, café, pub, or shop selling hot food for consumption off the premises (hot food take-away) will not be permitted:

- a) **if likely to lead to an unacceptable increase in noise, disturbance, on-street activity or anti-social behaviour to the detriment of living conditions for nearby residents or**
- b) **in an area where there is considered to be an excessive concentration of such uses to the detriment of living conditions for nearby residents.**

268 The provision of food and drink establishments in areas where people live is a recognisable component of urban living. However, such uses can cause a number of problems for local residents. Particular care will be taken to prevent an excessive concentration of hot food shops, pubs and bars in areas of mixed but essentially residential character. The Council's Guidance for Businesses identifies sensitive areas in this regard namely Tollcross, Grassmarket, Nicolson/Clerk Street and Broughton Place/Picardy Place and their environs.

taken to mitigate any adverse effects on networks and bring accessibility by and use of non-car modes up to acceptable levels if necessary.

271 The policy applies to major offices, retail, entertainment, sport and leisure uses and other non-residential developments which generate a large number of journeys by employees and other visitors. These developments should be accessible by a choice of means of transport which offer real alternatives to the car. For this reason, a location in the City Centre will normally be preferable. Major travel generating developments will also be encouraged to locate in the identified town centres and employment centres, provided that the scale and nature of the development is such that it can be reached conveniently by a majority of the population in its catchment area by walking, cycling or frequent public transport services.

272 Out-of-centre development will only be acceptable where it can clearly be demonstrated that the location is suitable, and that access by sustainable forms of transport and car parking provision and pricing mean that the development will be no more reliant on car use than a town centre location. This means that good public transport, walking and cycling accessibility will still need to be assured.

273 Applications should be accompanied by travel plans to demonstrate how development, particularly in out of centre locations, will meet the requirements of Policy Tra 1. Travel plans should accord with Scottish Government guidance and will be monitored to assess their impact on reducing demand for car travel and maximising use of existing and new transport infrastructure. Travel plans may also be relevant when assessing residential applications in terms of Policy Hou 4 Housing Density or Policy Tra 2 Private Car Parking.

Car and Cycle Parking

Policy Tra 2 Private Car Parking

Planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance. Lower provision will be pursued subject to consideration of the following factors:

- a) whether, in the case of non-residential developments, the applicant has demonstrated through a travel plan that practical measures can be undertaken to significantly reduce the use of private cars to travel to and from the site
- b) whether there will be any adverse impact on the amenity of neighbouring occupiers, particularly residential occupiers through on-street parking around the site and whether any adverse impacts can be mitigated through control of on-street parking
- c) the accessibility of the site to public transport stops on routes well served by public transport, and to shops, schools and centres of employment by foot, cycle and public transport
- d) the availability of existing off-street parking spaces that could adequately cater for the proposed development
- e) whether the characteristics of the proposed use are such that car ownership and use by potential occupiers will be low, such as purpose-built sheltered or student housing and 'car free' or 'car reduced' housing developments and others providing car sharing arrangements
- f) whether complementary measures can be put in place to make it more convenient for residents not to own a car, for example car sharing or pooling arrangements, including access to the city's car club scheme.

274 The purpose of this policy is to ensure car parking provided as part of development proposals accords with the Council standards which are tailored to local circumstances, including location, public transport accessibility and economic needs, but generally fulfil the wider strategy of encouraging sustainable, non-car modes. The standards express the maximum amount of car parking that different types of development may provide.

275 The policy sets out the circumstances in which a lesser amount of car parking than the standards require may be appropriate to help reduce car use. This is only likely to be acceptable in locations where there are existing or planned on-street parking controls.

276 At least half the space saved by omitting or reducing car parking should be given over to landscape features and additional private open space (see Policy Hou 3), so that residents will have the amenity benefits of a car-free environment.

Policy Tra 3 Private Cycle Parking

Planning permission will be granted for development where proposed cycle parking and storage provision complies with the standards set out in Council guidance.

277 The provision of adequate cycle parking and storage facilities is important in meeting the objective of the Local Transport Strategy to increase the proportion of journeys made by bicycle. The Council's parking standards set out the required levels of provision of cycle parking and storage facilities in housing developments and a range of non-residential developments.

Policy Tra 4 Design of Off-Street Car and Cycle Parking

Where off-street car parking provision is required or considered to be acceptable, the following design considerations will be taken into account:

a) surface car parks should not be located in front of buildings where the building would otherwise create an active frontage onto a public space or street, and

main entrances to buildings should be located as close as practical to the main site entrance

- b) car parking should preferably be provided at basement level within a building and not at ground or street level where this would be at the expense of an active frontage onto a public street, public space or private open space
- c) the design of surface car parks should include structural planting to minimise visual impact
- d) the design of surface car parking or entrances to car parking in buildings should not compromise pedestrian safety and should assist their safe movement to and from parked cars, for example, by the provision of marked walkways.
- e) Space should be provided for small-scale community recycling facilities in the car parking area in appropriate development, such as large retail developments.

Cycle parking should be provided closer to building entrances than general car parking spaces and be designed in accordance with the standards set out in Council guidance.

278 This policy sets out important design considerations for car and cycle parking provision including environmental quality, pedestrian safety and security. Poorly located or designed car parking can detract from the visual appearance and vitality of the surrounding area. Car parking in front of supermarkets which widely separates entrances from main roads, is an added discouragement to public transport use and walking, and detracts from urban vitality and safety. A high standard of design for surface car parking will be sought, with landscaping to soften its visual impact, and in larger car parks the provision of marked walkways for ease of pedestrian movement and safety. New off-street car parking provides an opportunity to expand the city's network of small recycling points to complement larger community recycling centres. Provision of well located high quality cycle parking suitable to the type of development and to users is an essential component of the Council's efforts to encourage cycling.

Guidance for Householders

February 2019

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Agenda Item 8.1

Privacy and outlook

People value privacy within their homes but they also value outlook - the ability to look outside, whether to gardens, streets or beyond. To achieve both, windows either have to be spaced sufficiently far apart so that it is difficult to see into a neighbouring property or windows have to be angled away from one another.

18m is the minimum recommended distance between windows, usually equally spread so that each property's windows are 9 metres from the common boundary.

A frequent objection to a development is loss of a particular view from the neighbour's house. Though private views will not be protected, immediate outlook of the foreground of what can be seen from within a building may be. This means that new development that blocks out the immediate outlook of a dwelling must be avoided.

Side Windows

Windows will only be protected for privacy and light if they themselves accord with policies in terms of distance to the boundary. Windows on side walls or gables - as often found on bungalows, for instance - will not normally be protected as they are not set back sufficiently from the boundary to be "good neighbours" themselves, taking only their fair share of light.

Ground floor windows can sometimes be closer than 9 metres to a boundary if they can be screened in some way, e.g. by a fence or hedge.

Decking, Roof Terraces, Balconies and Rooflights

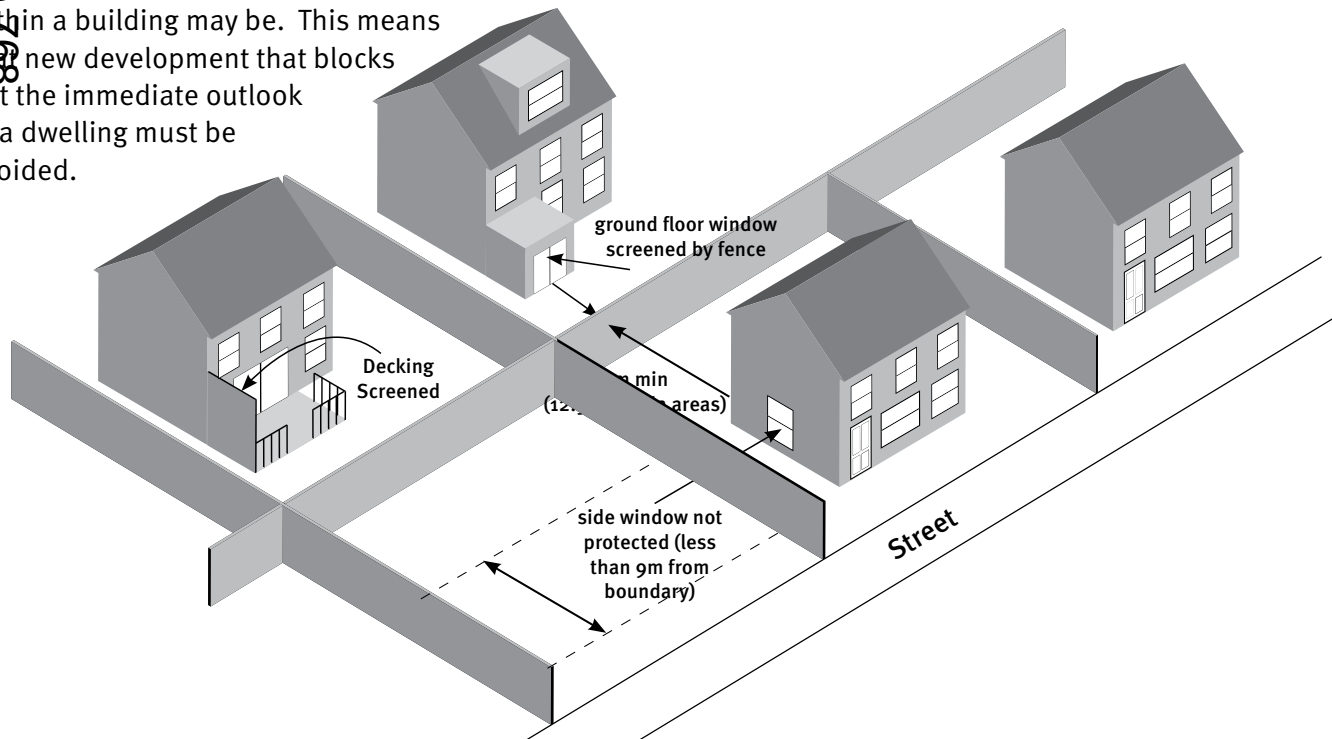
Balconies, roof terraces and decking which are close to boundaries and overlook neighbouring properties can be a major source of noise and privacy intrusion.

Generally, decking should be at, or close to, ground level (taking account of any level changes in the garden ground), of simple design (including barriers and steps), and should not detract from the appearance of the house.

Opportunities for decking may be limited on listed buildings, as it is rarely part of the original character.

Permission for roof terraces and balconies will not be granted where there is significant overlooking into neighbouring property due to positioning and height or if the terracing results in loss of privacy to neighbouring properties.

Rooflights in new extensions that are within 9 metres of the boundary may be acceptable so long as they do not have an adverse impact on the existing privacy of neighbouring properties. Any adverse impacts on privacy may be mitigated if the rooflight(s) is set at a high level above floor level (usually above 1.8 metres).



INTERIM GUIDANCE ON THE DESIGNATION OF CONSERVATION AREAS AND CONSERVATION AREA CONSENT

APRIL 2019



HISTORIC
ENVIRONMENT

SCOTLAND

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This guidance was published by Historic Environment Scotland as part of the Historic Environment Scotland Policy Statement (2016). This edition is an interim document published by Historic Environment Scotland in 2019 to provide detailed guidance on the application of Historic Environment Policy for Scotland (HEPS, 2019). It sets out the principles HES recommends are followed in implementing the requirements of Scottish Planning Policy paragraphs 141 and 142 and is a material consideration in the planning process. It should be read alongside HEPS and the Managing Change Guidance Notes series. We will be reviewing and updating our Managing Change Guidance series and any new guidance will be subject to public consultation.

HISTORIC ENVIRONMENT SCOTLAND GUIDANCE ON THE DESIGNATION OF CONSERVATION AREAS AND CONSERVATION AREA CONSENT

1. Conservation areas are designated under the Planning Listed Buildings and Conservation Areas (Scotland) Act 1997.
2. Conservation areas are areas which have special architectural or historic interest that are considered worthy of protection. Conservation areas are varied in character, encompassing the urban and the rural; they range from the historic core of our cities to isolated rural settlements or landscapes.
3. It is the character of an area, either architectural or historic, created by buildings and open spaces and their relationship with one another which the designation of a conservation area seeks to preserve. Elements such as the street layout, open spaces and the public realm all contribute to an area's special character.
4. To be designated as a conservation area it must meet the criteria of **'special architectural or historic interest the character or appearance of which is desirable to preserve or enhance'**, as set out in Section 61 of the 1997 Act.
5. National planning policy sets out that local authorities are expected to ensure that local development plans and supplementary guidance provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment. In this regard, local planning authorities should designate and review existing and potential conservation areas and identify existing and proposed Article 4 Directions. This should be supported by Conservation Area Appraisals and Management. As part of this process, planning authorities are encouraged undertake a thorough appraisal of any area before designation to ensure that its character or appearance is understood.
6. By law, Historic Environment Scotland has the power to determine, after consultation with the planning authority, that an area should be a conservation area and may designate it. This is a power which will be used only exceptionally.
7. As set out in Section 62 of the 1997 Act, once a planning authority has decided to designate a conservation area, notice of the designation must be published in the *Edinburgh Gazette* and at least one local newspaper.
8. Scottish Ministers and Historic Environment Scotland, at the same time as the designation is advertised, must be formally notified of the designation of the conservation area. They must also be provided with a copy of the published notice, together with a copy of the designation map and a list of street names which will usually be submitted in an open GIS format.
9. Planning authorities may also amend or remove a conservation area that is already designated. Notification of this will be in the same way as for new designations. Amended conservation areas should normally be re-designated in their entirety.
10. Every planning authority is required to compile and keep available for public inspection a list containing appropriate information about their conservation areas.
11. Planning authorities have a duty to submit their proposals for the preservation and enhancement of conservation areas for consideration to a local public meeting and should, when preparing schemes, seek the advice and views of local residents and amenity groups. Wherever possible, proposals should first be subject to public consultation through the Local Development Plan process, thus providing opportunity for the views of stakeholders to be taken into account. Owners and occupiers of property within a conservation area do not have to be specifically notified

and there is no right of appeal against a designation, variation or cancellation.

12. Once an area has been designated it becomes the duty of the planning authority and any other authority concerned, including Historic Environment Scotland, to pay special attention to the desirability of preserving or enhancing the character and appearance of the area when exercising their powers under planning laws.
13. Some types of development which would not otherwise require permission may require permission through the planning process.

Selection guidance for designating a conservation area

14. Areas of 'special architectural or historic interest' will be selected based on a range of factors which may include:
 - areas of significant architectural or historic interest in terms of specific listed buildings and/or scheduled monuments;
 - areas of significant architectural or historic interest in terms of building groupings, which may or may not include listed buildings and/or scheduled monuments, and open spaces which they abut;
 - areas with features of architectural or historic interest such as street pattern, planned towns and villages and historic gardens and designed landscapes; and
 - other areas of distinctive architectural or historic character.
15. The characteristics and values that contribute to a conservation area's special architectural or historic interest are:
 - its special architectural or historic importance;
 - its distinct character;
 - its value as a good example of local or regional architectural style;
 - its value within the wider context of the village or town; and
 - its present condition, and the scope for significant improvement and enhancement.

Guidance on Conservation Area Consent for demolition of unlisted buildings

16. The demolition of even a single building and the construction of a new building or buildings in its place could result in harm to the character or appearance of a conservation area, or part of it.
17. In deciding whether conservation area consent should be granted, planning authorities should therefore take account of 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.
18. 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.
19. In some cases, 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. In instances where demolition is to be followed by re-development of the site, consent to demolish should in general be given only where there are acceptable proposals for the new building.
20. Decision makers are required to have regard to the desirability of preserving or enhancing the appearance of the conservation area in exercising their responsibilities under the planning legislation, and this statutory duty should always be borne in mind when considering demolition applications (Scottish Planning Policy, paragraph 143).

Listed Buildings and Conservation Areas

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March 2018

Listed Buildings & Conservation Areas

Who is this guidance for?

Anyone considering work to a property within a conservation area or to a listed building.

This guidance provides information on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

This document and other non-statutory guidance can be viewed at:

www.edinburgh.gov.uk/planningguidelines



Misc: Student Housing, Radio Telecommunications, Open Space Strategy etc.

March 2018

This document is divided into two parts:

Part 1. Listed Building Guidance

Part 2. Conservation Area Guidance

Policy Context

This guidance interprets policies in the Edinburgh Local Development Plan which seek to protect the character and setting of listed buildings, and the character and appearance of conservation areas.

This guidance was initially approved in December 2012 and incorporates minor amendments approved in February 2016 and March 2018.

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- apply For Planning Permission
- apply For Listed Building Consent
- apply For Certificate of Lawfulness

Part1: Listed Buildings

Listed buildings represent the very best examples of the built heritage. They are defined as buildings of special architectural or historic interest and are protected under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The lists of Buildings of Historic or Architectural Interest are compiled by Historic Scotland on behalf of Scottish Ministers. The term *building* includes structures such as walls and bridges.

There are three categories of listed buildings:

Category A - Buildings of national or international importance, either architectural or historic, or fine little-altered examples of some particular period, style or building type.

Category B - Buildings of regional or more than local importance, or major examples of some particular period, style or building type which may have been altered.

Category C - Buildings of local importance, lesser examples of any period, style, or building type, as originally constructed or moderately altered; and simple traditional buildings which group well with others in categories A and B.

Buildings which relate together in townscape terms or as planned layouts in urban, rural or landed estate contexts, often have their group value stressed by inclusion within 'A' or 'B' groups.

To check whether your property is listed, use our [online map](#).

March 2018

Do I need Listed Building Consent?

Listed buildings are afforded statutory protection. This means that listed building consent is required for the demolition of a listed building, or its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest.

Listing covers the interior as well as the exterior, and includes any object or structure fixed to the building, or which has been included within its curtilage since 1st July, 1948. Listing, therefore, extends to historic fixtures or fittings (plasterwork, chimneypieces, panelling) and items within the curtilage such as stables, mews, garden walls and stone setts. Any proposals to alter unsympathetically, relocate or remove such features are likely to detract from the quality of the setting and are unlikely to be approved.

Listed building consent must be obtained where proposals will alter the character of the listed building, regardless of its category or whether the work is internal or external.

Proposed change will be managed to protect a building's special interest while enabling it to remain in active use. Each proposal will be judged on its own merits. Listing should not prevent adaptation to

modern requirements but ensure that work is implemented in a sensitive and informed manner. The aim is to guard against unsympathetic alterations and prevent unnecessary loss or damage to historic fabric. Any alterations which would seriously detract from or alter the character of a listed building are unlikely to receive consent



Listed building consent is not required for internal redecoration, renewal of bathroom and kitchen fittings, rewiring or new plumbing, provided fittings or internal decorations (such as decorative plaster, murals and paintings) which contribute to the character of the building or structure are not affected.

In considering any application for listed building consent, and also any application for planning permission for development which affects a listed

building or its setting, the Council are required to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it may possess. In this context, preserving, in relation to a building, means retaining it either in its existing state or subject only to such alterations or extensions as can be carried out without detriment to its character.

The tests for demolition are detailed in the Scottish Historic Environment Policy. No listed building should be demolished unless it has been clearly demonstrated that every effort has been made to retain it. The Council will only approve such applications where they are satisfied that:

- the building is not of special interest; or
- the building is incapable of repair; or
- the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

Repairs which match the original materials and methods and do not affect the character of the building do not usually require listed building consent or planning permission.

You can apply for listed building consent at www.eplanning.scot.

What if the work has already been carried out?

It is a criminal offence to demolish, alter materially or extend a listed building without listed building consent. Alterations may be subject to enforcement action or prosecution at any time. Retrospective applications for listed building consent will be considered on their merits.

Our guidance on [Selling Your House](#) sets out the criteria which will be used to determine whether to take enforcement action against unauthorised works to a listed building. This will help if you are selling a listed property and provides general advice on listed building consent.

What Other Consents Might Be Required?

Planning Permission

Development is defined as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

Planning permission is required for many alterations, additions and changes of use, although some development can be carried out without planning permission. This is ‘[permitted development](#)’.

To determine whether planning permission is required, the [Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992](#) or [Government Circular on Permitted Development](#) should be considered.

If you believe your building work is ‘permitted development’, you can apply for a [Certificate of Lawfulness](#). This is a legal document from the Council which confirms that the development is lawful.

In addition, listed building consent may be required regardless of whether planning permission has been granted.

Advertisement Consent

Many advertisements will require advertisement consent, in addition to listed building consent and planning permission. You can check this by consulting or by seeking advice from the Planning Helpdesk.

Building Warrant

Converted, new or altered buildings may require a building warrant, even if planning permission or listed building consent is not required. Please contact Building Standards for more information on 0131 529 7826 or [email: buildingwarrant.applications@edinburgh.gov.uk](mailto:buildingwarrant.applications@edinburgh.gov.uk).

General Principles

The aim of this guideline is to prevent unnecessary loss or damage to historic structures and ensure that proposals will not diminish their interest.

The fact that a building is listed does not mean that changes cannot be made. However, it does mean that any alterations must preserve its character. Any alterations which would seriously detract from or alter the character of a listed building are unlikely to receive consent.

It is strongly advised that specialist advice be sought prior to carrying out any works to a listed building. Without exception, the highest standards of materials and workmanship will be required for all works associated with listed buildings.

Any alterations should protect the character and special interest of listed buildings .

There is a strong presumption against demolition of listed buildings and proposals for demolition will be assessed against the criteria set out in the Scottish Historic Environment Policy.

Repair

Page 7 of 7

Planning permission and listed building consent are not normally required for repairs which match the original materials and methods and do not affect the character of the building. Inappropriate repairs can result in enforcement action or prosecution.

Repairs to listed buildings should always be carried out with care. Matching the original materials and method is important. The use of inappropriate materials and poor repair techniques can accelerate the decay of traditional historic buildings, shorten their lifespan and result in longer-term problems which may result in much higher repair costs.

Stone Repair

Before any repairs are undertaken, the existing stonework details should be carefully categorised for the:

- **Type:** ashlar, random rubble, coursed rubble etc.
- **Tooling:** broached, stugged, polished
- **Joints:** v-jointed, square-jointed, fine-jointed, etc.

An analysis of the stone will also be required to establish its chemical make-up and ensure compatibility with the existing stone.

These details should be respected and repeated, where appropriate, when stone replacement and pointing is carried out. Inappropriate replacements affect the architectural integrity of historic buildings.

It is also imperative to remedy the cause of any decay by eliminating sources of soluble salts, preventing the passage of moisture and rectifying active structural faults.

Indenting

Indenting is the insertion of a new stone to replace one which is damaged or decayed.

Indenting may not always be necessary when a stone has a defect; if the stone can reasonably be expected to survive for another 30 years, it should be left, regardless of its appearance.



Where indenting is appropriate, the indent should be selected to closely match the original stone. Artificial stone should not be used on listed buildings.



There will inevitably be a marked contrast between old and new work. However, within a few years of repair the effects of natural weathering will have gone a long way to remedy this situation. Cosmetic treatment of indented stone, either cleaning the old stone or distressing the new is not recommended.

Partial indenting should not normally be considered. In certain circumstances, small indents may be appropriate on moulded detail, but leaving the damaged stonework may be more acceptable than carrying out a visually intrusive repair.

Stone indents on external original steps and entrance platts are normally the most appropriate method of repair. Concrete screeds to steps and entrance platts are not acceptable.

Redressing

Redressing is the removal of the surface layer from the decayed stone. This may not be appropriate as it can cause considerable damage to the underlying stone and accelerate decay.

Mortar

Mortar repairs to stone should only be used as an extension of pointing to fill in small areas of decay and extend the life of a stone which would otherwise have to be replaced.

In some cases, it may be appropriate to use mortar on sculpted or moulded stonework. However, as mortar is significantly different from stone, ensuring a permanent bond between the two materials will be difficult. Therefore, a mortar repair will have a considerably shorter life than indenting.

Lime mortars will usually be the most appropriate mix. The presence of cement in the mix used for mortar repairs will accelerate decay in the neighbouring stone.

Weather Proofing

In traditional construction, the free movement of water vapour through the fabric of a building in both directions is essential.

The use of silene and silicone treatments to weather proof stone is not recommended because serious damage can occur if condensation builds up within a stone and the process is not reversible.

Mortar Joints and Pointing Repair

The original mortar joints and pointing should be respected, if traditional and causing no damage. Pointing can take many forms (recessed, flush, slastered etc.) In some instances, small pieces of stone or slate are used in the mortar mix. In cases where it is unclear what existed previously, mortar analysis should be carried out.

Under no circumstances should joints be widened to facilitate the work. Raking out should be done carefully with hand tools; power tools should never be used. It is important that the correct pointing and tools are chosen and used for specific types of joints.

Mortar should be sufficiently resilient to accommodate minor movements in the masonry, but it should never be stronger or denser than adjoining stones. This will cause the mortar to crack and prevent drying out through the joints, causing moisture to evaporate through the stones, accelerating decay.

Lime mortar should be used in most instances. However, as the technology, science and physical properties of pure lime mortars vary considerably from cement gauged mortars, they must be used

carefully. Hard cement mortar should never be used.

Traditional Harls and Renders

Hard cement mixes should not be used for harls and renders. A hard mix will trap a layer of moisture between the harl and the stonework beneath, thus forcing water back into the stone and encouraging accelerated decay. Lime mixes are recommended.

Original harls can be analysed to establish their composition. In order to prepare surfaces for harling and rendering, old cement render should usually be removed. In most cases, it will be more appropriate to use a wet dash rather than a dry dash. It is important that each 'layer' of harl is allowed to dry fully before applying another coat. However, each situation is different and specialist advice should be sought on best practice.

Roofs

Listed building consent will be required for alterations to roofs. Planning permission may also be required, depending on the proposal.

Planning permission and listed building consent are not normally required for repairs which match the original materials and methods and do not affect the character of the building.

The roof, which includes parapets, skews, chimney heads and chimney pots, is an important feature of a building. The retention of original structure, shape, pitch, cladding (particularly colour, weight, texture and origin of slate and ridge material) and ornament is important. Any later work of definite quality which makes a positive contribution to the interest of the building should also be kept.



The restoration of lost roof elements to match the original form will be encouraged.

It is important to use the proper repair techniques and materials for ridges, flashings, mortar fillets



and parapet gutters. Ridges should be replaced to match existing. Most ridges and flashings should be replaced in lead, making sure to use the correct code of lead.

Any change to the roofing material, including alternative slate, will require listed building consent and may require planning permission.

Most traditional roofs within Edinburgh are covered with Scots slates, although other materials, such as Welsh and Cumbrian slates, pantiles and thatch, have also been used. In some instances, materials such as copper may have been used on the roof of a decorative turret. Traditional materials should always be respected and repeated, where appropriate.



Scots slates are becoming increasingly rare and in some circumstances second-hand slates are of poor quality and size. It is preferable in some cases that sound old slates are laid together on visible roof slopes, with new slates used on non-visible roof slopes. Alternatives to Scots slate will be considered on their merits.

It is important to ensure consistency in the texture and grading, and that the new slate matches the colour, size, thickness and surface texture of the original materials as closely as possible.

Concrete tiles or artificial slate should never be used in conjunction with, or as a replacement for real slate. The introduction of slate vents may require listed building consent.

Patterned slating, incorporating fish scale or diamond slates, sometimes in different colours, should be retained and repaired with special care.

The original gradation of slates should be repeated.

Flat Roofs

Lead is usually the most appropriate covering for the long-term maintenance of flat roofs. Alternatives to lead may be considered acceptable in certain cases. Bituminous felt is not generally appropriate for use on listed buildings.

Chimneys

Removal of all or part of a chimney will require listed building consent and may require planning permission.

Original chimneys should always be retained and repaired as they are an essential feature of traditional buildings and contribute to the historic skyline. Non-original additions to chimneys should be removed.

Chimneys should be repaired using traditional methods to reinstate as original, with particular attention to the detail of the coping stone. Particular care should be taken to retain chimneystacks to their original height.

Detailed records of the original structure should be made where dunting is necessary to ensure correct replacement. Chimney pots should always be replaced to match the original.

Where the original chimneys have been demolished and replaced in brick and render, the rebuilding in stone will be encouraged.

Rainwater goods (guttering, downpipes etc.)



Replacement rainwater goods should match the original, cast iron or zinc should be used where these were the original materials. Other materials such as aluminium may be acceptable, where appropriate.

They should be painted either black or to tone in with the adjacent stonework and roofing respectively.

Railings, Gates, Balconies and Handrails

The erection of railings, gates, balconies and handrails requires listed building consent and planning permission.

Planning permission and listed building consent are not normally required for repairs.

Balconies, gates, railings and handrails are usually formal components in the design of an elevation. They should be maintained and repaired and, if

they have to be replaced, should be erected on a like for like basis. The recommended paint colour is black gloss.

Usually, railings were made from cast iron, although there may be some examples surviving of wrought iron. If the railings no longer exist, it is important to establish what the original railings were like. Remaining sections of iron work may still exist in the cope or on similar neighbouring properties or old photographs and plans can be used. In most cases, cast iron railings fixed individually into the cope should be used.

Railings are normally fixed to stone copes. These should be repaired according to the principles outlined in the previous section on stone repair. Moulded copes and other special details should always be respected and repeated.

External Alterations

Any external alterations, however minimal, may require listed building consent and possibly planning permission.

This section provides guidance on the most common forms of change. You are encouraged to contact Planning to discuss any proposed work.

Where it is proposed to restore lost features, it will be important to ensure that all restorative work is



based on sound physical and documentary evidence of the previous state of the building. This is to ensure that work is carried out in an architecturally and historically correct manner.

Stone Cleaning

Listed building consent is required to stone clean listed buildings. Planning permission is also required for the stonecleaning of any building within a conservation area.

Stone cleaning cannot be undertaken without damaging a building. It can also reveal the scars of age, such as staining, poor previous repairs and surface damage. It may also remove the natural patina, the protective layer on the stone, opening up the surface pore structure and making re-soiling much easier.

There will, therefore be a presumption against the stone cleaning of listed buildings and buildings within conservation areas. Stone cleaning will not be considered acceptable on any street where cleaning has not commenced. Where cleaning of a street has commenced, the issue of reinstating architectural unity will be a material considerations in assessing the merits of individual applications.

Specialist professional skills should be sought to undertake analysis and, where acceptable, design a suitable cleaning method and undertake work.

Applications for stone cleaning should be accompanied by a full drawing and photographic survey.

To assess the most appropriate method of stone

cleaning, applicants will be required to ascertain geological characteristics through laboratory tests.

Stone cleaning methods should be tested on an inconspicuous trial area of two or three stones.

If stone cleaning is approved, post-cleaning photographic records should be submitted and documented for research purposes.

It is expected that most necessary repairs will be identified at the initial application stage. Therefore, consent would be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to stonecleaning.

Stone Cleaning Methods

The following are the most common stone cleaning methods. Their inclusion in this guideline is for information only and does not imply their acceptability.

1. Mechanical - Carborundum Disc

This method comprises a hand-held rotary disc with a carborundum pad.

2. Air and Water Abrasive

These methods comprise grits and other abrasive mediums carried by jets of air and/or water.

3. Chemical Cleaning

This method comprises the application of chemicals and a high pressure water wash or pressure steam.

4. Water (High Pressure, Low Pressure, Manual)

When water pressure is used as part of the cleaning method, water is forced into the stone to a depth where natural evaporation will not take place. The water can then percolate down through the fabric of the wall and cause accelerated weathering at lower levels in the building. High pressure water can also cause damage to the stone.

A water wash remains an alternative stone cleaning technique. A low pressure water wash (100-200psi) is the least aggressive method of stone cleaning. However, it will not remove dirt which has combined with the surface to form an insoluble compound. High pressure and/or excessive water can cause surface erosion, pointing wash-out, staining and force water to the core of the wall. Due to the dangers of thermal expansion, water washing should be avoided in frosty conditions.

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Paint Removal from Masonry

Paint removal will require planning permission and listed building consent.

The restoration of the original surface through the removal of paint can improve the character and appearance of a building. Where surfaces have been previously painted, the removal of paint will be supported in principle, provided that the proposed removal method does not adversely affect the original surface.

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The removal of paint requires chemical and/or abrasive cleaning to re-expose the stone beneath. Abrasive methods can cause severe damage to the surface and will be unlikely to remove all traces of paint from coarse, porous sandstone. In certain circumstances, a minimally abrasive method may be appropriate to remove the outermost paint layers not in contact with the stone surface. Chemical paint removal varies from paint stripper to a proprietary poultice (a substance placed on the stone to draw out the paint). Each requires extreme caution due to their potentially damaging effects and trial samples should be carried out.

Previous painting could have disguised the poor condition or appearance of the surface so repair work may be required following paint removal. Therefore, consents will be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to paint removal.

Where paint removal is not appropriate, the property should be repainted in a matt finish stone coloured paint to tone with the adjoining stonework.

Specialist professional skills should be sought to undertake analysis, design a suitable treatment method and undertake any work.

Graffiti Treatment

Graffiti treatment will require planning permission and listed building consent if the proposed method will affect the character or appearance of the building.

Whilst graffiti can have an adverse impact on the character and appearance of a building and general environment, inappropriate graffiti treatment can cause irreversible and fundamental damage to buildings.

The treatment of graffiti from listed buildings and buildings within conservation areas will generally be supported provided there would be no unacceptable change in the appearance of the historic surface or structural integrity. However, the condition or architectural detailing of the surface or the nature of the graffiti may, in some circumstances, prevent any form of graffiti treatment from being acceptable.



Each site must be assessed on an individual basis and a site specific proposal prepared. Specialist professional skills should be sought to design suitable treatment methods and undertake any work.

At sites where graffiti is a recurring issue or where historic surfaces are vulnerable to the effects of graffiti treatment, alternative strategies may be required to prevent or reduce incidences of graffiti. Lighting, CCTV, physical barriers and the repositioning of fixtures may be required. These may need listed building consent and/or planning permission.

Temporary sacrificial coatings will also be encouraged in areas of persistent graffiti attack, provided there would be no adverse impact on the surface.

The permanent sealing of a surface will result in accelerated decay of the stone leading to expensive repairs and will therefore not be considered acceptable.

Graffiti Removal Methods

Chemical

Includes solvent based paint removers, other organic solvents and alkali-based paint removers or caustic removers.

Physical

Mainly air abrasion but can also include pressure washing and steam cleaning.

Heat

Includes hot pressure washing and steam cleaning, which must be applied at an appropriate pressure for the substrate; and laser treatments which can be labour intensive, slow and expensive.

Painting and Render

Paint which matches the existing in colour and uses traditional materials and methods will not require listed building consent or planning permission.

Painting or rendering of a previously untreated surface will require planning permission and listed building consent, and is unlikely to be acceptable.

Changing the colour of a listed building will need listed building consent. Planning permission will also be required to change the colour of any building located within a conservation area.



External stonework must not be painted or rendered, unless the surface was originally painted or rendered.

Coping stones and the edge of steps should not be painted.

Information on painting a shop or other commercial premises is included within the [Guidance for Businesses](#).

Walls covered with smooth cement render or a harled finish should generally be painted in earth colours or neutrals (grey, cream or beige). Rendered bands to windows should generally be in stone colours.

Extensions and Additions

Listed building consent will be required for extensions or additions to listed buildings. Planning permission may also be required, depending on the proposal.

New extensions on a terraced block may not be acceptable where there are no existing extensions. Where the principle of extending a listed building is acceptable, the extension should be subservient to the main building and will rarely be permitted on principal elevations. Extensions should not normally exceed 50% of the width of any elevation.



It is usually acceptable for an addition to be different and distinguishable from the existing building, in terms of design. The use of high quality materials which complement the main building will be required. In other circumstances it may be appropriate to match the new work to the existing, in which case the new materials should be carefully matched.

The visual separation of extensions is encouraged. In the case of side extensions, they should be set back from the facade and be of a scale that does not affect the overall architectural composition. The effect of any addition on a symmetrical composition will be particularly important.

Encouragement will be given to the removal of inappropriate additions which are of inferior quality and which detract from the listed building. Where there is an existing extension of historic or architectural interest, such as a conservatory or outshot, this should be restored or repaired, rather than replaced.

Shopfront Alterations and Signage



Specific information is included in Guidance for Businesses. This should be considered alongside this document, where relevant.

Windows

The removal, replacement or alteration of windows will normally require listed building consent.

Repairs and painting which match the existing and use traditional materials and methods will not require listed building consent or planning permission.

Double glazing in listed buildings will require listed building consent.

Where a significant proportion of historic glass (such as Crown, cylinder and drawn sheet) remains on an individual window, it should be retained or re-used.

Secondary glazing is likely to require listed building consent where it will impact on architectural detail or affect the external appearance of the building.

Planning permission may also be required where the replacement or alteration will not match the existing in design, material, size, opening mechanism or proportion. Replacement windows which do not result in a material change to the appearance will not normally require planning permission.

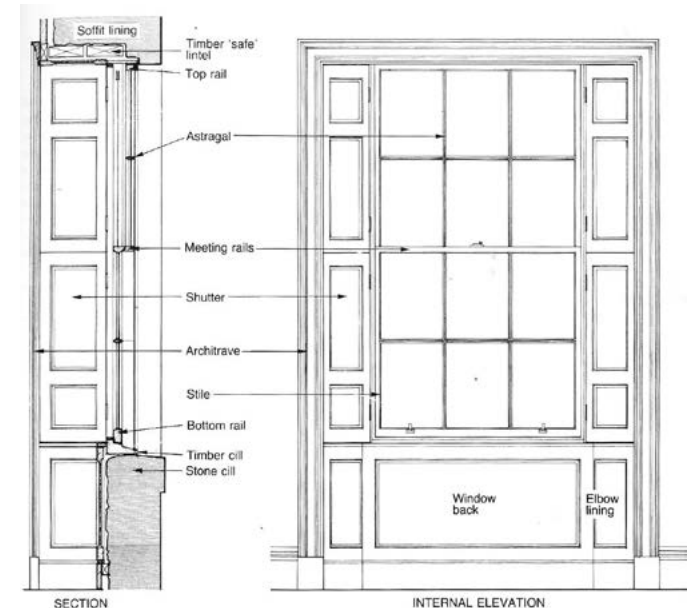
The reinstatement of the original window pattern will normally be encouraged.

Repair and Maintenance

There is a general presumption against the removal of original window frames and glazing; repair and refurbishment is preferred. Decay in timber is usually caused by moisture penetration, which can be prevented by thorough painting, regular maintenance and prompt attention to necessary repairs.

Glazing should be fixed with putty or a glazing compound rather than timber beading.

The thermal performance standard of existing windows can be improved by repair, draught-stripping and working internal shutters.



Openings

Window openings play an important role in establishing the character of an elevation and they should not be altered in their proportions or details.

Proposals to increase the glazing area by removing stone or timber mullions (vertical members between windows which form the divisions between windows) will not normally be granted consent.

Proposals to convert windows into door openings will not be considered acceptable on principal frontages or above garden level on all other elevations. Where acceptable, the width of the existing opening should not be increased. Normally, only one set of French windows will be permitted.

Entirely new window openings are unlikely to be acceptable on principal elevations as this can create an unbalanced composition.

Replacing Original Windows



Original windows are important features of any building and should not be removed or altered. The complete replacement of original windows will only be approved where they have clearly deteriorated beyond practicable repair. Proposals must be accompanied by evidence demonstrating that they are beyond repair; a professional survey may be requested.

In the event that replacement windows can be justified, they should be designed to replicate the original details, including materials, design and opening method. Particular attention must be paid to the mouldings; standard modern sections are not acceptable for reinstatement work. uPVC will not be acceptable.

Care should be taken to ensure that replacement windows are fitted in the same plane as the originals, are made of timber sections (the profile and dimensions of which match the originals) and

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have the meeting rails in the same position as the originals; this is especially important where the windows of only one property in a tenement or terrace block are being replaced.

Whenever an original window has been lost, any modern windows which are badly proportioned, of the wrong type, or incorrectly glazed, should be reinstated to the original proportion and detail. This is especially important in the case of unified terraces.

Double Glazing

Slim profile double glazing with a cavity (the space between the two sheets of glass) of a maximum of 6mm can be fitted into existing windows, provided early glass is not present.

Double glazing with a cavity of more than 6mm is not acceptable.

Secondary Glazing

Secondary glazing involves an independent internal window in addition to the existing. It should, wherever possible, be fitted immediately inside existing sashes or at a suitable position within the depth of the window reveal, being fixed either to the case or the surrounding framework of the ingoes. Secondary glazing should not disrupt architectural features, such as shutters.

The meeting rails and frames of secondary windows should be as small in section as possible to allow them to be disguised behind existing rails. Painting their external faces black helps to minimise visibility from the outside. Where necessary, detailing of internal secondary windows must allow for the use of the easy-clean hinges on the lower sash of the original outer window.

Additional glazing units fitted to the outside of existing windows are not acceptable.

Fanlights



Decorative fanlights should be retained, and where necessary, replaced.

Astragals

Where there is clear photographic or physical evidence that astragals (the glazing bars dividing panes of glass) have been removed, their replacement to the original profile and dimensions will be encouraged. The glazing pattern which forms part of a significant later re-modelling scheme should not be changed. Astragals applied to the surface of the glass or sandwiched between the glass of doubled glazed units are not considered acceptable.

Horns

Horns are Victorian projections of the side frames of the sashes, devised to strengthen them, following the introduction of heavy plate glass. Georgian and early Victorian windows with astragals never have horns and will therefore be strongly resisted. Edwardian windows sometimes had horns, and their use may, therefore, be appropriate.

Ventilators and Extractor Fans

Ventilators cut through the glass or visible on the window frames will not be considered acceptable; they should be located unobtrusively in the meeting rail or through the box frame.

Mechanical extractor fans should be located on rear or side elevations and will not normally be acceptable within windows or fanlights, or on front elevations.

Paint

Originally, most windows were painted dark brown or bottle green. However, window joinery, including fanlights, should normally be painted white or off-white to maintain uniformity (brilliant white should be avoided).

Freestanding buildings may have more scope to investigate and 'restore' the original colours.

Areas of dormer windows, other than the window frames, should be painted to tone in with the roof.

Special Cases

Institutional/Industrial buildings

Industrial and institutional buildings have a variety of window types, depending on their age and function. The original window type should be retained wherever practicable, although flexibility on window design may be acceptable to allow conversion to new uses. The glazing pattern should be reproduced and the manner of opening should be as close to the original as possible. Standard double glazing may be acceptable, provided discrepancies in the form, profile, section, materials and opening method are kept to a minimum.

Early Modern Metal Windows

Early modern metal framed windows should normally be repaired or replaced with matching windows of the same materials and design. New units manufactured from different materials will rarely be capable of accurately matching and will only be acceptable where exact replication of the original window is of less importance. In such cases, any discrepancy in form, profile, section and opening method should be kept to a minimum.

Casement Windows

Original inward opening casement windows are relatively rare and must be retained or identically replaced.

Special Types of Glass

There is a presumption in favour of retaining stained, decorative leaded, etched glass and historic glass. If the glass has to be removed and is of artistic merit, arrangements should be made for its recording and its careful removal. Proposals to use wired glass, obscured glass, and louvered glass or extract fans in windows on main elevations will not be considered acceptable.

Dormer Windows and Rooflights

New dormer windows will not normally be acceptable unless they are part of the original or early design of an area. Rooflights will almost always be a preferable solution, but these will not generally be permitted on roof slopes which are largely unaltered. Where acceptable, rooflights should be of



a conservation type and should be of an appropriate scale and proportion. The proposed number of rooflights will also be a determining factor.

Doors

The removal, replacement or alteration of doors will normally require listed building consent.

Original doors are important features of any building and should not be removed or altered. The complete replacement of original doors will only be approved where they have clearly deteriorated beyond practicable repair. Proposals must be accompanied by evidence demonstrating that they are beyond repair; a professional survey may be requested.

Replacement doors which incorporate integral fanlights or inappropriate glazing or panelling patterns will not be granted consent.

Entirely new door openings are unlikely to be acceptable on principal elevations as this can create an unbalanced composition.

Doors in street frontages, even though no longer used, should be retained.

Door furniture and later fittings of quality should be retained. Where these have not survived, the replacement of modern fittings with items appropriate to the period of the building will be encouraged.

Door entry systems should be discreetly designed and should be located on door ingoos, not the main façade.

Paint

Doors should be painted in an appropriate dark and muted colour.



colour. Basement steps, floors and walls should not be painted .

Proposed extensions in front basement areas or under entrance platts are not normally acceptable and owners are encouraged to remove existing extensions.

The formation of lightwells in basements will only be permitted where they are part of the character of the street. These should always be in matching materials to the main building and covered with a flush cast iron grille.

Access Stairs

New external access stairs will require listed building consent and may also require planning permission.

There is a general presumption against the introduction of external access stairs on any elevation. External access stairs may be acceptable in exceptional circumstances where there is a pattern of original access stairs established relevant



to the elevation(s) in question and this can be fully supported by an historic building analysis.

Where access stairs can be justified, they should be in-keeping with the character of the building. The design of the stair should either be based on an original design for the type of building or a lightweight modern addition with metal being the preferred material. New doors and stairs should be painted appropriate colours, usually black for metal work. They should not be enclosed structures.

Stairs should normally be for access only. Where they include platforms for incidental use, the Council's guidelines on privacy must be complied with. Stairs should be kept close to the building, but should not obstruct daylight from existing windows.

When buildings are in single occupancy and there is an existing door at either ground floor or basement level, an access stair at upper levels will not normally be permitted. On all other properties, access stairs will be restricted to the floor above the lowest habitable floor level. Bridges over rear basement areas will not be considered acceptable.

Basements

Listed building consent may be required for external alterations to basements. Planning permission may also be required, depending on the proposal.

There is a presumption against the removal of original stone slabs from basement areas. They should never be covered in concrete or any other material such as gravel or chips. Where existing stone slabs need to be renewed new stone slabs should be laid. Similarly, stone steps and platts to ground floor entrances should be repaired or renewed in natural stone to match the original in

Renewable Energy Technologies (Solar Panels, Wind Turbines etc.)

Listed building consent will normally be required for the installation of renewable energy technologies. Planning permission may also be required, depending on the proposal.

The installation of renewable energy technologies should be carefully sited in order to protect the architectural integrity of the listed building.

Poorly located renewable energy technologies can be visually intrusive and will not be acceptable where they detract from the character of the building. They should not be visible from public view. They may be acceptable in the following locations:

- on the ground to the rear of the building.
- on a modern extension to the rear of the building, providing that no part is higher than the main building.
- In the internal valley of a roof, provided that no part projects above the ridge.

In the New Town Conservation Area and World Heritage Site, aerial views will also be considered.

External Plumbing

Listed building consent may be required for external plumbing. In some circumstances, planning permission may also be required, depending on the proposal.

Additional pipework on important facades should be avoided especially if it would result in disturbance to, or the breaking through of masonry, mouldings or decorative features. Replacements should be in cast iron, painted to match the colour of the walling and should match the original sections.

Gas Pipes and Meter Boxes

Listed building consent is only required where the guidelines listed below cannot be complied with.

A maximum of a 450mm of supply pipe can be visible on the front wall of listed buildings. External pipes which are both horizontal and vertical must have the horizontal section within the basement areas (where applicable) and not be visible from the street.

Holes in stonework must be kept to a minimum and should be made through stone joints, except in the case of “V” jointing or rubble where holes should be in the stonework. Non-ferrous fixings must be used.

Pipe runs should not interfere with cornices and decorative plasterwork. Where pipes are chased into walls, plasterwork must be reinstated to original.

All redundant surface-run pipe work must be removed and the surfaces made good and painted to match existing materials and colour.

Meter boxes should not be fitted to the front or any conspicuous elevation of buildings.

Pipe work and meter boxes should be painted to match adjacent stone.

Flues

Listed building consent is required to install balanced flues on the front or any conspicuous elevation of listed buildings. In certain circumstances an application for planning permission will also be required.

Balanced flues will not normally be acceptable on the front or conspicuous elevations of listed buildings.

The balanced flue should be painted to match the colour of the surrounding stonework.

Holes to accommodate the balanced flue should be formed with a core cutter.

Ventilation Grilles

Listed building consent is required to install ventilation grilles on the front elevation (or any conspicuous elevations) of listed buildings. Planning permission is not normally required if of a domestic scale.

Ventilation grilles will not normally be acceptable on the front or other conspicuous elevations of listed buildings.

If acceptable in principle, ventilation grilles should generally be no bigger than the standard size, flush with the wall surface and coloured to match the background.

Air Conditioning and Refrigeration

Planning permission and listed building consent will normally be required to install air conditioning and refrigeration units on the exterior of buildings. Listed building consent may also be required to install units within listed buildings where units would disrupt architectural features and fixtures.

The preferred location for units on listed buildings are:

- Free standing within garden or courtyard areas, subject to appropriate screening and discreet ducting.
- Within rear basement areas.
- In conspicuous locations on the roof (within roof valleys or adjacent to existing plant). However, in the New Town Conservation Area and World Heritage Site, aerial views will also be considered.
- Internally behind louvres on inconspicuous elevations. This should not result in the loss of original windows.

Where it is not practicably possible to locate units in any of the above locations, it may be acceptable to fix units to the wall of an inconspicuous elevation, as low down as possible; they should not be located on the front elevation.

Units should be limited in number, as small as practicably possible and painted to tone with the surrounding stonework or background.

Ducting must not detract from the character of the building.

Alarm Boxes

Alarm boxes on listed buildings should be the smallest available, fitted in the least conspicuous location and painted to match the background colour or stonework.



There will be a general presumption against the location of alarm boxes on the front elevation of listed buildings which retain their original domestic character, irrespective of the use of the premises.

Where alarm boxes have to be located on the front elevation, they should be restricted to the least visible location. On tenemental properties, alarm boxes should not normally be located above the ground floor.

In basement areas, it may be possible to fit alarm boxes in inconspicuous locations such as on in-facing walls, under entrance platts and stairs, and on the sides of platt supporting arches close to the junction with the pavement.

Concealed locations on side and rear elevations should also be considered. Consideration should also be given to fitting boxes inside the building behind windows and fanlights. Alarm boxes should not bridge mortar joints in the stone, particularly where V or square joints are used.

Alarm boxes will normally be considered acceptable in appropriate locations and on painted shop fronts and commercial frontages where the boxes are painted to match the background colour.

Satellite Dishes

Listed building consent will normally be required to install a satellite dish on a listed building. Planning permission may also be required if located within a Conservation Area.

Poorly sited satellite dishes can be visually intrusive and will not be acceptable where they detract from the character of the building. They should not be visible from public view. They may be acceptable in the following locations:

- On the ground to the rear of the building.
- On a modern extension to the rear of the building, providing that no part of the dish is higher than the main building.
- In the internal valley of a roof, provided that no part of the dish projects above the ridge.
- Behind a parapet, provided no part of the dish projects above it.

In the New Town Conservation Area and World Heritage Site, aerial views will also be considered.

Where the location for a dish is considered to be appropriate, it should be chosen to blend in with its background. This may require the dish to be painted.

All fixings should be non-ferrous.

Consent may be refused for additional dishes due to the visual effects of a multiplicity of dishes, even if this precludes some residents from receiving satellite television. The sharing of satellite dishes will be encouraged.

Other Additions

External fixtures will require listed building consent when they affect the character of the listed building. These include floodlighting, security cameras, window boxes, key boxes, bird control installations and eyebolts (unless on window reveals). Planning permission may also be required, depending on the proposal.

Only undamaging and visually unobtrusive positions for such fixtures will be considered acceptable. Fixtures should not lie across, cut into or through any architectural feature or disturb the balance of a symmetrical façade. Fixings into stonework should be kept to a minimum and should be non-ferrous.

The size and number of additions will also be an important consideration and, where appropriate, applicants may be asked to erect fixtures on a temporary basis in order that their impact can be accurately assessed.

Proposals to erect any fixtures which fail to respect the form and detailing of the building and detract from its appearance are not likely to be acceptable.

The position and colour of cabling for lighting, television and other services should be inconspicuous. Cabling may often be accommodated behind or next to downpipes or on top of projecting string courses and cornices. Black or grey cabling is normally the most appropriate colour.

Adaptation for Accessibility

Listed building consent is required to install ramps, handrails, indicators and lifts and for alterations to doors. Planning permission may also be required.

While the Equality Act 2010 requires service providers to take “reasonable” steps to make their buildings and services accessible, there is also a statutory duty to protect the character of the historic environment. The provision of access for the less able to historic buildings will, therefore, require careful consideration and design.

Full access for everyone via the principal entrance may not be appropriate. Alternative access arrangements which preserve the character of the listed building may be required.

Listed building consent will be required for any internal alterations which will alter the character of the listed building.

Planning permission is not required for internal alterations.

Solutions should be tailored to the particular building through the use of innovative design and high quality materials.

Ramps

The placing of a ramp on a building should have minimal impact on the historic fabric.

The symmetry of existing elevations and the rhythm of the street as a whole should be respected, and where relevant, care should be taken to protect the relationship between railings, property and basement.



Where appropriate, consideration should be given to regrading the ground at the entrance in order to overcome the need for larger ramps and minimise the visual impact on the building. If this will cause a footway hazard, a ramp inside the building may be appropriate; the removal of steps and the lengthening of doors can sometimes accommodate this.

Ramps on the public footway will not generally be supported. Where acceptable, ramps must leave sufficient clear footway for pedestrians. This will vary according to the volume of pedestrian traffic. In general, this is 2 metres for residential areas, 3 metres for main roads and 5-6 metres for busy shopping streets.

Where a ramp is acceptable, high quality materials, such as stone to match the existing building, will be encouraged. In some circumstances, high quality design in modern materials may be more appropriate.

Handrails

Where required, handrails should be carefully designed and sensitively located to avoid being visually intrusive.

Appropriate contrast with the background material can be achieved with high quality traditional or contemporary materials.

Tactile Indicators

Historic flooring materials should not be replaced with standard tactile paving. A tactile grid can be achieved by using materials that match those of the surrounding area, and which have been textured with ridges or dimples. More information is available in the [Edinburgh Design Guidance](#).

Visual indicators

Brightly coloured high-visibility strips should be avoided, unless their use helps to avoid other more visually intrusive works.

Doors

There may be cases (particularly in the case of historic buildings) where it is less damaging to seek alternative access routes than to widen or alter a doorway. Historic doors are often an integral part of the design of the building, and should be retained wherever possible.

Where historic doors are heavy or difficult to operate, it is normally possible to adapt them by re-hanging and/or introducing opening mechanisms or visual indicators to make the handles more prominent.

Lifts

External chair and platform lifts can have a significant impact on the architectural character of a building, but may be more appropriate than a ramp in certain circumstances. The resting position of any external lift should be as low as possible, and the design of the platform and restraints should be as transparent as possible. Metal cages are unlikely to be acceptable as they are disruptive to the streetscape and can seem intimidating to the user.

Internal Alterations

Listed building consent will be required for any internal alterations which will alter the character of the listed building.

Planning permission is not required for internal alterations.

Subdivision

The original plan form of a building should always be respected.

All major works of alteration should be limited to areas of secondary importance. There will be a particular requirement not to sub-divide, either vertically or horizontally, principal rooms and entrance/stair halls. Where the interior is of particular architectural or historical importance, subdivision will not be permitted.

The degree of change to the plan form which may be acceptable will normally be dependent on previous alterations and use.

There will be a presumption against the sub-division of complete houses and flats currently in residential use. A greater degree of flexibility will be exercised where the current use is non-residential and a return to residential is proposed.

Where acceptable, subdivision should not normally result in the formation of more than one flat per floor in town houses.

Rear stairs should not be attached as part of a sub-division proposal. Access to rear gardens should be retained through a basement room, where possible.

Garden ground should not be formally divided up by the use of fences and other unsuitable boundary markers to delineate ownership. Particular care should be taken to conceal the clutter of intensified domestic use, e.g. garages and bin stores.

Internal Walls and Partitions

Internal walls in listed buildings should always be investigated with care in advance of alterations as historic or interesting features may be concealed by plaster or behind panelling. In some cases, the partitions themselves may be of historic interest.

In general, consent will not be granted for the removal of original internal walls or partitions between front and rear principal rooms at ground and first floor level.

In cases where it is considered acceptable for an existing wall or partition to be removed, it will be necessary to leave nibs and a downstand of at least 300mm with any original cornice left intact. Work should not cut through mouldings or enriched plaster decoration but be shaped around them to allow for reinstatement at a later date. In most cases it will be desirable to replicate the original cornice detail at the head of new partitions as well as dadoes and skirtings.

New partitions which affect the proportions of principal rooms will not be considered acceptable.

Internal Doors

Doors that form part of the architectural composition of a room or plan form should be retained. Where they are redundant in terms of circulation, they should be locked shut and left in position, rather than being removed.

If traditional panelled doors require to be upgraded for fire resistance, fire resistant paper applied to the panelling or intumescent paint and edge strips should be used. Door closers should be hidden.

In general, consent will not be granted for new doors connecting front and rear principal rooms at ground and first floor level. Jib (secret) doors may only be allowed in certain cases.

Where new door openings are considered acceptable, they should be correctly detailed with matching doors and architraves. They should not incorporate features such as glazed panels. Where doors are to be added, but are not in traditional positions it is often acceptable to design a jib door or modern opening, so as not to confuse the building's history.

Buffet recesses are an important feature in the dining rooms of listed buildings, particularly in the New Town, and should be retained. New door openings will not be granted within a buffet recess.

Plasterwork



Care should always be taken with works to old plaster to avoid destroying early decoration. All decorative features from a simple cornice or cove

to elaborate wall and ceiling decoration should be preserved. Suspended ceilings should never be formed in principal rooms or entrance halls which have decorative plasterwork. They may be acceptable in minor rooms provided they are above window height.

Chimneypieces

Chimneypieces, along with fireplaces containing original features are part of the decorative history of a building and are often central to the design of a room. Even later chimneypieces of interest can make a significant contribution to the character of a room. Original or later chimneypieces or fireplaces of interest should not be removed, even if the chimney is redundant. In cases where there is no alternative to the removal of a chimneypiece, it should be re-used in an appropriate location within the building. The removal of a chimneybreast is almost never acceptable, particularly as this may affect the structural stability and ventilation of the building. The restoration of missing chimneypieces will be supported.



Staircases



The removal or alteration of any historic staircase, including handrails and balusters, is not normally acceptable. The stair is often the most significant piece of design within a building and can be important dating evidence. Where subdividing ground and basement floors, the basement stair must be retained. In retail premises, the removal of the lowest flight of stairs, which provides access to and use of upper floors, will not be allowed.

Lifts and Stair Lifts

Wherever possible, lifts should be installed in an existing opening in order to minimise physical and visual disruption to the built fabric.

Stair lifts and chair lifts may not be acceptable in sensitive interiors. It may be better to use a secondary stair if possible, or to rationalise the service provision within the building so that access to all floors is not required. An independent device such as a stair climber could also be considered.

Floors and Ceilings

Floors which are original to the building and/or of interest because of their materials, form or surface treatment should be respected, and repaired and retained in situ. Care must be taken when such floors require to be lifted in order to install or repair services. In some instances, features of interest are concealed behind suspended or false ceilings. This should always be the subject of investigation prior to any works being carried out.

Kitchens and Bathrooms

New kitchens and bathrooms should be located at the rear of a building to prevent fittings being built across windows to the front of a property and to avoid cluttering a front elevation with downpipes and ventilators.

New kitchens will generally not be acceptable in principal rooms and must not obscure any architectural detailing.

Podded kitchens and bathrooms will rarely be permitted in principal rooms but may be permitted elsewhere provided they are of a limited area, are freestanding and do not have a detrimental effect on any fixtures of architectural interest.

En-suite bathrooms will not be acceptable in principal rooms. They should ideally be located within existing boxrooms or cupboards. Where this is not possible, it may be acceptable to locate them in larger, secondary rooms although this will be dependent on their form and how they affect room proportions.

En-suite bathrooms, where acceptable within rooms, will normally be height, appearing as a 'piece of furniture' within the room.

Sprinkler Systems

The introduction of sprinkler systems into important and/or vulnerable interiors will normally be acceptable. Whilst exposed pipework systems minimise the degree of disturbance to the structure, care must be exercised in the design of exposed pipework to ensure its appearance is appropriate to the historic interior to be protected. Pipework should not be cut into decorative plasterwork.

The location of sprinkler heads, either ceiling or wall mounted, must be carefully integrated into interiors in order to reduce their visual impact. In particular, ornate interior locations, will not normally be considered acceptable. On highly decorative ceilings, sprinkler heads are best concealed within the raised modelling of the ceiling.

The presence of sprinkler protection does not eliminate the need for preventative measures to reduce the risk of a fire occurring or spreading.

Other Services

The installation of services, such as computer trunking, fibre optics and central heating pipes, should be reversible and should not result in damage to architectural features. Surface mounting such services may be preferable.

New development in the grounds of listed buildings

Development within the curtilage of a listed building which is not physically attached to listed structures does not require listed building consent, but may require planning permission.

Buildings and structures erected before 1 July 1948 within the curtilage of a listed building are treated as part of the listing building, even if they are not included within the description. Listed building consent will, therefore, be required for works which affect their character. Planning permission may also be required.

The curtilage of a listed building is the area of land originally attached to, and containing the structure of the main house and its ancillary buildings, and which was used for the comfortable enjoyment of the house. The extent of the curtilage in individual cases will be based on an assessment of the physical layout, pattern of ownership, and the past or present use and function of the building. Thus, buildings such as coach-houses, doocots, mews/stable courts, walled gardens, lodges, boundary walls, garden ornaments and gates would all be considered to be part of the curtilage of the listed building and are treated as part of the listed building, even if they are not individually listed.

The setting of a listed building is the environment of which the building was designed to be a principal focus, and which it was designed to overlook. The 'setting' of a listed building takes into account a much broader assessment of the siting and situation

of the building. The curtilage of a house will normally form part of the setting, but it is also important to consider land immediately adjacent to, or visible from, the listed building.

Development within the setting of a listed building will only be acceptable if it can be demonstrated that the proposal would not be detrimental to the architectural or historic character of the listed building.

The sympathetic conversion and re-use of existing buildings on the site, particularly stable blocks, mews, service courts and steadings, should be considered prior to developing proposals for new build; care should be taken to incorporate surviving original features in these buildings where possible.

However, any proposals to alter unsympathetically, relocate or remove items within the curtilage, such as stables, mews, garden walls, stone steps, stone paving and cobbled or setted areas are likely to detract from the quality of the building's setting and are unlikely to be approved.

The condition of the main item of listing is critical and, where it has gone out of use, it is important that the restoration of the listed building is sought as a priority. It should be a condition that work on the listed building should be completed, or that an appropriate contract has been let for its restoration, prior to the commencement of new development.

New Development

Where new development within the grounds of a listed building is acceptable, the siting, design, scale, form, density and materials should be sympathetic to the listed building, including ancillary buildings.

The feeling of spaciousness of the grounds in relation to the main building should be protected for the amenity of the property. The scale of new development should be controlled so as not to crowd or obscure the house. No building of similar or greater bulk should be erected close to the main listed building.

The relationship that exists between the main house and its ancillary uses should not be disrupted by the new build.

Views

New development should always be set back from the original building line of the main house to avoid interfering with oblique views of the listed building and disrupting formal approaches. Development to the front of a listed building which breaks its relationship to the street is not acceptable. This is particularly destructive of character, not only to the building, but to the area, especially where the building is part of a unified group. The principal elevations should remain visible in their entirety from all principal viewpoints. New development should not restrict or obstruct views of, or from, the listed building or rise above and behind the building so that its silhouette can no longer be seen against the sky from the more familiar viewpoints. Distant views of features and landmarks which may have been exploited in the design of the building should not be obstructed by the development.

Landscape

The landscape setting of the building should be analysed as the loss of garden ground can seriously affect the setting of a listed building.

Planting which forms part of the original landscape should be retained and, where appropriate, the original landscape restored. New landscaping should be used imaginatively to screen and enhance new development and to retain the landscape setting of the building. Immediate surroundings should be maintained communally, avoiding individually defined gardens.

Conservation areas are areas of special architectural or historic interest which have a character and appearance which is desirable to preserve or enhance.

To check whether your property is located within a conservation area, the Council's [online map](#) can be used.

Part 2: Conservation Areas

Conservation Area Character Appraisals

Conservation Area Character Appraisals identify the essential character of conservation areas. They guide the local planning authority in making planning decisions and, where opportunities arise, preparing enhancement proposals. The Character Appraisals are a material consideration when considering applications for development within conservation areas.

Implications of Conservation Area Status

1. The permitted development right which allows any improvement or alteration to the external appearance of a flatted dwelling that is not an enlargement is removed.
2. Special attention must be paid to the character and appearance of the conservation area when planning controls are being exercised. Most applications for planning permission for alterations will, therefore, be advertised for public comment and any views expressed must be taken into account when making a decision on the application.
3. Within conservation areas the demolition of unlisted buildings requires conservation area consent.
4. Alterations to windows are controlled in terms of the Council's policy.

5. Trees within conservation areas are covered by the Town and Country Planning (Scotland) Act 1997. The Act applies to the uprooting, felling or lopping of trees having a diameter exceeding 75mm at a point 1.5m above ground level, and concerns the lopping of trees as much as removal. The planning authority must be given six week's notice of the intention to uproot, fell or lop trees. Failure to give notice renders the person liable to the same penalties as for contravention of a Tree Preservation Order (TPO).

Do I Need Planning Permission?

Planning Permission

Planning permission is required for many alterations, additions and changes of use. However, some work can be carried out without planning permission; this is referred to as 'permitted development'.

Within conservation areas, fewer alterations are permitted development and most changes to the outside of a building, including changing the colour, require planning permission.

The **Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended)** sets out the requirements for planning permissions.

If you believe your building work is 'permitted development' and doesn't need planning permission, you can apply for a Certificate of Lawfulness. This is a legal document from the Council which confirms that the development is lawful.

What Other Consents Might Be Required?

Listed Building Consent

Listed building consent is required for works affecting the character of listed buildings, including the interior and any buildings within the curtilage. Planning permission may also be required in addition. If your building is listed, the Listed Buildings Guidance should be used.

Advertisement Consent

Advertisements are defined as any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, and employed wholly or partly for the purposes of advertisement, announcement or direction.

While many advertisements require permission, certain types do not need permission as they have "deemed consent". You can check this by consulting **The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984**.

Building Warrant

Converted, new or altered buildings may require a Building Warrant, even if Planning Permission is not required. Please contact Building Standards for more information on 0131 529 7826 or **email: buildingwarrant.applications@edinburgh.gov.uk**.

Road Permit

A Road Permit will be required if forming a new access or driveway. Please contact the Area Roads Manager in your **Neighbourhood Team** for more information.

Biodiversity

Some species of animals and plants are protected by law. Certain activities, such as killing, injuring or taking the species or disturbing it in its place of shelter, are unlawful.

If the presence of a European Protected Species (such as a bat, otter or great crested newt) is suspected, a survey of the site must be undertaken. If it is identified that an activity is going to be carried out that would be unlawful, a licence may be required.

More information on European Protected Species, survey work and relevant licenses is available in the Edinburgh Planning Guidance on Biodiversity and the **Scottish Natural Heritage** website.

Trees

If there are any trees on the site or within 12 metres of the boundary, they should be identified in the application. Please refer to **Edinburgh Design Guidance** for advice.

Trees with a Tree Preservation Order or in a conservation area are also protected by law, making it a criminal offence to lop, top, cut down, uproot, wilfully damage or destroy a tree unless carried out with the consent of the Council. You can read more about this on our website at www.edinburgh.gov/privatetrees

General Principles

Designation of a conservation area does not mean development is prohibited.

However, when considering development within a conservation area, special attention must be paid to its character and appearance. Proposals which fail to preserve or enhance the character or appearance of the area will normally be refused. Guidance on what contributes to character is given in the conservation area character appraisals.

The aim should be to preserve the spatial and structural patterns of the historic fabric and the architectural features that make it significant.

Preservation and re-use should always be considered as the first option.

Interventions need to be compatible with the historic context, not overwhelming or imposing.

Without exception, the highest standards of materials and workmanship will be required for all works in conservation areas.

Repair

Planning permission is not normally required for repairs which match the original materials and methods and do not affect the character of the building.

Demolition

Conservation area consent is required for the complete demolition of unlisted buildings within conservation areas.

Demolition will only be acceptable if the new development preserves or enhances the area.

Extensions and Alterations

Information on extensions and alterations to residential properties is included within '**Guidance for Householders**'.

Proposals must preserve or enhance the character or appearance of the conservation area.

The use of traditional materials will be encouraged. UPVC will not be acceptable.

Shopfront Alterations and Signage

Specific information is included in Guidance for Businesses. This should be considered alongside this document, where relevant.

Windows and Doors

The replacement, repair and painting of windows and doors which match the design, materials and methods utilised in the existing build will not require planning permission.

Planning permission will not be required where replacement or altered windows and doors meet the following requirements.

Replacement windows and doors on all elevations of unlisted properties of a traditional design within conservation areas must match the original proportions, appearance, materials, and opening method. Appropriate timber sealed unit double glazing will normally be considered acceptable. Rooflights on unlisted properties of a traditional design should be of a 'conservation style'. Alternative materials such as uPVC will not be acceptable.

A departure from these guidelines must be fully justified. The form of the existing windows &



doors within the building and in its immediate surroundings will be taken into consideration.

Replacement windows and doors in less traditional developments within conservation areas should maintain the uniformity of original design and materials and should open in a manner that does not disrupt the elevation. However, the exact replication of the original windows or doors may, in some cases, be of lesser importance.

Doors should be painted in an appropriate dark and muted colour. Windows should normally be painted white or off-white.

Planning permission is required for the stonecleaning of any building within a conservation area.

Stone Cleaning

Stone cleaning cannot be undertaken without damaging a building. It can also reveal the scars of age, such as staining, poor previous repairs and surface damage. It may also remove the natural patina, the protective layer on the stone, opening up the surface pore structure and making re-soiling much easier.

There will therefore be a presumption against the stone cleaning of buildings within conservation areas. Stone cleaning will not be considered acceptable on any street where cleaning has not commenced.



Where cleaning of a street has commenced, the issue of reinstating architectural unity will be a material consideration in assessing the merits of individual applications.

Specialist professional skills should be sought to undertake analysis and, where acceptable, design a suitable cleaning method and undertake work.

1. Fabric Survey

A full drawing and photographic survey should be submitted. This should identify the types of stone on the building and the extent and nature of any current defects, including previous mortar or plastic repairs and the condition of pointing. The photographic survey should illustrate the frontage in relation to neighbouring properties and streetscape. This will allow an assessment of the impact of a 'clean' building within its wider environmental context. For comparative purposes, the fabric survey should also include a record of 'colour value' measured either by chromatic or Kodak colour strip.

2. Laboratory Analysis

To assess the most appropriate method of stone cleaning, applicants will be required to ascertain geological characteristics through laboratory tests. These tests should be carried out on uncleaned and trial area cleaned samples. The tests should include:

- (i) depth profiling
- (ii) petrological analysis
- (iii) stone permeability

These may reveal the presence of potentially damaging salts, the types of density of mineral grains and the stone's resistance to surface water penetration.

Applicants will also be asked to provide photographs to allow assessment of surface texture and roughness, both before and after trial cleaning.

The extent of laboratory analysis required may vary, subject to the architectural and historic importance of the building.

3. Trial Cleaning Samples

Paint removal methods should be tested on an inconspicuous trial area of two or three stones. A photographic survey should be carried out of the pre and post cleaning samples and the visual and chemical effects recorded. This enables an assessment of the technique's effectiveness. Applicants may be asked for further samples.

The number of samples should reflect the nature of the specific building being tested; all varieties of stone should be tested.

4. Post-Cleaning

If acceptable, post-cleaning photographic records should be submitted and should be documented for research purposes.

It is expected that most necessary repairs will be identified at the initial application stage. Therefore, consent would be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to stonecleaning.

Stone Cleaning Methods

The following are the most common stone cleaning methods. Their inclusion in this guideline is for information only and does not imply their acceptability.

1. Mechanical - Carborundum Disc

This method comprises a hand-held rotary disc with a carborundum pad. The surface layer of stone is removed along with the dirt, often creating contours as the disc hits hard and soft areas. This produces an uneven surface and causes the loss of fine detail.

2. Air and Water Abrasive

These methods comprise grits carried by jets of air and/or water. The impact of the particles on the surface of the stone removes both dirt and stone and relies upon the skill of the operative to ensure that not too much stone is lost. The results of this method vary, but the pitting of the surface of the stone and the loss of fine detail are common. Dry grit blasting is usually more aggressive than wet grit washing.

3. Chemical Cleaning

This method comprises the application of chemicals and a high pressure water wash. The balance of chemicals varies with the type of stone and surface deposit to be removed. Poultices can also be used; these are more gentle but damage still occurs.

After chemical cleaning, most stones retain the chemicals, even after pressure washing. This then increases decay.

4. Water

When water pressure is used as part of the cleaning method, water is forced into the stone to a depth where natural evaporation will not take place. The water can then percolate down through the fabric of the wall and cause accelerated

weathering at lower levels in the building. High pressure water can also cause damage to the stone.

A water wash, pressurised or not, remains an alternative stone cleaning technique. It is likely that a low pressure water wash remains the least aggressive method of stone cleaning. However, it will not remove dirt which has combined with the surface to form an insoluble compound. High pressure and/or excessive water can cause surface erosion, pointing wash-out, staining and force water into the core of the wall. Due to the dangers of thermal expansion, water washing should be avoided in frosty conditions.

Painting

Planning permission will be required to paint or render a previously untreated surface or change the colour of a building.

Paint which matches the existing in colour and uses traditional materials and methods will not require planning permission.

External stonework must not be painted or rendered, unless the surface was originally painted or rendered.

In basements, painting the underside of the entrance platt will be considered exceptions. Coping stones and the edge of steps should not be painted.

Walls covered with smooth cement render or a harled finish should generally be painted in earth colours or neutrals (grey, cream or beige). Rendered bands to windows should generally be in stone colours.

Information on painting a shop or other commercial premises is included within the **Guidance for Businesses**.

Doors should be painted in an appropriate dark and muted colour. Windows should normally be painted white or off-white. All areas of dormer windows, other than the window frames, should be painted to tone in with the roof.

Railings, balconies, other ornamental ironwork and downpipes should be painted black gloss, although other very dark colours may be appropriate for railings, such as dark green for railings around gardens.

Paint Removal

Paint removal will require planning permission.

The restoration of the original surface through the removal of paint can improve the character and appearance of a building. Where surfaces have been previously painted, the removal of paint will be supported in principle, provided that the proposed removal method does not adversely affect the original surface.

The removal of paint requires chemical and/or abrasive cleaning to re-expose the stone beneath. Abrasive methods can cause severe damage to the surface and will be unlikely to remove all traces of paint from coarse, porous sandstone. In certain circumstances, a minimally abrasive method may be appropriate to remove the outermost paint layers not in contact with the stone surface. Chemical paint removal varies from paint stripper to a proprietary poultice (a substance placed on the stone to draw

out the paint). Each requires extreme caution due to their potentially damaging effects and trial samples should be carried out.

Previous painting could have disguised the poor condition or appearance of the surface so repair work may be required following paint removal. Therefore, consents will be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to paint removal.

Where paint removal is not appropriate, the property should be repainted in a matt finish stone coloured paint to tone with the adjoining stonework.

Specialist professional skills should be sought to undertake analysis, design a suitable treatment method and undertake any work.

1. Fabric Survey

A full drawing and photographic survey should be submitted. This should identify the types of stone on the building and the extent and nature of any current defects, including previous mortar or plastic repairs and the condition of pointing. The photographic survey should illustrate the frontage in relation to neighbouring properties and streetscape. This will allow an assessment of the impact of paint removal within its wider environmental context. For comparative purposes, the fabric survey should also include a record of 'colour value' measured either by chromatic or Kodak colour strip.

2. Trial Paint Removal Samples

Paint removal methods should be tested on an inconspicuous trial area of two or three stones. A photographic survey should be carried out of the pre and post painting samples and the visual

and chemical effects recorded. This enables an assessment of the technique's effectiveness. Applicants may be asked for further samples.

The number of samples should reflect the nature of the specific building being tested; all varieties of stone should be tested.

Telecommunications including Satellite Dishes

Planning permission will be required for a satellite dish on a building within a conservation area.

The installation of cable television equipment in conservation areas requires planning permission. Equipment should be sensitively sited to minimise the affect on the special character and appearance of the conservation area.

Satellite dishes in conservation areas should not be easily visible from public view.

They should be located in inconspicuous locations, such as behind a parapet wall, within a roof valley or concealed behind by a chimney. They may also be acceptable on modern extensions to the rear, providing no part is higher than the main building.

To prevent a multiplicity of satellite dishes, the Council may refuse consent for additional dishes, even if this may prevent some properties from receiving satellite television. The sharing of dishes on buildings will be encouraged.

Where acceptable, satellite dishes should blend in with the background; this may require it to be painted. All fixings should be non-ferrous.

Gas Pipes and Meter Boxes

Planning permission is only required where the guidelines below cannot be complied with.

A maximum of a 450mm of supply pipe should be visible on the front wall. External pipes which are both horizontal and vertical must have the horizontal section within the basement areas (where applicable) and not be visible from the street.

Holes in stonework must be kept to a minimum and should be made through stone joints, except in the case of “V” jointing or rubble where holes should be in the stonework. Non-ferrous fixings must be used.

All redundant surface-run pipe work must be removed and the surfaces made good and painted to match existing materials and colour.

Meter boxes should not be fitted to the front or any conspicuous elevation of buildings.

Pipe work and meter boxes should be painted to match adjacent stone.

Flues

Balanced flues will only be permitted where it is not possible to line an existing chimney to form an internal flue.

Balanced flues will not normally be acceptable on the front or conspicuous elevations of listed buildings.

Air Conditioning and Refrigeration

Planning permission will normally be required to install air conditioning and refrigeration units on the exterior of buildings.

The preferred location for units within conservation areas is:

- Free standing within garden or courtyard areas, subject to appropriate screening and discreet ducting.
- Within rear basement areas.
- Inconspicuous locations on the roof (within roof valleys or adjacent to existing plant). However, aerial views will also be considered.
- Internally behind louvres on inconspicuous elevations. This should not result in the loss of original windows.

Where it is not practicably possible to locate units in any of the above locations, it may be acceptable to

fix units to the wall of an inconspicuous elevation, as low down as possible; they should not be located on the front elevation.

Units should be limited in number, as small as practicably possible and painted to tone with the surrounding stonework or background.

Ducting must not detract from the character and appearance of the building and area.

Adaptation for Accessibility

Planning permission may be required to install ramps, handrails, indicators and lifts and for alterations to doors.

While the Equality Act 2010 requires service providers to take “reasonable” steps to make their buildings and services accessible, there is also a statutory duty to protect the character of the historic environment. The provision of access for the less able to historic buildings will therefore require careful consideration and design.

Full access for everyone via the principal entrance may not be appropriate. Alternative access arrangements which preserve the character of the listed building may be required.

Solutions should be tailored to the particular building through the use of innovative design and high quality materials.

Apply for planning permission or a certificate of lawfulness at www.eplanning.scot.

apply

Ramps

The placing of a ramp on a building should have minimal impact on the historic fabric.

The symmetry of existing elevations and the rhythm of the street as a whole should be respected, and where relevant, care should be taken to protect the relationship between railings, property and basement.

Where appropriate, consideration should be given to regrading the ground at the entrance in order to overcome the need for larger ramps and minimise the visual impact on the building. If this will cause a footway hazard, a ramp inside the building may be appropriate; the removal of steps and the lengthening of doors can sometimes accommodate this.

Ramps on the public footway will not generally be supported. Where acceptable, ramps must leave sufficient clear footway for pedestrians. This will vary according to the volume of pedestrian traffic. In general, this is 2metres for residential areas, 3metres for main roads and 5-6metres for busy shopping streets.

Where a ramp is acceptable, high quality materials, such as stone to match the existing building, will be encouraged. In some circumstances, high quality design in modern materials may be more appropriate.

Handrails

Where required, handrails should be carefully designed and sensitively located to avoid being visually intrusive.

Appropriate contrast with the background material can be achieved with high quality traditional or contemporary materials.

Tactile Indicators

Historic flooring materials should not be replaced with standard tactile paving. A tactile grid can be achieved by using materials that match those of the surrounding area, and which have been textured with ridges or dimples. More information is available in the [Edinburgh Design Guidance](#).

Visual indicators

Brightly coloured high-visibility strips should be avoided, unless their use helps to avoid other more visually intrusive works.

Doors

There may be cases (particularly in the case of historic buildings) where it is less damaging to seek alternative access routes than to widen or alter a doorway. Historic doors are often an integral part of the design of the building, and should be retained wherever possible.

Where historic doors are heavy or difficult to operate, it is normally possible to adapt them by re-hanging and/or introducing opening mechanisms or visual indicators to make the handles more prominent.

Lifts

External chair and platform lifts can have a significant impact on the architectural character of a building, and should only be proposed where no other option is suitable. The resting position of any

external lift should be as low as possible, and the design of the platform and restraints should be as transparent as possible. Metal cages are unlikely to be acceptable as they are disruptive to the streetscape and can seem intimidating to the user.



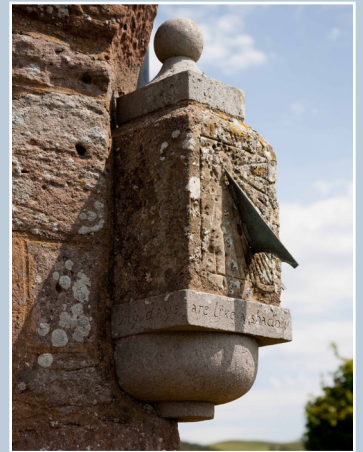
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You can get this document on tape, in Braille, large print and various computer formats if you ask us. Please contact ITS on 0131 242 8181 and quote reference number 12-0932. ITS can also give information on community language translations.

External Fixtures



Key Issues

- 1. Historic external fixtures form an important element in defining the character of a historic building or group of historic buildings. New external fixtures can have an impact on the character of historic buildings or areas. Listed building consent is required for any works affecting the character of a listed building and planning permission may be required in a conservation area.**
- 2. The protection provided by statutory listing extends to all categories of listing, and to all parts of a building, including its external fixtures.**
- 3. Before undertaking repairs or alterations it is important to identify the interest of the fixture and seek to maintain its characteristics in the new work. This includes understanding the materials, method of construction, colour, texture and detailing.**
- 4. New external fixtures should be sited to maintain the special architectural or historic interest, integrity and fabric of the building.**
- 5. The means of new fixing should always be non-ferrous to prevent structural damage or staining.**
- 6. Planning authorities give advice on the requirement for listed building consent, planning and other permissions.**

1. INTRODUCTION

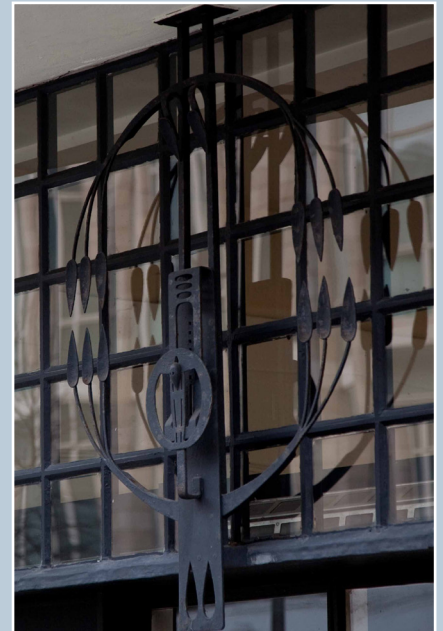
- 1.1 This is one of a series of guidance notes on managing change in the historic environment for use by planning authorities and other interested parties. The series explains how to apply the policies contained in the *Scottish Historic Environment Policy* (2009) ([SHEP](#), PDF 312K) and *The Scottish Planning Policy* (2010) ([SPP](#), PDF 299K).
- 1.2 This note sets out the principles that apply to altering the external fixtures of historic buildings. It should inform planning policies and the determination of applications relating to the historic environment, and replaces the equivalent guidance in *The Memorandum of Guidance on Listed Buildings & Conservation Areas* (1998).
- 1.3 Monuments scheduled under the Ancient Monuments & Archaeological Areas Act 1979 require scheduled monument consent for any works. Where a structure is both scheduled and listed, the scheduling controls have precedence. Separate advice is available from Historic Scotland's website: [Scheduled Monuments: Guidance for Owners, Occupiers & Land Managers](#) (PDF 718K).
- 1.4 Separate guidance in this series is available on new micro-renewable technology fixtures.

2. WHY ARE EXTERNAL FIXTURES IMPORTANT?

- 2.1 Historic external fixtures contribute to the architectural and/or historic character of a building and townscape. Decorative ironwork, balconies, lamps, clocks, street signs, rainwater goods, machinery, and other fixtures can be integral to the architecture and reveal information about the age and use of a building and may be examples of technological advances. Beyond their functional value they are often decorative and contribute to the visual attractiveness of a historic building. External fixtures can reveal a hierarchy of spaces within a building, perhaps indicating the location of the main entrance or principal floor or room.
- 2.2 New fixtures can have a substantial impact on the appearance of a historic building, and the means of attachment can cause damage to historic fabric. The location, size and number of fixtures and the method of fixing require careful consideration to protect the character of a historic building.

3. IDENTIFYING THE INTEREST OF HISTORIC EXTERNAL FIXTURES

- 3.1 From early times various sorts of fixtures have been applied to buildings, from simple tethering hoops to lamps. From the



Decorative ironwork by Charles Rennie Mackintosh fixed to the exterior of the Willow Tea Rooms in Sauchiehall Street, Glasgow.
© N. Haynes.



A cast-iron balcony marking the principal room on the first floor of a townhouse in Regent Terrace, Edinburgh, part of the development planned by William Henry Playfair in 1825 and built 1826–33. © N. Haynes.



The weather vane at New Lanark mill village was restored in 1980, made by a local craftsman with the names of the villagers stamped on the shaft.
© New Lanark Trust.



An elaborate cast-iron bootscraper at the entrance to a house in Randolph Crescent (1829), Edinburgh. Such fixtures were common in the early 19th century when road surfaces were generally muddy. © N. Haynes.



A cheese press built into the wall of a farm cottage at Reay, Highland. Although the press is no longer used, it provides insight into the type of farming of the area and past methods of cheese production.



A later 19th-century cast-iron 'barleysugar' downpipe and decorative bracket in Rothesay, Isle of Bute. © N. Haynes.

18th century the range and complexity of fixtures expanded enormously. Some fixtures were planned from the outset of a building, whilst others were added at a later stage. Fixtures can demonstrate a combination of architectural, associated and historical interest:

- 3.2 **Architectural interest:** in for example the design or style of fixtures, or the way in which they relate to the architectural form of the building.
- 3.3 **Associated interest:** a fixture, such as a clock, might be connected with a significant designer, craftsman, patron, or occasionally with historical events.
- 3.4 **Historical interest:** this derives from the potential of a fixture to provide evidence about the past, illustrating social change, revealing how an object was made, advances in technology, or how a building worked. For example the widespread provision of bootscrapers at the entrances to 18th- and 19th-century houses gives an insight into life before the advent of asphalt roads and cars.

4. GENERAL PRINCIPLES FOR ALTERATIONS AND REPAIRS TO HISTORIC EXTERNAL FIXTURES

- 4.1 Alterations or repairs to historic external fixtures must protect their character and special interest. Fixtures can be valuable in their own right as major elements in the design of a historic building, broader streetscape or landscape setting. Documentary research and fabric analysis will be useful in understanding the design and material properties of historic external fixtures before undertaking alterations or repairs.
- 4.2 The potential impact of repetition of alterations to fixtures in unified designs of streets and other groups of buildings should be considered.

Maintenance

- 4.3 Cast-iron fixtures require regular re-painting to prevent corrosion. Other types of metal may need different maintenance regimes. Where corrosion is severe and the structural integrity of the feature compromised, in rainwater goods for example, a careful record should be made and its replacement made to match in material and design. In some instances there may be a variety of styles employed and proposals to unify non-matching details should be carefully considered as they may relate to a significant historical alteration.

Removal

- 4.4 Certain historic fixtures may be functionally obsolete but continue to contribute to the architectural interest of a listed building and be of historical value. They should always

be retained. Should a historic fixture require removal and reattachment, non-ferrous fittings should be used and existing fixing points used where possible. Where ferrous fittings are required, an epoxy barrier must be used.

5. PRINCIPLES FOR THE ADDITION OF NEW EXTERNAL FIXTURES

General

- 5.1 A great number of possible new external fixtures associated with contemporary living can be proposed that may have an impact upon historic buildings, from alarm boxes to security cameras. A number of these may be small in size but their cumulative effect in a historic place can be detrimental. Consideration should be given to the lifespan of a new fixture and whether or not change of ownership could result in replacement or removal.
- 5.2 The potential for incremental damage by numerous fixtures of a similar nature can be avoided by the shared use of equipment on buildings in multiple occupation or on buildings grouped closely together.

Siting of new fixtures

- 5.3 New external fixtures must be sited to minimise impact on the architectural integrity and fabric of the building. Secondary elevations, outbuildings and roof valleys or flats that are out of sight from principal views can often accommodate new fixtures without significant impact. Close attention to the routing of any associated cabling or pipework away from principal elevations and features will help to minimise the visual effect of new equipment.
- 5.4 If a new fixture is necessary and no alternative to a prominent elevation is appropriate then it should be discreetly located without damaging any architectural feature. Painting the fixture to match the colour of stonework can sometimes minimise its impact. The fitting and means of fixing should always be non-ferrous to prevent damage and staining. Fixing into joints is normally the best option.

Telecoms and satellite technology

- 5.5 Telecommunication devices and satellite dishes can have an adverse impact upon the appearance of a building. These should be positioned so as not to alter a historic profile or skyline, or where impact is minimal.
- 5.6 Antennae associated with mobile phone technology can be situated within some prominent buildings where installation does not require the removal of original fabric or where timber components can be removed and stored for later restoration. A creative approach can result in successful camouflage in some



The cumulative effect of modern fixtures, including satellite dishes, air conditioning units, signage and street lighting, is damaging to the character of this 18th-century building.



These satellite dishes are positioned in a roof valley and are not visible from street level. Fixed to later service features, they do not damage architectural details. © N. Haynes.



The landmark tower of St Stephen's Church (1828), Edinburgh. Telecommunications antennae are positioned on either side of the clock face and on the parapet above behind GRP (glass-reinforced plastic) material that replicates the colour of the surrounding stonework. All the works are easily reversible if the technology changes or becomes redundant. © N. Haynes.



A small, discreet, brass plaque commemorates the reconstruction of Mitchell's Close in Haddington, East Lothian.



Discreet sprung wires are attached to the top surface of this cornice to deter birds. Miller Street, Glasgow.



Gallery of Modern Art, Glasgow. The floodlights are positioned behind a cornice and on the roof, therefore making little impact in daylight but providing atmospheric lighting after dark. © N. Haynes.

locations. Planning authorities are able to condition the removal of equipment when it becomes redundant.

Signage

- 5.7 New signage should be incorporated into the overall architectural composition of a building. It should not obscure or damage any architectural detail. Traditional signage materials and palettes of colour can complement the appearance of the building. Paint should not be applied directly to previously unpainted stonework. Separate guidance on shopfronts and shop signage is available in this series.

Flagpoles

- 5.8 Flagpoles should relate to the building's character, scale, proportions and architectural detailing.

Banners

- 5.9 Banners may sometimes be fixed to historic buildings if the means of attachment does not damage any architectural details. However, they should only be allowed on a temporary basis, and not where they would have an adverse impact upon the character or appearance of the building.

Bird control

- 5.10 Bird control devices require careful consideration to minimise the impact upon historic character. Wire mesh and spikes can be visually detrimental whereas sprung wires are generally less obtrusive. A balance should be sought between conserving the visual characteristics and protecting the building and its users from bird nuisance: less intrusive bird control devices should be considered first.

Lighting

- 5.11 Street and floodlighting must be considered carefully to minimise detrimental impact on the character of the building.
- 5.12 Street lighting fixed to a principal elevation should only be considered where independent lighting poles are not appropriate. The lamp and the associated cabling should be carefully integrated within the architectural composition.
- 5.13 The innovative and imaginative use of lighting can be an important component in enhancing the distinctiveness and character of a building or conservation area. Fixtures should always be located unobtrusively, on a basement wall for example.
- 5.14 New lamps to light an entrance should be sympathetic to the design and materials of the building.

Alarm boxes and utility meters

- 5.15 Alarm boxes and utility meters should be fixed in discreet positions without damaging architectural composition or details.

Lesser elevations, basement walls or beneath a platt may be appropriate solutions.

Security cameras

- 5.16 Security cameras require prominent positions to achieve maximum surveillance but should not be permitted in positions that damage the architectural character or appearance of a historic building. Careful consideration should be given to the size of the camera. Positioning of security cameras and cabling should be discrete.

Eye bolts and brackets

- 5.17 Eye bolts for window cleaning access or the attachment of seasonal street decorations should only be permitted where they will be situated discreetly and without damaging architectural details. The material and means of fixing should be non-ferrous, preferably coloured to match adjacent stonework.
- 5.18 Temporary scaffolding should not be anchored into stonework as the fixings will leave permanent damage. Scaffolding should be fixed around architectural features, ensuring no damage occurs during construction or dismantling. Protective materials fixed between steel scaffolding ends and stonework will help prevent accidental damage.
- 5.19 The location and number of hanging baskets and their associated fixings should be carefully considered, and where possible incorporated within the composition of an elevation. The baskets and fixings should not damage or obscure any architectural detailing.

6. CONSENTS

- 6.1 Listed building consent is required for any work to a listed building that affects its character. The local authority determines the need for consent.
- 6.2 Where listed building consent is required, an application is made to the local authority. This should include accurate scale drawings showing both the existing situation and the proposed works in context. It is normally helpful to provide detailed technical information and photographs. A brief description of the interest of the external fixture and an explanation of the impact of the alterations are always useful in assessing change.



Here the corner profile of the building is broken by the brackets for a security camera, an old lamp, and modern street lamp. High Street, Edinburgh.



Discreet stainless steel eye-bolts are re-used each year for the Christmas decorations in Bo'ness. © N. Haynes.

Other selected Historic Scotland publications and links

[Maintaining your Home – A Short Guide for Homeowners](#) (2007) (PDF 1.4MB)

Inform Guide: Finials & Terminals (2008)

Inform Guide: The Maintenance of Cast-iron Rainwater Goods (2007)

Inform Guide: Maintenance of Iron Gates and Railings (2007)

Inform Guide: Boundary Ironwork - A Guide to Reinstatement (2005)

Inform Guide: Bird Control on Buildings (2008)

Inform Guide: Bronze - The Care & Maintenance of Monumental Bronze (2005)

For the full range of Inform Guides, Practitioner Guides, Technical Advice Notes and Research Reports please see the [Publications](#) section of the Historic Scotland website.

FURTHER INFORMATION AND ADVICE

Details of all individual scheduled monuments, listed buildings, designated gardens and designed landscapes, and designated wrecks can be obtained from Historic Scotland (see contact details below) or at: www.pastmap.org.uk. Details of listed buildings can also be obtained from the relevant local authority for the area.

Advice on the requirement for listed building consent, conservation area consent, building warrants, and other permissions/consents should be sought from local authorities.

Historic Scotland
Longmore House
Salisbury Place
EDINBURGH
EH9 1SH

Tel: 0131 668 8981 or 8717

Fax: 0131 668 8765

E-mail: hs.inspectorate@scotland.gsi.gov.uk

Web: www.historic-scotland.gov.uk

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www.historicscotlandimages.gov.uk

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Bronze torchère lamp (1929), Younger Hall, St Andrews, Fife.

Later 19th-century cast-iron window grille, Vicar Street, Falkirk.

Eighteenth-century sundial, Linton Kirk, Scottish Borders.



MANAGING CHANGE IN THE HISTORIC ENVIRONMENT WINDOWS



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRÀDINEACHD
EACHRÀS THÈIL
ALBA

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January 2018

Cover image: Signet Library, Parliament Square, Edinburgh. A round-headed sash and case window with astragals, or glazing bars.

Below: Gourock Rope Works, Port Glasgow. Conversion of a former industrial building with the addition of new windows suitable for its change to residential use.



MANAGING CHANGE IS A SERIES OF GUIDANCE NOTES ABOUT MANAGING CHANGE IN THE HISTORIC ENVIRONMENT. ALONG WITH HISTORIC ENVIRONMENT SCOTLAND'S POLICY STATEMENT (JUNE 2016), THEY SUPPORT THE SCOTTISH GOVERNMENT POLICIES SET OUT IN SCOTTISH PLANNING POLICY (2014)

The aim of the series is to identify the main issues that can arise in different situations, to advise how best to deal with these, and to offer further sources of information. They are also intended to provide advice to local authorities when developing their planning policies, and in the determination of applications relating to the historic environment.

KEY ISSUES

1. The windows of a historic building form an important element in defining its special interest and character.
2. The contribution windows make to the character of a historic building must be understood before considering alteration.
3. The size, shape, design and proportions of a window, the reflective sparkle and irregularities of old glass, the pattern of design, the materials and details of construction, the method of opening, the finish, and associated fixtures, typically contribute to the character of a historic window.
4. Maintenance and appropriate repair is the preferred means of safeguarding the character of a historic window.
5. Improvements in energy efficiency of existing windows can be achieved by draught-proofing, internal secondary glazing, and use of shutters and lined curtains.
6. Some types of double-glazing can be incorporated within existing window joinery and may be acceptable where no historic glass remains.
7. Where a window is of limited interest or beyond repair, its replacement should be permitted. New double-glazed windows may be acceptable, if they can closely match the original window design, detail and materials.
8. Local planning authorities give advice on the requirement for listed building consent, planning and other permissions, and will often have their own detailed guidance on windows. Listed building consent is required for any works affecting the special interest or character of a listed building and planning permission may be required for window replacement within a conservation area.

INTRODUCTION AND PURPOSE OF DOCUMENT

Historic Environment Scotland is charged with ensuring our historic environment provides a strong foundation in building a successful future for Scotland. One of its roles is to provide advice about managing change in the historic environment.

This note sets out the principles that apply to altering the windows of historic buildings. It has been produced to guide local authorities when developing their planning policies and in the determination of applications relating to the historic environment.

Historic Environment Scotland will be consulted on listed building consent cases for works to windows in A and B listed buildings, and expect this guidance to inform decision making.

Local authorities alone determine listed building consent applications for windows in Category C listed buildings and planning applications, where applicable, for windows in unlisted buildings in conservation areas. Whilst this guidance is best practice for historic buildings generally, local authorities will often have specific window guidance for listed and unlisted buildings in conservation areas, reflecting local character and particular circumstances, and thus, other approaches may be appropriate.

In this guidance note the term 'historic window' is used for both original and significant historic windows.

Monuments scheduled under the Ancient Monuments & Archaeological Areas Act 1979 require scheduled monument consent for any works. Where a structure is both scheduled and listed, the scheduling controls take precedence. Further advice is available from Historic Environment Scotland's website: www.historicenvironment.scot/advice-and-support/listing-scheduling-and-designations/scheduled-monuments

1. WHY ARE HISTORIC WINDOWS IMPORTANT ?

Windows make a substantial contribution to the character, authenticity and physical integrity of most historic buildings and also to the character and interest of historic streets and places.

They are an important element of a building's design. The size, shape and positioning of the openings are significant, as are the form and design of the framing, astragals and glazing. Their style, detailing and materials help us to understand the date when a building was constructed or altered, its function, and advances in related technology.

Windows can be a product of many factors, including the status of the building, architectural fashions, technological changes, local customs and even individual designers.

In simple vernacular or plainer buildings a considerable amount of the character and visual prominence of a building can derive from the windows.

2. IDENTIFYING THE INTEREST OF HISTORIC WINDOWS

The significance of a historic window is derived from a number of factors including its form or shape, the characteristics of historic glass, the materials and details of construction, the method and pattern of opening, associated fixtures, and sometimes even the paint colour.

This guidance is focused on the most common type of traditional historic window, the double-hung vertically-sliding timber sash and case window (the sash window). Other window types will be addressed later in the document.

FORM AND DESIGN

There are many shapes and sizes of historic window, from simple rectangular openings to arched or elaborately-traceried windows. Whilst some windows are sized and located for purely functional purposes, in most cases, windows are carefully provided as part of a broader design for a building or group of buildings.

Window proportions and spacing frequently relate to other elements of the building, such as the overall dimensions of an elevation or other features (e.g. doorways). Windows are important components of the hierarchy of an architectural design or interior, perhaps expressing different parts of a building and principal rooms within, through differences in size, positioning and design.

Six over six pane timber sash and case windows, Edinburgh. This style of window was popular from the eighteenth to the mid nineteenth century. This one image shows the varied reflections provided by different kinds of crown, cylinder and plate glass.



HISTORIC GLASS

The different production methods for various types of historic glass resulted in a wide range of thicknesses and tints, whilst irregularities in the process often provide an attractive reflective sparkle, refractive variety and distinctive appearance to each window.

Two forms of early glass predominated until the later nineteenth century. Crown glass was made by hand-spinning molten glass into a thin circular disc which was then cut into individual panes. From around 1700 onwards, cylinder or broad sheet glass was made by forming cylinders of molten glass that were then cut and flattened into thick panes. Both these methods were expensive, had a restricted pane size, and produced distortions and bubbles in the glazing that add character, and identify the production process. Surviving examples of this hand-made glass should be retained.

Early plate glass was quite thick and expensive, made in a similar method to cylinder glass or by casting molten glass on a table and then grinding and polishing it flat. The cylinder sheet glazing process was greatly improved in the 1830s which is also when Patent plate glass was invented, allowing thinner low-tax glass to be produced, with later mechanical polishing further reducing costs. The production methods of improved cylinder and plate glass retain varying levels of imperfections and irregularities in the glass that can add character to a window.

MODERN GLASS

Drawn flat sheet and float glass are both C20th mechanised processes, the latter producing glass with few imperfections. More recently, glazing technology has produced many different types of glazing, the major change being the advent of double-glazing or Insulated Glass Units (IGUs) with two panes of glass separated by either a vacuum cavity, or a cavity filled with air or an inert gas, to reduce energy loss through the glazing. Standard double glazing has two panes, usually of 4-6mm glass, with a cavity of around 13-20mm. Slim, thin or narrow-profile/section double-glazing has cavities of between 3mm and 6mm and a narrower edge strip. Vacuum glass has a 'cavity' between the panes of only 0.2mm. The latter two are sometimes used to replace historic glass within existing or new frames. Both double glazing and specialist single glazing can be fitted with low-emissivity coatings which can further improve their thermal efficiency.

GLAZING PATTERNS

The vertically sliding sash and case window was introduced to Scotland in the early 1670s. After some variation it commonly comprised two equally-sized glazed sashes that slide vertically, on counterbalanced lead or iron weights, in a sash case or box set in a rebate in the wall for weather protection. Windows were made of softwood, usually well-seasoned pine, often imported.

Early sash windows were sometimes fixed or held open by pegs rather than counterbalanced weights. Their sashes contained small thick panes, often square, held by thick glazing bars or 'astragals'. As the eighteenth century progressed an arrangement of two equally-sized sashes containing six 'portrait' format panes each became the standard. Generally, over time, astragal sections and glass thicknesses reduced as window openings increased in size and glazing technology improved. The standard six-over-six 'Georgian' pattern was widely used until at least the mid-nineteenth century, with occasional use of 'lying-panes' ('landscape' format) and margin panes, but the advent of improved cylinder and patent plate glass, and the removal of taxes, allowed larger panes of glass and fewer astragals. There was a gradual transition to larger panes with four-over-four and two-over-two panes frequently used, but by the later nineteenth century the one-over-one pattern was common. Horns, added to the meeting rails of sash windows to address these heavier panes of glass, are not very common in Scotland and often do not appear until late in the C19th, if at all.

When larger pane sizes first became available, often the astragals in existing sashes would be removed and retrofitted with single panes of glass. Again, due to expense, frequently only the front windows of properties would be re-glazed in this fashion. Likewise, in new buildings, sometimes the rear elevations continued

to be designed with cheaper smaller panes.

Either side of 1900 saw experimentation with different sash sizes, often a lower large-paned sash with smaller multi-paned sash above, or sometimes decorative glass. The popular 'Queen Anne' style saw the reintroduction of smaller panes, and sometimes exposed sash cases, whilst multi-paned sashes were popular in inter-war social and private housing developments.

OTHER WINDOW TYPES

Besides the sash and case window, there were other types of window used in Scotland, including timber and metal casements, often with leaded lights, associated with the 'cottage orne' style and with Arts & Crafts style housing.

Although timber windows continued to predominate as a framing material until the Second World War, the early C20th saw the introduction of steel casement windows, popularised by the Crittall Company. They allowed schools and industrial buildings to have large expanses of glazing and curtain walling, and also facilitated 'picture windows' in housing. The use of steel windows was largely superseded in the post-war period by aluminium, and later still, uPVC.

METHOD OF OPENING

The way in which a window opens can contribute significantly to the authenticity and appearance of a historic building. All traditional ‘double hung’ sash and case windows open by sliding the sashes up and down in the same plane: in the open position they never project outwards or inwards from the building. Other common forms of opening method are casements, which are hinged at the side and open outwards (or more rarely inwards), and hoppers, which are hinged at the bottom and usually open on a track or restrictor. Some C20th metal-framed windows use a vertical or horizontal pivot mechanism.

Associated fixtures such as traditional timber shutters, where they survive, contribute to the interest and character of a window

FINISH

Like most softwoods, window frames were traditionally painted, and this is the preferred finish. It is sometimes possible to sample underlying layers to establish the original paint colours. Whilst shades of white are now ubiquitous, many traditional colours were much darker, with green, brown and black often used. Lead-based paint is now prohibited, but more recently natural paint systems have offered an alternative to synthetic paint.

ASSOCIATED FIXTURES

A wide range of fixtures are often associated with historic windows, including sash cases, cords, weights, sash lifts, catches, shutters (and their ironmongery), architraves and blinds. Surviving original ironmongery should be retained and reused. Many sashes in Scotland incorporate ‘simplex’ hinges that allow them to be opened inwards for cleaning.



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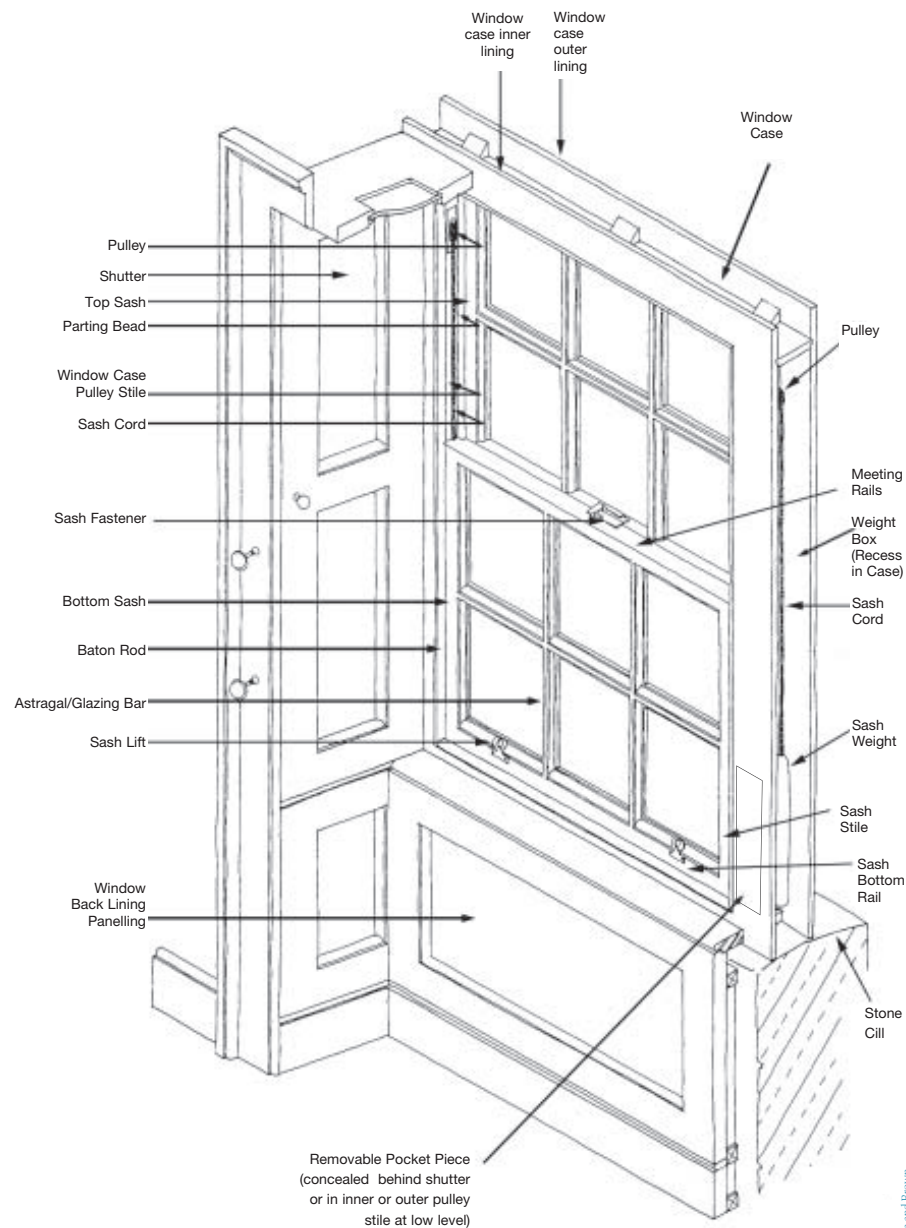


Illustration of a typical sash and case window

3. PRINCIPLES FOR REPAIR AND ALTERATIONS

CHARACTER AND INTEREST OF THE BUILDING

Repairs and alterations to a historic building should protect its character and special interest. The contribution windows make to this character must therefore be understood before proceeding. In assessing the character, it is essential to determine whether the windows are original to the building or, if later, whether they are of historic significance in their own right: e.g., part of a major or important scheme of overall works or decoration to the building. Evidence from adjacent or similar buildings, especially planned set-pieces or terraces, will be important. Such an assessment will inform any subsequent strategy for repair or replacement.

Repair of a sash and case window showing replacement of some of the component parts, such as the cill.

Image: © Derek Thompson



REPAIR

Where windows are of historic interest, repair of their components is preferable to replacement. This approach not only retains historically-important fabric and character, but is sustainable. Historic timber windows often used high-quality close-grained softwood, not easily available today, and with maintenance, have frequently lasted hundreds of years.

In some cases there will be cosmetic damage to windows, with sashes painted shut, or peeling paint, often only on the more exposed faces of the building. There may also be individually decayed elements, such as rotten cills, which can normally be repaired or replaced. However, there will be situations when a window is in such poor condition, damaged or rotten to an extent that it is not possible or practicable to repair it. A specialist joiner may be able to advise on condition, and more detailed advice on the repair of timber windows can be found in our Inform and Short Guides (details at the end of this leaflet).

Steel windows can also suffer from rust and distortion and, although repair is possible and preferable, sometimes this may not be practicable.

ALTERATION

An assessment of character and special interest will be important when changes to the window's design are envisaged. If clear evidence for an earlier pattern exists, reinstatement of that pattern should be acceptable, unless the later windows are of interest in their own right; for example, if they relate to significant alterations and additions that are part of the building's special interest.

In other cases the windows may be modern replacements, sometimes inexact copies of the original examples, or using inappropriate sections or materials. In such cases it should be acceptable to replace the windows with an aim to regain the original design intention or improve the existing situation.

VENTILATION

Sometimes additional controlled ventilation is required, especially in conversion works. Discreet vents inserted in the head, meeting rail or sides of the window should be used rather than adding prominent trickle vents. Further information on providing alternative methods of ventilation is available in our Short Guide to Sash and Case Windows.

SECURITY

Additional window security measures, such as security bolts or sash restrictors, can normally be installed discreetly without damage to the historic character of the building. Use of traditional internal shutters, or if necessary internal retractable grilles, is likely to be less disruptive to the historic appearance of a building than external shutters.

Where external measures are unavoidable, removable grilles are more acceptable than permanent fixtures (including roller shutters). Where no historic glass remains laminated, toughened glass can often be installed to increase security.

COLOUR

Where colour or early paint schemes can be established by analysis, their use should be acceptable, although individual changes to set-piece designs or terraces may be unwelcome. Some local authorities control the palette of window paint colours to maintain the unified design of a conservation area or groups of listed buildings in multiple ownership/occupation. In addition, some areas have developed a custom of using specific colours; e.g., black-painted frames in the West End of Glasgow and white frames in Edinburgh New Town.

NEW WINDOW OPENINGS

Location and design are key considerations in proposals for new window openings. New openings must be carefully located to avoid disruption to the characteristics of the surrounding external and internal context. For example, subsidiary elevations with no formal symmetry, or rooms with few internal features, are likely to be more suitable for new window openings than principal elevations or rooms.

In cases where the building forms part of a larger grouping, it may be necessary to consider the wider context of the group and the potential for unsuitable precedent and cumulative effect if similar work was undertaken on every building. Where the location is appropriate in principle, the design of the new window must take account of the size, proportion, material and detailing of surrounding nearby windows.

BLOCKING UP WINDOWS

Permanent blocking of windows by building up the opening should only occur where the window makes very little contribution to the character of the building. If the window is of any interest, evidence of the opening, such as the window surrounds, cill, lintel or relieving arch should be retained, preferably with the window kept in-situ with blocking materials set behind or with the blocking recessed to the position of the former window, creating a traditional blind

window. If the window being blocked is of no interest or detrimental to the building it can be blocked without any evidence being kept, using materials compatible with the surrounding masonry.

CONVERTING WINDOWS TO DOORS

Subsidiary elevations are more suitable for work of this type. Wherever possible the existing width of the window should be maintained and the opening expanded downwards to ground level. Depending on the circumstances, it may be appropriate to match any external window-surround detailing at the lower level. Where windows contribute to the character of an elevation or internal space, the replacement door should be solid to cill level and glazed above to match the pattern of surrounding windows. Any internal joinery, such as shutters or panelling, should be retained and matched at the lower level of the new opening. Doors are also sometimes converted to windows. Here, if the door is an important part of the character of the building, it will be desirable to provide a glazed or part-glazed door rather than blocking up the opening to insert a window.

BLIND WINDOWS

Original blind or dummy windows form an important part of the interest of a historic building and should not normally be opened up. Such features were originally designed to maintain the pattern and symmetry of window openings in the external elevations of a building, or

sometimes to provide a visual trick or 'trompe l'oeuil'. They are often faced in large stone slabs designed to resemble the sashes. Often fireplaces, chimneys, or other internal features prevented the

creation of working windows in some locations. Windows specifically blocked to avoid paying window taxation are rarer.



South Charlotte Street, Edinburgh. The blind openings are detailed with cills and a meeting rail to maintain the symmetry of the architectural elevation. There are chimney flues behind them within the walling.

Image:
© Nick Haynes

4. UPGRADING WINDOWS

ADDRESSING ENERGY EFFICIENCY AND HEAT LOSS

Having regard for the energy conservation of buildings in use is an important element in addressing climate change and reducing heating costs. In many cases effective and sustainable improvements to the energy efficiency of historic buildings are possible and can be achieved without damage to their character.

The use of traditional shutters at night can help reduce heat loss.



It is important to consider heat loss throughout the entire envelope of a building and, in most cases, less invasive approaches than double-glazing or window replacement may be more cost-effective in both the short and longer term. However, single-glazed windows are often the worst-thermally performing element in a building and a readily identifiable route for heat loss, especially in buildings with large window-to-wall ratios.

There are several methods of improving the energy efficiency of existing windows. Low-key and low-cost improvements include applying low-emissivity window films onto or behind the glass. At night, considerable improvements to heat loss can be obtained by lined curtains, insulated blinds, or using historic shutters, which can also be insulated. A combination of the above measures can be particularly effective.

DRAUGHT-PROOFING

Sash windows were designed to allow some air flow into a room but not to be draughty. Draught-proofing can reduce air-leakage and the feeling of cold within a building. It is relatively simple to draught-proof a window using silicone sealant, foam-backed strips or by inserting brush strips into the baton rods and meeting rails. Removing draughts can lead to reductions in the heating levels required and can also be helpful in reducing dust and noise.

SECONDARY GLAZING

Recent technical research (see section 6 & 7) shows internal secondary glazing can reduce heat loss by over 60% and also has the advantage of leaving the original windows untouched, a welcome approach where the window is significant, retains historic glass, or where adaptation for double-glazing would be complicated or damaging. It can also be cheaper than replacement, and can be a more permanent solution than double-glazed units, whose performance will degrade over time. Acoustically, secondary glazing can also be better at reducing noise transmission than double-glazing.

Systems vary, but normally comprise glass in thin aluminium or timber frames set on the internal window framing or staff beads, and they can sometimes be designed and fitted to still allow historic shutters to function. Secondary double-glazing is rarer, but has also been used. Care should be taken to keep frame sections minimal and match up internal meeting rails or frames with outside sashes. Painting the external frame face black can further disguise units from external view. Care is needed to allow ease of use for both opening and cleaning.

Inveraray Castle, Argyll, showing the discreet addition of secondary glazing, in this case polycarbonate sheeting on magnetic strips. The placing of the unit allows the shutters to operate freely.

Image: © Glaze & Save Ltd

Temporary or demountable secondary glazing solutions are also available, utilising clear rigid acrylic or polycarbonate sheets. These can also provide significant reductions in heat loss, and can be fitted easily (often with velcro or magnetic strips) for winter and removed and stored in summer. Another approach is to fix the sheets to individual panes. Again, these approaches can significantly reduce heat loss at a lower cost than more invasive works.

RETROFITTING DOUBLE-GLAZING

In some cases, where no historic glass survives, it can sometimes be possible to retrofit double-glazing within existing window frames. Due to the design and construction of historic windows, it is normally only vacuum- or narrow-profile double glazing that may be able to be used. Vacuum glazing is thin enough to directly replace single glazing, but if narrow-profile glazing is used, the windows concerned will have to be robust enough to withstand any adaption or routing required to accommodate the thicker panes. Any works that either weaken the window or may lead to exacerbated decay should be avoided.



5. REPLACEMENT WINDOWS

REPLACEMENT DOUBLE GLAZED WINDOWS

Where existing windows are beyond repair, or of little historic interest, it should be acceptable to replace them. This can involve replacing just the individual sashes or the sash case as well. Where a new sash case is fitted it should be set wholly within the wall's rebate, with no, or minimal, protrusion of the case's facing plate, unless exposed sash-cases are a feature of the original design. Sash cases were traditionally fixed with timber wedges and burnt sand mastic. Internal shutters and joinery should always be retained.

Generally, replacement windows should seek to match the original windows in design, form, fixing, method of opening and materials. In replacing sash windows, materials other than timber, e.g. uPVC, will rarely be acceptable. Softwood is traditionally used, now often treated to improve durability.

For metal windows, steel replacement double-glazed windows are available, although can be expensive for individual replacements. Aluminium may be acceptable as an alternative if original patterns and sections can be successfully replicated.

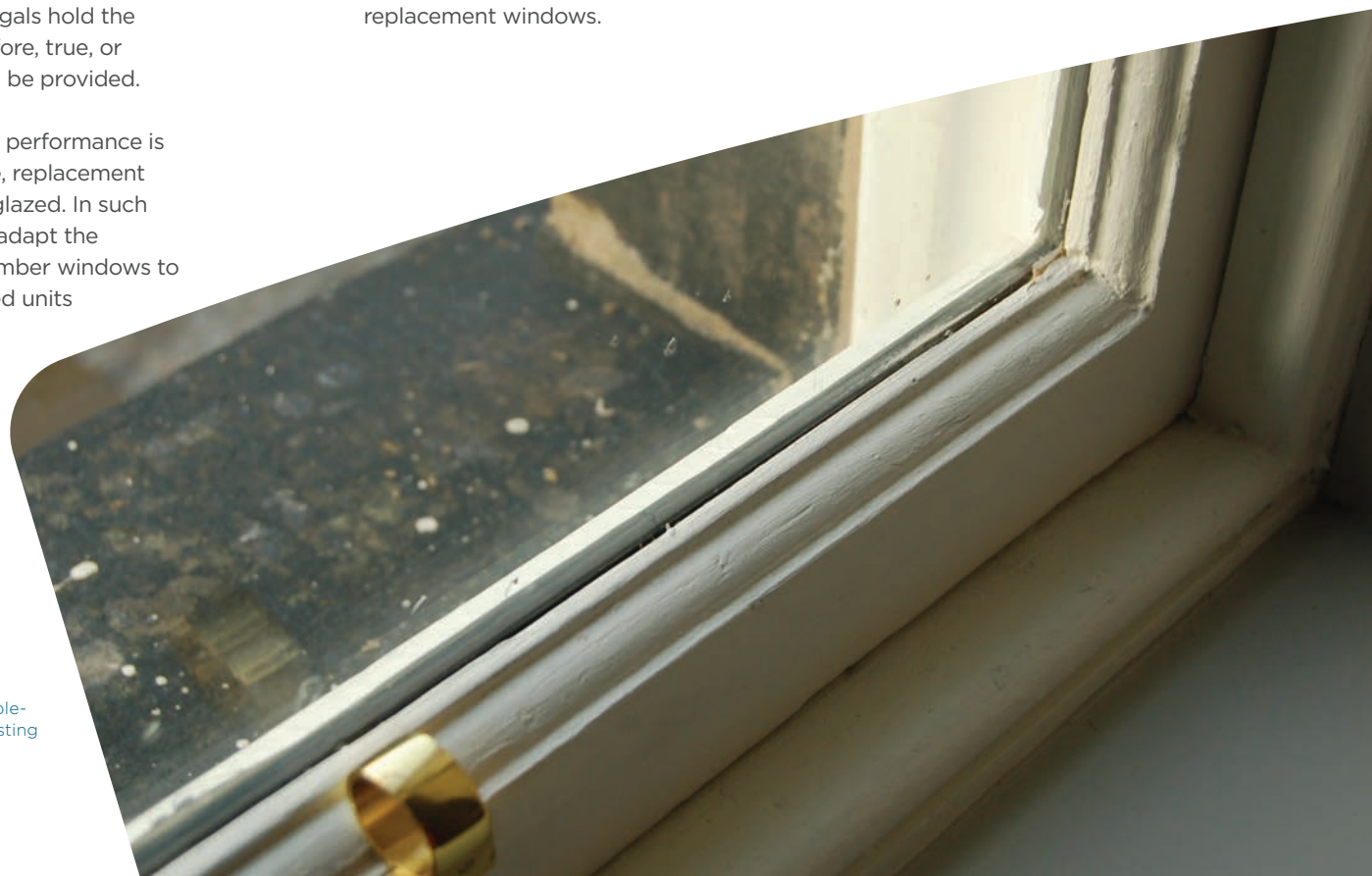
The success of a replacement window will depend on its detailed design, and on how well the new replicates the old. Features to consider in the design of new windows may include the correct placing of the case within the wall and, importantly, its method of operation with vertically sliding sashes. Sections of sash meeting rails and astragal profiles should match the original as closely as possible, and horns should only be provided if there is historical evidence for their use. In seeking the best replication of the design and construction of the window, how astragals hold the glass is important. Therefore, true, or through, astragals should be provided.

In most cases, as thermal performance is a major driver for change, replacement windows will be double-glazed. In such cases care is required to adapt the detailed design of new timber windows to incorporate double-glazed units

Example of narrow-profile double-glazing retrofitted within an existing sash window.

Narrow-profile double glazing has been specifically developed to allow more accurate replication of historic window patterns, and vacuum glass is similarly marketed. Such approaches have directly resulted in double-glazing becoming more generally acceptable in historic buildings, with consequent improvements in energy efficiency. Although some narrow-section units may not be optimised for thermal performance, they give significant improvements in heat loss from single glazing and can allow for near like-for-like replacement windows.

Standard double-glazing may occasionally be acceptable for some replacement windows, e.g. one-over-one sashes. However, the thicker astragals required by standard units, together with limitations on some manufacturer's guidance on edge-sealing of units, mean they often cannot successfully replicate historic multi-pane patterns, especially those windows with thinner astragals.



Some manufacturers have attempted to address this by using a standard double-glazed unit with applied astragals or an astragal cassette, often in conjunction with integral dividers in the cavity. Such approaches may be considered in cases where a replacement window will improve the current situation, allowing an aesthetically accurate match. Astragals sandwiched between panes alone, will be very unlikely to be acceptable.

FITTING GLAZING

Double glazed units can be fitted with putty or a synthetic glazing compound. Windows should be fitted according to manufacturer's instructions as linseed oil putty may damage unit seals. It may be possible to use timber fixing beads, but the beads should replicate the 45-degree section of traditional putty. Smaller details such as the colour of internal spacer bars in unit cavities can also be important; e.g., white can better replicate the glazing bar colour.

6. CONSENTS

Listed building consent is required for any work to a listed building that affects its special interest and planning permission may be required for replacement windows in conservation areas.

The local authority determines the need for consent/permission. With listed buildings, they may consider minor works such as draught-proofing will not require consent. Other works, such as the installation of secondary glazing, may sometimes require consent, often depending on its detailed design. More intensive works; e.g., retrofitting double glazing, will be likely to require consent, as will window replacement.

Where consent is required, an application is made to the local planning authority. This should include accurate scale drawings showing both the existing windows and the proposed works in context. It is normally helpful to provide detailed technical information and photographs. A brief description of the interest of the windows and an explanation of the impact of the alterations are always helpful in assessing change. Where an application proposes the replacement of a window or windows in poor condition, a condition survey by an appropriately-skilled tradesman is useful.

Notwithstanding the need to protect the historic environment, applicants and local planning authorities should ensure replacement windows comply with the requirements of the Building (Scotland) Regulations 2004. Some change of use applications may have implications for windows (e.g. window guards). Historic Environment Scotland's guide for Practitioners 6 – Conservation of Traditional buildings – provides further guidance on the application of the Scottish Building Standards.

MEETING PERFORMANCE STANDARDS

If you are replacing your windows you will want assurance that the units being supplied achieve the results you seek. New glazing, in particular, Insulating Glass Units (IGUs), should be manufactured in accordance with the requirements of the Product Standard EN 1279-5, a requirement for legal compliance with the Construction Products Regulations (CPR). The industry body, the Glass and Glazing Federation (GGF) has a wealth of information for consumers and providers on its website and in its publications; <http://www.ggf.org.uk/publications>, which includes the Industry Guidance details on the Construction Product Regulations and the tests that must be complied with to meet them.

7. FURTHER INFORMATION AND ADVICE

For the full range of Inform Guides, Practitioner Guides, Technical Advice Notes and Research Reports please see the [Publications](#) section of the Historic Scotland website. The following will be of particular interest;

[Looking After your Sash & Case Windows \(2003\)](#)

[Guide for Practitioners: Conservation of Timber Sash & Case Windows \(2002\)](#)

[Research Report: The Historical & Technical Development of Sash & Case Windows in Scotland \(2001\)](#)

[Inform Guide: Maintaining Sash & Case Windows \(2007\)](#)

[Inform Guide: Maintaining Traditional Plain Glass and Glazing \(2007\)](#)

[Inform Guide: Decorative Domestic Glass \(2007\)](#)

[Short Guide: Fabric Improvements for energy efficiency in traditional building \(2013\)](#)

[Technical Paper 1: Thermal Performance of Traditional Windows](#)

[Technical Paper 23: Thermal assessment of internal shutters and window film applied to traditional single glazed sash and case windows](#)

In addition we have several Refurbishment Case Studies that show the upgrading or replacement of windows and also include costs for such works.

GRANT ASSISTANCE

In some cases grants and loans are available for energy efficiency improvements, including windows. Home Energy Scotland provide free, impartial advice. On 0808 808 2282 or www.energysavingtrust.org.uk/scotland/grants-loans





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Scottish Planning Policy

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Scottish Planning Policy

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Planning Series

The Scottish Government series of Planning and Architecture documents are material considerations in the planning system.

Planning and Architecture Policy



Planning and Design Advice and Guidance



Further information is available at: www.scotland.gov.uk/planning

This SPP replaces SPP (2010) and Designing Places (2001)

statutory

non-statutory

Scottish Planning Policy (SPP)

Purpose

i. The purpose of the SPP is to set out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development¹ and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

Status

ii. The SPP is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. It is non-statutory. However, Section 3D of the Town and Country Planning (Scotland) 1997 Act requires that functions relating to the preparation of the National Planning Framework by Scottish Ministers and development plans by planning authorities must be exercised with the objective of contributing to [sustainable development](#). Under the Act, Scottish Ministers are able to issue guidance on this requirement to which planning authorities must have regard. The Principal Policy on Sustainability is guidance under section 3E of the Act.

iii. The 1997 Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. As a statement of Ministers' priorities the content of the SPP is a material consideration that carries significant weight, though it is for the decision-maker to determine the appropriate weight in each case. Where development plans and proposals accord with this SPP, their progress through the planning system should be smoother.

¹ The Planning (Scotland) Act 2006 extends the definition of development to include marine fish farms out to 12 nautical miles.

iv. The SPP sits alongside the following Scottish Government planning policy documents:

- the [National Planning Framework](#) (NPF)², which provides a statutory framework for Scotland's long-term spatial development. The NPF sets out the Scottish Government's spatial development priorities for the next 20 to 30 years. The SPP sets out policy that will help to deliver the objectives of the NPF;
- [Creating Places](#)³, the policy statement on architecture and place, which contains policies and guidance on the importance of architecture and design;
- [Designing Streets](#)⁴, which is a policy statement putting street design at the centre of placemaking. It contains policies and guidance on the design of new or existing streets and their construction, adoption and maintenance; and
- [Circulars](#)⁵, which contain policy on the implementation of legislation or procedures.

v. The SPP should be read and applied as a whole. Where 'must' is used it reflects a legislative requirement to take action. Where 'should' is used it reflects Scottish Ministers' expectations of an efficient and effective planning system. The Principal Policies on Sustainability and Placemaking are overarching and should be applied to all development. The key documents referred to provide contextual background or more detailed advice and guidance. Unless otherwise stated, reference to Strategic Development Plans (SDP) covers Local Development Plans outwith SDP areas. The SPP does not restate policy and guidance set out elsewhere. A [glossary](#) of terms is included at the end of this document.

2 www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Framework

3 www.scotland.gov.uk/Publications/2013/06/9811/0

4 www.scotland.gov.uk/Publications/2010/03/22120652/0

5 www.scotland.gov.uk/Topics/Built-Environment/planning/publications/circulars

Introduction

The Planning System

1. The planning system has a vital role to play in delivering high-quality places for Scotland. Scottish Planning Policy (SPP) focuses plan making, planning decisions and development design on the Scottish Government's Purpose of creating a more successful country, with opportunities for all of Scotland to flourish, through increasing [sustainable economic growth](#).
2. Planning should take a positive approach to enabling high-quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources.
3. Further information and guidance on planning in Scotland is available at www.scotland.gov.uk/planning⁶. An explanation of the planning system can be found in [A Guide to the Planning System in Scotland](#)⁷.

Core Values of the Planning Service

4. Scottish Ministers expect the planning service to perform to a high standard and to pursue continuous improvement. The service should:
 - focus on outcomes, maximising benefits and balancing competing interests;
 - play a key role in facilitating sustainable economic growth, particularly the creation of new jobs and the strengthening of economic capacity and resilience within communities;
 - be plan-led, with plans being up-to-date and relevant;
 - make decisions in a timely, transparent and fair way to provide a supportive business environment and engender public confidence in the system;
 - be inclusive, engaging all interests as early and effectively as possible;
 - be proportionate, only imposing conditions and obligations where necessary; and
 - uphold the law and enforce the terms of decisions made.

People Make the System Work

5. The primary responsibility for the operation of the planning system lies with strategic development planning authorities, and local and national park authorities. However, all those involved with the system have a responsibility to engage and work together constructively and proportionately to achieve quality places for Scotland. This includes the Scottish Government and its agencies, public bodies, statutory consultees, elected members, communities, the general public, developers, applicants, agents, interest groups and representative organisations.

⁶ www.scotland.gov.uk/Topics/built-environment/planning

⁷ www.scotland.gov.uk/Publications/2009/08/11133705/0

6. Throughout the planning system, opportunities are available for everyone to engage in the development decisions which affect them. Such engagement between stakeholders should be early, meaningful and proportionate. Innovative approaches, tailored to the unique circumstances are encouraged, for example charrettes or mediation initiatives. Support or concern expressed on matters material to planning should be given careful consideration in developing plans and proposals and in determining planning applications. Effective engagement can lead to better plans, better decisions and more satisfactory outcomes and can help to avoid delays in the planning process.

7. Planning authorities and developers should ensure that appropriate and proportionate steps are taken to engage with communities during the preparation of development plans, when development proposals are being formed and when applications for planning permission are made. Individuals and **community** groups should ensure that they focus on planning issues and use available opportunities for engaging constructively with developers and planning authorities.

8. Further information can be found in the following:

- [Town and Country Planning \(Scotland\) Act 1997](#)⁸ as amended, plus associated legislation: sets out minimum requirements for consultation and engagement
- [Circular 6/2013: Development Planning](#)⁹
- [Circular 3/2013: Development Management Procedures](#)¹⁰
- [The Standards Commission for Scotland: Guidance on the Councillors' Code of Conduct](#)¹¹
- [Planning Advice Note 3/2010: Community Engagement](#)¹²
- [A Guide to the Use of Mediation in the Planning System in Scotland \(2009\)](#)¹³

Outcomes: How Planning Makes a Difference

9. The Scottish Government's Purpose of creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth is set out in the Government Economic Strategy. The aim is to ensure that the entire public sector is fully aligned to deliver the Purpose. The relationship of planning to the Purpose is shown on page 8.

10. The Scottish Government's [16 national outcomes](#)¹⁴ articulate in more detail how the Purpose is to be achieved. Planning is broad in scope and cross cutting in nature and therefore contributes to the achievement of all of the national outcomes. The pursuit of these outcomes provides the impetus for other national plans, policies and strategies and many of the principles and policies set out in them are reflected in both the SPP and NPF3.

8 www.legislation.gov.uk/ukpga/1997/8/contents

9 www.scotland.gov.uk/Publications/2013/12/9924/0

10 www.scotland.gov.uk/Publications/2013/12/9882/0

11 www.standardscommissionscotland.org.uk/webfm_send/279

12 www.scotland.gov.uk/Publications/2010/08/30094454/0

13 www.scotland.gov.uk/Publications/2009/03/10154116/0

14 www.scotland.gov.uk/About/Performance/scotPerforms/outcome

11. NPF3 and this SPP share a single vision for the planning system in Scotland:

We live in a Scotland with a growing, low-carbon economy with progressively narrowing disparities in well-being and opportunity. It is growth that can be achieved whilst reducing emissions and which respects the quality of environment, place and life which makes our country so special. It is growth which increases solidarity – reducing inequalities between our regions. We live in sustainable, well-designed places and homes which meet our needs. We enjoy excellent transport and digital connections, internally and with the rest of the world.

12. At the strategic and local level, planning can make a very important contribution to the delivery of [Single Outcome Agreements](#)¹⁵, through their shared focus on ‘place’. Effective integration between land use planning and community planning is crucial and development plans should reflect close working with [Community Planning Partnerships](#)¹⁶.

13. The following four planning outcomes explain how planning should support the vision. The outcomes are consistent across the NPF and SPP and focus on creating a successful sustainable place, a low carbon place, a natural, resilient place and a more connected place. For planning to make a positive difference, development plans and new development need to contribute to achieving these outcomes.

Outcome 1: A successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed, sustainable places.

14. NPF3 aims to strengthen the role of our city regions and towns, create more vibrant rural places, and realise the opportunities for sustainable growth and innovation in our coastal and island areas.

15. The SPP sets out how this should be delivered on the ground. By locating the right development in the right place, planning can provide opportunities for people to make sustainable choices and improve their quality of life. Well-planned places promote well-being, a sense of identity and pride, and greater opportunities for social interaction. Planning therefore has an important role in promoting strong, resilient and inclusive communities. Delivering high-quality buildings, infrastructure and spaces in the right locations helps provide choice over where to live and style of home, choice as to how to access amenities and services and choice to live more active, engaged, independent and healthy lifestyles.

16. Good planning creates opportunities for people to contribute to a growing, adaptable and productive economy. By allocating sites and creating places that are attractive to growing economic sectors, and enabling the delivery of necessary infrastructure, planning can help provide the confidence required to secure private sector investment, thus supporting innovation, creating employment and benefiting related businesses.

Outcome 2: A low carbon place – reducing our carbon emissions and adapting to climate change.

¹⁵ www.scotland.gov.uk/Topics/Government/PublicServiceReform/CP/SOA2012

¹⁶ www.scotland.gov.uk/Topics/Government/PublicServiceReform/CP

17. NPF3 will facilitate the transition to a low carbon economy, particularly by supporting diversification of the energy sector. The spatial strategy as a whole aims to reduce greenhouse gas emissions and facilitate **adaptation** to climate change.

18. The Climate Change (Scotland) Act 2009 sets a target of reducing greenhouse gas emissions by at least 80% by 2050, with an interim target of reducing emissions by at least 42% by 2020. Annual greenhouse gas emission targets are set in secondary legislation. Section 44 of the Act places a duty on every public body to act:

- in the way best calculated to contribute to the delivery of emissions targets in the Act;
- in the way best calculated to help deliver the Scottish Government’s climate change adaptation programme; and
- in a way that it considers is most sustainable.

19. The SPP sets out how this should be delivered on the ground. By seizing opportunities to encourage mitigation and adaptation measures, planning can support the transformational change required to meet emission reduction targets and influence climate change. Planning can also influence people’s choices to reduce the environmental impacts of consumption and production, particularly through energy efficiency and the reduction of waste.

Outcome 3: A natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use.

20. NPF3 emphasises the importance of our environment as part of our cultural identity, an essential contributor to well-being and an economic opportunity. Our spatial strategy aims to build resilience and promotes protection and sustainable use of our world-class environmental assets.

21. The SPP sets out how this should be delivered on the ground. By protecting and making efficient use of Scotland’s existing resources and environmental assets, planning can help us to live within our environmental limits and to pass on healthy ecosystems to future generations. Planning can help to manage and improve the condition of our assets, supporting communities in realising their aspirations for their environment and facilitating their access to enjoyment of it. By enhancing our surroundings, planning can help make Scotland a uniquely attractive place to work, visit and invest and therefore support the generation of jobs, income and wider economic benefits.

Outcome 4: A more connected place – supporting better transport and digital connectivity.

22. NPF3 reflects our continuing investment in infrastructure, to strengthen transport links within Scotland and to the rest of the world. Improved digital connections will also play a key role in helping to deliver our spatial strategy for sustainable growth.

23. The SPP sets out how this should be delivered on the ground. By aligning development more closely with transport and digital infrastructure, planning can improve sustainability and connectivity. Improved connections facilitate accessibility within and between places – within Scotland and beyond – and support economic growth and an inclusive society.

SG Purpose	To focus government and public services on creating a more successful country, with opportunities for all to flourish, through increasing sustainable economic growth.											
SG National Outcomes	The planning system and service contribute to all 16 National Outcomes											
SG National Plans, Policies & Strategies	Government Economic Strategy											
	Infrastructure Investment Plan											
	Scotland's Digital Future	Electricity & Heat Generation Policy Statements	2020 Challenge for Scotland's Biodiversity	Scottish Historic Environment Strategy and Policy	Housing Strategy	National Planning Framework & Scottish Planning Policy	Land Use Strategy	Low Carbon Scotland: Report of Proposals and Policies	National Marine Plan	Regeneration Strategy	National Transport Strategy	
Planning Vision	We live in a Scotland with a growing, low carbon economy with progressively narrowing disparities in well-being and opportunity. It is growth that can be achieved whilst reducing emissions and which respects the quality of environment, place and life which makes our country so special. It is growth which increases solidarity – reducing inequalities between our regions. We live in sustainable, well-designed places and homes which meet our needs. We enjoy excellent transport and digital connections, internally and with the rest of the world.											
Planning Outcomes	Planning makes Scotland a successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed places.			Planning makes Scotland a low carbon place – reducing our carbon emissions and adapting to climate change.			Planning makes Scotland a natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use.			Planning makes Scotland a connected place – supporting better transport and digital connectivity.		
National Planning	Scottish Planning Policy (SPP)											
	Principal Policies											
	Sustainability											
	Placemaking											
	Subject Policies											
	Town Centres	Heat and Electricity	Natural Environment	Green Infrastructure	Travel	Zero Waste	Aquacultural	Minerals	Flooding & Drainage	Digital Connectivity	National Planning Framework (NPF)	
Rural Development												
Homes												
	Business & Employment	Zero Waste	Aquacultural	Minerals	Digital Connectivity	National Developments	Coast and Islands	Rural Areas	Cities and Towns	National Developments	National Planning Framework (NPF)	
Historic Environment												
	COMMUNITY PLANNING											
Strategic	Strategic Development Plans											
Local	Local Development Plans											
Site	Master Plans											

Principal Policies

Sustainability

NPF and wider policy context

24. The Scottish Government's central purpose is to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing **sustainable economic growth**.

25. The Scottish Government's commitment to the concept of **sustainable development** is reflected in its Purpose. It is also reflected in the continued support for the five guiding principles set out in the UK's shared framework for sustainable development. Achieving a sustainable economy, promoting good governance and using sound science responsibly are essential to the creation and maintenance of a strong, healthy and just society capable of living within environmental limits.

26. The NPF is the spatial expression of the Government Economic Strategy (2011) and sustainable economic growth forms the foundations of its strategy. The NPF sits at the top of the development plan hierarchy and must be taken into account in the preparation of strategic and local development plans.

27. The Government Economic Strategy indicates that sustainable economic growth is the key to unlocking Scotland's potential and outlines the multiple benefits of delivering the Government's purpose, including creating a supportive business environment, achieving a low carbon economy, tackling health and social problems, maintaining a high-quality environment and passing on a sustainable legacy for future generations.

Policy Principles

This SPP introduces a presumption in favour of development that contributes to sustainable development.

28. The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.

29. This means that policies and decisions should be guided by the following principles:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;

- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting [climate change mitigation](#) and [adaptation](#) including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the [historic environment](#);
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

Key Documents

- [National Planning Framework](#)¹⁷
- [Government Economic Strategy](#)¹⁸
- [Planning Reform: Next Steps](#)¹⁹
- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)²⁰
- [UK’s Shared Framework for Sustainable Development](#)²¹

Delivery

Development Planning

30. Development plans should:

- be consistent with the policies set out in this SPP, including the presumption in favour of development that contributes to sustainable development;
- positively seek opportunities to meet the development needs of the plan area in a way which is flexible enough to adapt to changing circumstances over time;
- support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area;
- be up-to-date, place-based and enabling with a spatial strategy that is implemented through policies and proposals; and
- set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achieved.

17 www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Framework

18 www.scotland.gov.uk/Publications/2011/09/13091128/0

19 www.scotland.gov.uk/Publications/2012/03/3467

20 www.scotland.gov.uk/Publications/2011/03/17091927/0

21 <http://archive.defra.gov.uk/sustainable/government/documents/SDFramework.pdf>

31. Action programmes should be actively used to drive delivery of planned developments: to align stakeholders, phasing, financing and infrastructure investment over the long term.

Development Management

32. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and this SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.

33. Where relevant policies in a development plan are out-of-date²² or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP. The same principle should be applied where a development plan is more than five years old.

34. Where a plan is under review, it may be appropriate in some circumstances to consider whether granting planning permission would prejudice the emerging plan. Such circumstances are only likely to apply where the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new developments that are central to the emerging plan. Prematurity will be more relevant as a consideration the closer the plan is to adoption or approval.

35. To support the efficient and transparent handling of planning applications by planning authorities and consultees, applicants should provide good quality and timely supporting information that describes the economic, environmental and social implications of the proposal. In the spirit of planning reform, this should be proportionate to the scale of the application and planning authorities should avoid asking for additional impact appraisals, unless necessary to enable a decision to be made. Clarity on the information needed and the timetable for determining proposals can be assisted by good communication and project management, for example, use of processing agreements setting out the information required and covering the whole process including planning obligations.

²² Development plans or their policies should not be considered out-of-date solely on the grounds that they were adopted prior to the publication of this SPP. However, the policies in the SPP will be a material consideration which should be taken into account when determining applications.

Placemaking

NPF and wider policy context

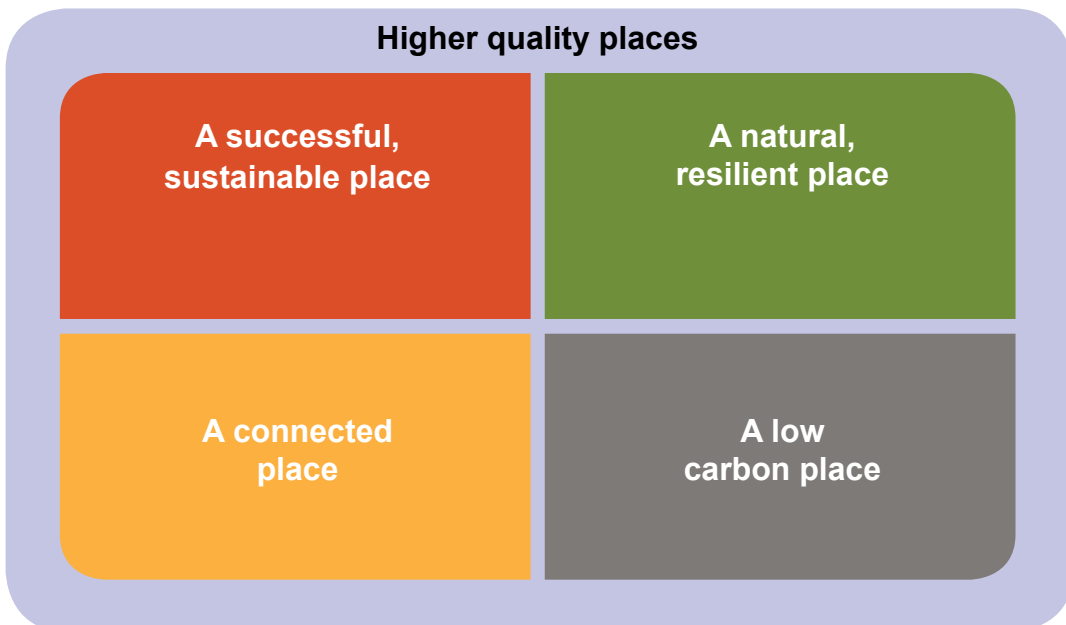
36. Planning’s purpose is to create better places. Placemaking is a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments. The outcome should be sustainable, well-designed places and homes which meet people’s needs. The Government Economic Strategy supports an approach to place that recognises the unique contribution that every part of Scotland can make to achieving our shared outcomes. This means harnessing the distinct characteristics and strengths of each place to improve the overall quality of life for people. Reflecting this, NPF3 sets out an agenda for placemaking in our city regions, towns, rural areas, coast and islands.

37. The Government’s policy statement on architecture and place for Scotland, Creating Places, emphasises that quality places are successful places. It sets out the value that high-quality design can deliver for Scotland’s communities and the important role that good buildings and places play in promoting healthy, sustainable lifestyles; supporting the prevention agenda and efficiency in public services; promoting Scotland’s distinctive identity all over the world; attracting visitors, talent and investment; delivering our environmental ambitions; and providing a sense of belonging, a sense of identity and a sense of community. It is clear that places which have enduring appeal and functionality are more likely to be valued by people and therefore retained for generations to come.

Policy Principles

Planning should take every opportunity to create high quality places by taking a design-led approach.

38. This means taking a holistic approach that responds to and enhances the existing place while balancing the costs and benefits of potential opportunities over the long term. This means considering the relationships between:



39. The design-led approach should be applied at all levels – at the national level in the NPF, at the regional level in strategic development plans, at the local level in local development plans and at site and individual building level within master plans that respond to how people use public spaces.

Planning should direct the right development to the right place.

40. This requires spatial strategies within development plans to promote a sustainable pattern of development appropriate to the area. To do this decisions should be guided by the following policy principles:

- optimising the use of existing resource capacities, particularly by co-ordinating housing and business development with infrastructure investment including transport, education facilities, water and drainage, energy, heat networks and digital infrastructure;
- using land within or adjacent to settlements for a mix of uses. This will also support the creation of more compact, higher density, accessible and more vibrant cores;
- considering the re-use or re-development of **brownfield land** before new development takes place on greenfield sites;
- considering whether the permanent, temporary or advanced greening of all or some of a site could make a valuable contribution to green and open space networks, particularly where it is unlikely to be developed for some time, or is unsuitable for development due to its location or viability issues; and
- locating development where investment in growth or improvement would have most benefit for the amenity of local people and the vitality of the local economy.

Planning should support development that is designed to a high-quality, which demonstrates the six qualities of successful place.

- ***Distinctive***

41. This is development that complements local features, for example landscapes, topography, ecology, skylines, spaces and scales, street and building forms, and materials to create places with a sense of identity.

- ***Safe and Pleasant***

42. This is development that is attractive to use because it provides a sense of security through encouraging activity. It does this by giving consideration to crime rates and providing a clear distinction between private and public space, by having doors that face onto the street creating active frontages, and by having windows that overlook well-lit streets, paths and open spaces to create natural surveillance. A pleasant, positive sense of place can be achieved by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement.

- **Welcoming**

43. This is development that helps people to find their way around. This can be by providing or accentuating landmarks to create or improve views, it can be locating a distinctive work of art to mark places such as gateways, and it can include appropriate signage and distinctive lighting to improve safety and show off attractive buildings.

- **Adaptable**

44. This is development that can accommodate future changes of use because there is a mix of building densities, tenures and typologies where diverse but compatible uses can be integrated. It takes into account how people use places differently, for example depending on age, gender and degree of personal mobility and providing versatile greenspace.

- **Resource Efficient**

45. This is development that re-uses or shares existing resources, maximises efficiency of the use of resources through natural or technological means and prevents future resource depletion, for example by mitigating and adapting to climate change. This can mean denser development that shares infrastructure and amenity with adjacent sites. It could include siting development to take shelter from the prevailing wind; or orientating it to maximise solar gain. It could also include ensuring development can withstand more extreme weather, including prolonged wet or dry periods, by working with natural environmental processes such as using landscaping and natural shading to cool spaces in built areas during hotter periods and using sustainable drainage systems to conserve and enhance natural features whilst reducing the risk of flooding. It can include using durable materials for building and landscaping as well as low carbon technologies that manage heat and waste efficiently.

- **Easy to Move Around and Beyond**

46. This is development that considers place and the needs of people before the movement of motor vehicles. It could include using higher densities and a mix of uses that enhance accessibility by reducing reliance on private cars and prioritising sustainable and active travel choices, such as walking, cycling and public transport. It would include paths and routes which connect places directly and which are well-connected with the wider environment beyond the site boundary. This may include providing facilities that link different means of travel.

Key Documents

- [National Planning Framework](#)²³
- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)²⁴
- [Creating Places –A Policy Statement on Architecture and Place for Scotland](#)²⁵
- [Designing Streets](#)²⁶
- [Planning Advice Note 77: Designing Safer Places](#)²⁷
- [Green Infrastructure: Design and Placemaking](#)²⁸

23 www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Framework

24 www.scotland.gov.uk/Publications/2011/03/17091927/0

25 www.scotland.gov.uk/Publications/2013/06/9811/0

26 www.scotland.gov.uk/Publications/2010/03/22120652/0

27 www.scotland.gov.uk/Publications/2006/03/08094923/0

28 www.scotland.gov.uk/Publications/2011/11/04140525/0

Delivery

47. Planning should adopt a consistent and relevant approach to the assessment of design and place quality such as that set out in the forthcoming Scottish Government Place Standard.

Development Planning

48. Strategic and local development plans should be based on spatial strategies that are deliverable, taking into account the scale and type of development pressure and the need for growth and regeneration. An urban capacity study, which assesses the scope for development within settlement boundaries, may usefully inform the spatial strategy, and local authorities should make use of land assembly, including the use of [compulsory purchase powers](#)²⁹ where appropriate. Early discussion should take place between local authorities, developers and relevant agencies to ensure that investment in necessary new infrastructure is addressed in a timely manner.

49. For most settlements, a green belt is not necessary as other policies can provide an appropriate basis for directing development to the right locations. However, where the planning authority considers it appropriate, the development plan may designate a green belt around a city or town to support the spatial strategy by:

- directing development to the most appropriate locations and supporting regeneration;
- protecting and enhancing the character, landscape setting and identity of the settlement; and
- protecting and providing access to open space.

50. In developing the spatial strategy, planning authorities should identify the most sustainable locations for longer-term development and, where necessary, review the boundaries of any green belt.

51. The spatial form of the green belt should be appropriate to the location. It may encircle a settlement or take the shape of a buffer, corridor, strip or wedge. Local development plans should show the detailed boundary of any green belt, giving consideration to:

- excluding existing settlements and major educational and research uses, major businesses and industrial operations, airports and Ministry of Defence establishments;
- the need for development in smaller settlements within the green belt, where appropriate leaving room for expansion;
- redirecting development pressure to more suitable locations; and
- establishing clearly identifiable visual boundary markers based on landscape features such as rivers, tree belts, railways or main roads³⁰. Hedges and field enclosures will rarely provide a sufficiently robust boundary.

52. Local development plans should describe the types and scales of development which would be appropriate within a green belt. These may include:

- development associated with agriculture, including the reuse of historic agricultural buildings;
- development associated with woodland and forestry, including community woodlands;
- horticulture, including market gardening and directly connected retailing;

²⁹ www.scotland.gov.uk/Topics/archive/National-Planning-Policy/themes/ComPur

³⁰ Note: where a main road forms a green belt boundary, any proposed new accesses would still require to meet the usual criteria.

- recreational uses that are compatible with an agricultural or natural setting;
- essential infrastructure such as digital communications infrastructure and electricity grid connections;
- development meeting a national requirement or established need, if no other suitable site is available; and
- intensification of established uses subject to the new development being of a suitable scale and form.

53. The creation of a new settlement may occasionally be a necessary part of a spatial strategy, where it is justified either by the scale and nature of the housing land requirement and the existence of major constraints to the further growth of existing settlements, or by its essential role in promoting regeneration or rural development.

54. Where a development plan spatial strategy indicates that a new settlement is appropriate, it should specify its scale and location, and supporting infrastructure requirements, particularly where these are integral to the viability and deliverability of the proposed development. Supplementary guidance can address more detailed issues such as design and delivery.

55. Local development plans should contribute to high-quality places by setting out how they will embed a design-led approach. This should include:



- reference to the six qualities of successful places which enable consideration of each place as distinctly different from other places and which should be evident in all development;
- using processes that harness and utilise the knowledge of communities and encourage active participation to deliver places with local integrity and relevance; and
- specifying when design tools, such as those at paragraph 57 should be used.

Development Management

56. Design is a material consideration in determining planning applications. Planning permission may be refused and the refusal defended at appeal or local review solely on design grounds.

Tools for Making Better Places

57. Design tools guide the quality of development in and across places to promote positive change. They can help to provide certainty for stakeholders as a contribution to sustainable economic growth. Whichever tools are appropriate to the task, they should focus on delivering the six qualities of successful places and could be adopted as supplementary guidance.

Scale	Tool
<p style="text-align: center;">STRATEGIC</p>   <p style="text-align: center;">SITE SPECIFIC</p>	<p>Design Frameworks</p> <p>For larger areas of significant change, so must include some flexibility.</p> <p>To address major issues in a co-ordinated and viable way.</p> <p>May include general principles as well as maps and diagrams to show the importance of connections around and within a place.</p>
	<p>Development Briefs</p> <p>For a place or site, to form the basis of dialogue between the local authority and developers.</p> <p>To advise how policies should be implemented.</p> <p>May include detail on function, layout, plot sizes, building heights and lines, and materials.</p>
	<p>Master Plans</p> <p>For a specific site that may be phased so able to adapt over time.</p> <p>To describe and illustrate how a proposal will meet the vision and how it will work on the ground.</p> <p>May include images showing the relationship of people and place.</p> <p>See Planning Advice Note 83: Masterplanning³¹</p>
	<p>Design Guides</p> <p>For a particular subject, e.g. shop fronts.</p> <p>To show how development can be put into practice in line with policy.</p> <p>Includes detail, e.g. images of examples.</p>
	<p>Design Statements</p> <p>Required to accompany some planning applications.</p> <p>To explain how the application meets policy and guidance, for example by close reference to key considerations of street design with Designing Streets.</p> <p>See Planning Advice Note 68: Design Statements³²</p>

31 www.scotland.gov.uk/Publications/2008/11/10114526/0

32 www.scotland.gov.uk/Publications/2003/08/18013/25389

Subject Policies

A Successful, Sustainable Place

Promoting Town Centres

NPF and wider context

58. NPF3 reflects the importance of town centres as a key element of the economic and social fabric of Scotland. Much of Scotland's population lives and works in towns, within city regions, in our rural areas and on our coasts and islands. Town centres are at the heart of their communities and can be hubs for a range of activities. It is important that planning supports the role of town centres to thrive and meet the needs of their residents, businesses and visitors for the 21st century.

59. The town centre first principle, stemming from the Town Centre Action Plan, promotes an approach to wider decision-making that considers the health and vibrancy of town centres.

Policy Principles

60. Planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into town centres. The planning system should:

- apply a town centre first policy³³ when planning for uses which attract significant numbers of people, including retail and commercial leisure, offices, community and cultural facilities;
- encourage a mix of uses in town centres to support their vibrancy, vitality and viability throughout the day and into the evening;
- ensure development plans, decision-making and monitoring support successful town centres; and
- consider opportunities for promoting residential use within town centres where this fits with local need and demand.

Key Documents

- [National Review of Town Centres External Advisory Group Report: Community and Enterprise in Scotland's Town Centres](#)³⁴
- [Town Centre Action Plan – the Scottish Government response](#)³⁵
- [Planning Advice Note 59: Improving Town Centres](#)³⁶
- [Planning Advice Note 52: Planning and Small Towns](#)³⁷

³³ A town centre first policy is intended to support town centres, where these exist, or new centres which are supported by the development plan. Where there are no town centres in the vicinity, for example in more remote rural and island areas, the expectation is that local centres will be supported. The town centre first policy is not intended to divert essential services and developments away from such rural areas. See section on Rural Development.

³⁴ www.scotland.gov.uk/Resource/0042/00426972.pdf

³⁵ www.scotland.gov.uk/Publications/2013/11/6415

³⁶ www.scotland.gov.uk/Publications/1999/10/pan59-root/pan59

³⁷ www.scotland.gov.uk/Publications/1997/04/pan52

- [Town Centres Masterplanning Toolkit](#)³⁸

Development Plans

61. Plans should identify a network of centres and explain how they can complement each other. The network is likely to include city centres, town centres, local centres and commercial centres and may be organised as a hierarchy. Emerging or new centres designated within key new developments or land releases should also be shown within the network of centres. In remoter rural and island areas, it may not be necessary to identify a network.

62. Plans should identify as town centres those centres which display:

- a diverse mix of uses, including shopping;
- a high level of accessibility;
- qualities of character and identity which create a sense of place and further the well-being of communities;
- wider economic and social activity during the day and in the evening; and
- integration with residential areas.

63. Plans should identify as commercial centres those centres which have a more specific focus on retailing and/or leisure uses, such as shopping centres, commercial leisure developments, mixed retail and leisure developments, retail parks and factory outlet centres. Where necessary to protect the role of town centres, plans should specify the function of commercial centres, for example where retail activity may be restricted to the sale of bulky goods.

64. Local authorities, working with community planning partners, businesses and community groups as appropriate, should prepare a town centre health check. Annex A sets out a range of indicators which may be relevant. The purpose of a health check is to assess a town centre's strengths, vitality and viability, weaknesses and resilience. It will be used to inform development plans and decisions on planning applications. Health checks should be regularly updated, to monitor town centre performance, preferably every two years.

65. Local authorities, working with partners, should use the findings of the health check to develop a strategy to deliver improvements to the town centre. Annex A contains guidance on key elements in their preparation.

66. The spatial elements of town centre strategies should be included in the development plan or supplementary guidance. Plans should address any significant changes in the roles and functions of centres over time, where change is supported by the results of a health check. Plans should assess how centres can accommodate development and identify opportunities.

67. There are concerns about the number and clustering of some non-retail uses, such as betting offices and high interest money lending premises, in some town and local centres. Plans should include policies to support an appropriate mix of uses in town centres, local centres and high streets. Where a town centre strategy indicates that further provision of particular activities would undermine the character and amenity of centres or the well-being of communities, plans should include policies to prevent such over-provision and clustering.

³⁸ <http://creatingplacescotland.org/people-communities/policy/town-centre-masterplanning-toolkit#overlay-context=people-communities/policy>

68. Development plans should adopt a sequential town centre first approach when planning for uses which generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities and, where appropriate, other public buildings such as libraries, and education and healthcare facilities. This requires that locations are considered in the following order of preference:

- town centres (including city centres and local centres);
- edge of town centre;
- other commercial centres identified in the development plan; and
- out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes.

69. Planning authorities, developers, owners and occupiers should be flexible and realistic in applying the sequential approach, to ensure that different uses are developed in the most appropriate locations. It is important that community, education and healthcare facilities are located where they are easily accessible to the communities that they are intended to serve.

Development Management

70. Decisions on development proposals should have regard to the context provided by the network of centres identified in the development plan and the sequential approach outlined above. New development in a town centre should contribute to providing a range of uses and should be of a scale which is appropriate to that centre. The impact of new development on the character and amenity of town centres, local centres and high streets will be a material consideration in decision-making. The aim is to recognise and prioritise the importance of town centres and encourage a mix of developments which support their vibrancy, vitality and viability. This aim should also be taken into account in decisions concerning proposals to expand or change the use of existing development.

71. Where development proposals in edge of town centre, commercial centre or out-of-town locations are contrary to the development plan, it is for applicants to demonstrate that more central options have been thoroughly assessed and that the impact on existing town centres is acceptable. Where a new public building or office with a gross floorspace over 2,500m² is proposed outwith a town centre, and is contrary to the development plan, an assessment of the impact on the town centre should be carried out. Where a retail and leisure development with a gross floorspace over 2,500m² is proposed outwith a town centre, contrary to the development plan, a retail impact analysis should be undertaken. For smaller retail and leisure proposals which may have a significant impact on vitality and viability, planning authorities should advise when retail impact analysis is necessary.

72. This analysis should consider the relationship of the proposed development with the network of centres identified in the development plan. Where possible, authorities and developers should agree the data required and present information on areas of dispute in a succinct and comparable form. Planning authorities should consider the potential economic impact of development and take into account any possible displacement effect.

73. Out-of-centre locations should only be considered for uses which generate significant footfall³⁹ where:

- all town centre, edge of town centre and other commercial centre options have been assessed and discounted as unsuitable or unavailable;

³⁹ As noted at paragraph 69, a flexible approach is required for community, education and healthcare facilities.

- the scale of development proposed is appropriate, and it has been shown that the proposal cannot reasonably be altered or reduced in scale to allow it to be accommodated at a sequentially preferable location;
- the proposal will help to meet qualitative or quantitative deficiencies; and
- there will be no significant adverse effect on the vitality and viability of existing town centres.

Promoting Rural Development

NPF Context

74. NPF3 sets out a vision for vibrant rural, coastal and island areas, with growing, sustainable communities supported by new opportunities for employment and education. The character of rural and island areas and the challenges they face vary greatly across the country, from pressurised areas of countryside around towns and cities to more remote and sparsely populated areas. Between these extremes are extensive intermediate areas under varying degrees of pressure and with different kinds of environmental assets meriting protection. Scotland's long coastline is an important resource both for development and for its particular environmental quality, especially in the areas of the three island councils.

Policy Principles

75. The planning system should:

- in all rural and island areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces;
- encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality; and
- support an integrated approach to coastal planning.

Key documents

- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)⁴⁰
- National Marine Plan

Delivery

76. In the pressurised areas easily accessible from Scotland's cities and main towns, where ongoing development pressures are likely to continue, it is important to protect against an unsustainable growth in car-based commuting and the suburbanisation of the countryside, particularly where there are environmental assets such as sensitive landscapes or good quality agricultural land. Plans should make provision for most new urban development to take place within, or in planned extensions to, existing settlements.

77. In remote and fragile areas and island areas outwith defined small towns, the emphasis should be on maintaining and growing communities by encouraging development that provides suitable sustainable economic activity, while preserving important environmental assets such as landscape and wildlife habitats that underpin continuing tourism visits and quality of place.

78. In the areas of intermediate accessibility and pressure for development, plans should be tailored to local circumstances, seeking to provide a sustainable network of settlements and a

⁴⁰ www.scotland.gov.uk/Publications/2011/03/17091927/0

range of policies that provide for additional housing requirements, economic development, and the varying proposals that may come forward, while taking account of the overarching objectives and other elements of the plan.

79. Plans should set out a spatial strategy which:

- reflects the development pressures, environmental assets, and economic needs of the area, reflecting the overarching aim of supporting diversification and growth of the rural economy;
- promotes economic activity and diversification, including, where appropriate, sustainable development linked to tourism and leisure, forestry, farm and croft diversification and aquaculture, nature conservation, and renewable energy developments, while ensuring that the distinctive character of the area, the service function of small towns and natural and cultural heritage are protected and enhanced;
- makes provision for housing in rural areas in accordance with the spatial strategy, taking account of the different development needs of local communities;
- where appropriate, sets out policies and proposals for leisure accommodation, such as holiday units, caravans, and huts;
- addresses the resource implications of the proposed pattern of development, including facilitating access to local community services and support for public transport; and
- considers the services provided by the natural environment, safeguarding land which is highly suitable for particular uses such as food production or flood management.

80. Where it is necessary to use good quality land for development, the layout and design should minimise the amount of such land that is required. Development on [prime agricultural land](#), or land of lesser quality that is locally important should not be permitted except where it is essential:

- as a component of the settlement strategy or necessary to meet an established need, for example for essential infrastructure, where no other suitable site is available; or
- for small-scale development directly linked to a rural business; or
- for the generation of energy from a renewable source or the extraction of minerals where this accords with other policy objectives and there is secure provision for restoration to return the land to its former status.

81. In accessible or pressured rural areas, where there is a danger of unsustainable growth in long-distance car-based commuting or suburbanisation of the countryside, a more restrictive approach to new housing development is appropriate, and plans and decision-making should generally:

- guide most new development to locations within or adjacent to settlements; and
- set out the circumstances in which new housing outwith settlements may be appropriate, avoiding use of occupancy restrictions.

82. In some most pressured areas, the designation of green belts may be appropriate.

83. In remote rural areas, where new development can often help to sustain fragile communities, plans and decision-making should generally:

- encourage sustainable development that will provide employment;
- support and sustain fragile and dispersed communities through provision for appropriate development, especially housing and community-owned energy;

- include provision for small-scale housing⁴¹ and other development which supports sustainable economic growth in a range of locations, taking account of environmental protection policies and addressing issues of location, access, siting, design and environmental impact;
- where appropriate, allow the construction of single houses outwith settlements provided they are well sited and designed to fit with local landscape character, taking account of landscape protection and other plan policies;
- not impose occupancy restrictions on housing.

National Parks

84. National Parks are designated under the National Parks (Scotland) Act 2000 because they are areas of national importance for their natural and cultural heritage. The four aims of national parks are to:

- conserve and enhance the natural and cultural heritage of the area;
- promote sustainable use of the natural resources of the area;
- promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
- promote sustainable economic and social development of the area's communities.

85. These aims are to be pursued collectively. However if there is a conflict between the first aim and any of the others then greater weight must be given to the first aim. Planning decisions should reflect this weighting. Paragraph 213 also applies to development outwith a National Park that affects the Park.

86. Development plans for National Parks are expected to be consistent with the National Park Plan, which sets out the management strategy for the Park. The authority preparing a development plan for a National Park, or which affects a National Park, is required to pay special attention to the desirability of consistency with the National Park Plan, having regard to the contents.

Coastal Planning

87. The planning system should support an integrated approach to coastal planning to ensure that development plans and regional marine plans are complementary. Terrestrial planning by planning authorities overlaps with marine planning in the intertidal zone. On the terrestrial side, mainland planning authorities should work closely with neighbouring authorities, taking account of the needs of port authorities and aquaculture, where appropriate. On the marine side, planning authorities will need to ensure integration with policies and activities arising from the National Marine Plan, Marine Planning Partnerships, Regional Marine Plans, and Integrated Coastal Zone Management, as well as aquaculture.

Development Plans

88. Plans should recognise that rising sea levels and more extreme weather events resulting from climate change will potentially have a significant impact on coastal and island areas, and that a precautionary approach to flood risk should be taken. They should confirm that new development requiring new defences against coastal erosion or coastal flooding will not be supported except where there is a clear justification for a departure from the general policy to

⁴¹ including clusters and groups; extensions to existing clusters and groups; replacement housing; plots for self build; holiday homes; new build or conversion linked to rural business.

avoid development in areas at risk. Where appropriate, development plans should identify areas at risk and areas where a managed realignment of the coast would be beneficial.

89. Plans should identify areas of largely developed coast that are a major focus of economic or recreational activity that are likely to be suitable for further development; areas subject to significant constraints; and largely unspoiled areas of the coast that are generally unsuitable for development. It should be explained that this broad division does not exclude important local variations, for example where there are areas of environmental importance within developed estuaries, or necessary developments within the largely unspoiled coast where there is a specific locational need, for example for defence purposes, tourism developments of special significance, or essential onshore developments connected with offshore energy projects or (where appropriate) aquaculture.

90. Plans should promote the developed coast as the focus of developments requiring a coastal location or which contribute to the economic regeneration or well-being of communities whose livelihood is dependent on marine or coastal activities. They should provide for the development requirements of uses requiring a coastal location, including ports and harbours, tourism and recreation, fish farming, land-based development associated with offshore energy projects and specific defence establishments.

91. Plans should safeguard unspoiled sections of coast which possess special environmental or cultural qualities, such as wild land. The economic value of these areas should be considered and maximised, provided that environmental impact issues can be satisfactorily addressed.

Supporting Business and Employment

NPF Context

92. NPF3 supports the many and varied opportunities for planning to support business and employment. These range from a focus on the role of cities as key drivers of our economy, to the continuing need for diversification of our rural economy to strengthen communities and retain young people in remote areas. Planning should address the development requirements of businesses and enable key opportunities for investment to be realised. It can support sustainable economic growth by providing a positive policy context for development that delivers economic benefits.

Policy Principles

93. The planning system should:

- promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments as national assets;
- allocate sites that meet the diverse needs of the different sectors and sizes of business which are important to the plan area in a way which is flexible enough to accommodate changing circumstances and allow the realisation of new opportunities; and
- give due weight to net economic benefit of proposed development.

Key Documents

- [Government Economic Strategy](#)⁴²

⁴² www.scotland.gov.uk/Topics/Economy/EconomicStrategy

- [Tourism Development Framework for Scotland](#)⁴³
- [A Guide to Development Viability](#)⁴⁴

Delivery

Development Planning

94. Plans should align with relevant local economic strategies. These will help planning authorities to meet the needs and opportunities of indigenous firms and inward investors, recognising the potential of key sectors for Scotland with particular opportunities for growth, including:

- energy;
- life sciences, universities and the creative industries;
- tourism and the food and drink sector;
- financial and business services.

95. Plans should encourage opportunities for home-working, live-work units, micro-businesses and community hubs.

96. Development plans should support opportunities for integrating efficient energy and waste innovations within business environments. Industry stakeholders should engage with planning authorities to help facilitate co-location, as set out in paragraph 179.

97. Strategic development plan policies should reflect a robust evidence base in relation to the existing principal economic characteristics of their areas, and any anticipated change in these.

98. Strategic development plans should identify an appropriate range of locations for significant business clusters. This could include sites identified in the [National Renewables Infrastructure Plan](#)⁴⁵, [Enterprise Areas](#)⁴⁶, business parks, science parks, large and medium-sized industrial sites and high amenity sites.

99. Strategic development plans and local development plans outwith SDP areas should identify any nationally important clusters of industries [handling hazardous substances](#) within their areas and safeguard them from development which, either on its own or in combination with other development, would compromise their continued operation or growth potential. This is in the context of the wider statutory requirements in the Town and Country Planning (Development Planning) (Scotland) Regulations 2009⁴⁷ to have regard to the need to maintain appropriate distances between sites with hazardous substances and areas where the public are likely to be present and areas of particular natural sensitivity or interest.

100. Development plans should be informed by the Tourism Development Framework for Scotland in order to maximise the sustainable growth of regional and local visitor economies. Strategic development plans should identify and safeguard any nationally or regionally important locations for tourism or recreation development within their areas.

43 www.visitscotland.org/pdf/Tourism%20Development%20Framework%20-%20FINAL.pdf

44 www.scotland.gov.uk/Resource/Doc/212607/0109620.pdf

45 www.scottish-enterprise.com/~media/SE/Resources/Documents/Sectors/Energy/energy-renewables-reports/National-renewables-infrastructure-plan.ashx

46 www.scotland.gov.uk/Topics/Economy/EconomicStrategy/Enterprise-Areas

47 These statutory requirements are due to be amended in 2015 as part of the implementation of Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances.

101. Local development plans should allocate a range of sites for business, taking account of current market demand; location, size, quality and infrastructure requirements; whether sites are serviced or serviceable within five years; the potential for a mix of uses; their accessibility to transport networks by walking, cycling and public transport and their integration with and access to existing transport networks. The allocation of such sites should be informed by relevant economic strategies and business land audits in respect of land use classes 4, 5 and 6.

102. Business land audits should be undertaken regularly by local authorities to inform reviews of development plans, and updated more frequently if relevant. Business land audits should monitor the location, size, planning status, existing use, neighbouring land uses and any significant land use issues (e.g. underused, vacant, derelict) of sites within the existing business land supply.

103. New sites should be identified where existing sites no longer meet current needs and market expectations. Where existing business sites are underused, for example where there has been an increase in vacancy rates, reallocation to enable a wider range of viable business or alternative uses should be considered, taking careful account of the potential impacts on existing businesses on the site.

104. Local development plans should locate development which generates significant freight movements, such as manufacturing, processing, distribution and warehousing, on sites accessible to suitable railheads or harbours or the strategic road network. Through appraisal, care should be taken in locating such development to minimise any impact on congested, inner urban and residential areas.

105. Planning authorities should consider the potential to promote opportunities for tourism and recreation facilities in their development plans. This may include new developments or the enhancement of existing facilities.

Development Management

106. Efficient handling of planning applications should be a key priority, particularly where jobs and investment are involved. To assist with this, pre-application discussions are strongly encouraged to determine the information that should be submitted to support applications. Such information should be proportionate and relevant to the development and sufficient for the planning authority requirements on matters such as the number of jobs to be created, hours of working, transport requirements, environmental effects, noise levels and the layout and design of buildings. Decisions should be guided by the principles set out in paragraphs 28 to 35.

107. Proposals for development in the vicinity of [major-accident hazard sites](#) should take into account the potential impacts on the proposal and the major-accident hazard site of being located in proximity to one another. Decisions should be informed by the Health and Safety Executive's advice, based on the [PADHI](#) tool. Similar considerations apply in respect of development proposals near licensed explosive sites (including military explosive storage sites).

108. Proposals for business, industrial and service uses should take into account surrounding sensitive uses, areas of particular natural sensitivity or interest and local amenity, and make a positive contribution towards placemaking.

Enabling Delivery of New Homes

NPF Context

109. NPF3 aims to facilitate new housing development, particularly in areas within our cities network where there is continuing pressure for growth, and through innovative approaches to rural housing provision. House building makes an important contribution to the economy. Planning can help to address the challenges facing the housing sector by providing a positive and flexible approach to development. In particular, provision for new homes should be made in areas where economic investment is planned or there is a need for regeneration or to support population retention in rural and island areas.

Policy Principles

110. The planning system should:

- identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times;
- enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and
- have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

Key Documents

- [The Housing \(Scotland\) Act 2001](#)⁴⁸ requires local authorities to prepare a local housing strategy supported by an assessment of housing need and demand
- [Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits](#)⁴⁹

Delivery

111. Local authorities should identify functional housing market areas, i.e. geographical areas where the demand for housing is relatively self-contained. These areas may significantly overlap and will rarely coincide with local authority boundaries. They can be dynamic and complex, and can contain different tiers of sub-market area, overlain by mobile demand, particularly in city regions.

112. Planning for housing should be undertaken through joint working by housing market partnerships, involving both housing and planning officials within local authorities, and cooperation between authorities where strategic planning responsibilities and/or housing market areas are shared, including national park authorities. Registered social landlords, developers, other specialist interests, and local communities should also be encouraged to engage with housing market partnerships. In rural or island areas where there is no functional housing market area, the development plan should set out the most appropriate approach for the area.

48 www.legislation.gov.uk/asp/2001/10/contents

49 www.scotland.gov.uk/Publications/2010/08/31111624/0

Development Planning

113. Plans should be informed by a robust housing need and demand assessment (HNDA), prepared in line with the Scottish Government's HNDA Guidance⁵⁰. This assessment provides part of the evidence base to inform both local housing strategies and development plans (including the main issues report). It should produce results both at the level of the functional housing market area and at local authority level, and cover all tenures. Where the Scottish Government is satisfied that the HNDA is robust and credible, the approach used will not normally be considered further at a development plan examination.

114. The HNDA, development plan, and local housing strategy processes should be closely aligned, with joint working between housing and planning teams. Local authorities may wish to wait until the strategic development plan is approved in city regions, and the local development plan adopted elsewhere, before finalising the local housing strategy, to ensure that any modifications to the plans can be reflected in local housing strategies, and in local development plans in the city regions.

115. Plans should address the supply of land for all housing. They should set out the **housing supply target** (separated into affordable and market sector) for each functional housing market area, based on evidence from the HNDA. The housing supply target is a policy view of the number of homes the authority has agreed will be delivered in each housing market area over the periods of the development plan and local housing strategy, taking into account wider economic, social and environmental factors, issues of capacity, resource and deliverability, and other important requirements such as the aims of National Parks. The target should be reasonable, should properly reflect the HNDA estimate of housing demand in the market sector, and should be supported by compelling evidence. The authority's housing supply target should also be reflected in the local housing strategy.

116. Within the overall housing supply target⁵¹, plans should indicate the number of new homes to be built over the plan period. This figure should be increased by a margin of 10 to 20% to establish the housing land requirement, in order to ensure that a generous supply of land for housing is provided. The exact extent of the margin will depend on local circumstances, but a robust explanation for it should be provided in the plan.

117. The housing land requirement can be met from a number of sources, most notably sites from the established supply which are effective or expected to become effective in the plan period, sites with planning permission, proposed new land allocations, and in some cases a proportion of windfall development. Any assessment of the expected contribution to the housing land requirement from **windfall sites** must be realistic and based on clear evidence of past completions and sound assumptions about likely future trends. In urban areas this should be informed by an urban capacity study.

118. Strategic development plans should set out the **housing supply target** and the housing land requirement for the plan area, each local authority area, and each functional housing market area. They should also state the amount and broad locations of land which should be allocated in local development plans to meet the housing land requirement up to year 12 from the expected year of plan approval, making sure that the requirement for each housing market area is met in full. Beyond year 12 and up to year 20, the strategic development plan should provide an indication of the possible scale and location of housing land, including by local development plan area.

⁵⁰ www.scotland.gov.uk/Topics/Built-Environment/Housing/supply-demand/chma/hnda

⁵¹ Note: the housing supply target may in some cases include a contribution from other forms of delivery, for example a programme to bring empty properties back into use.

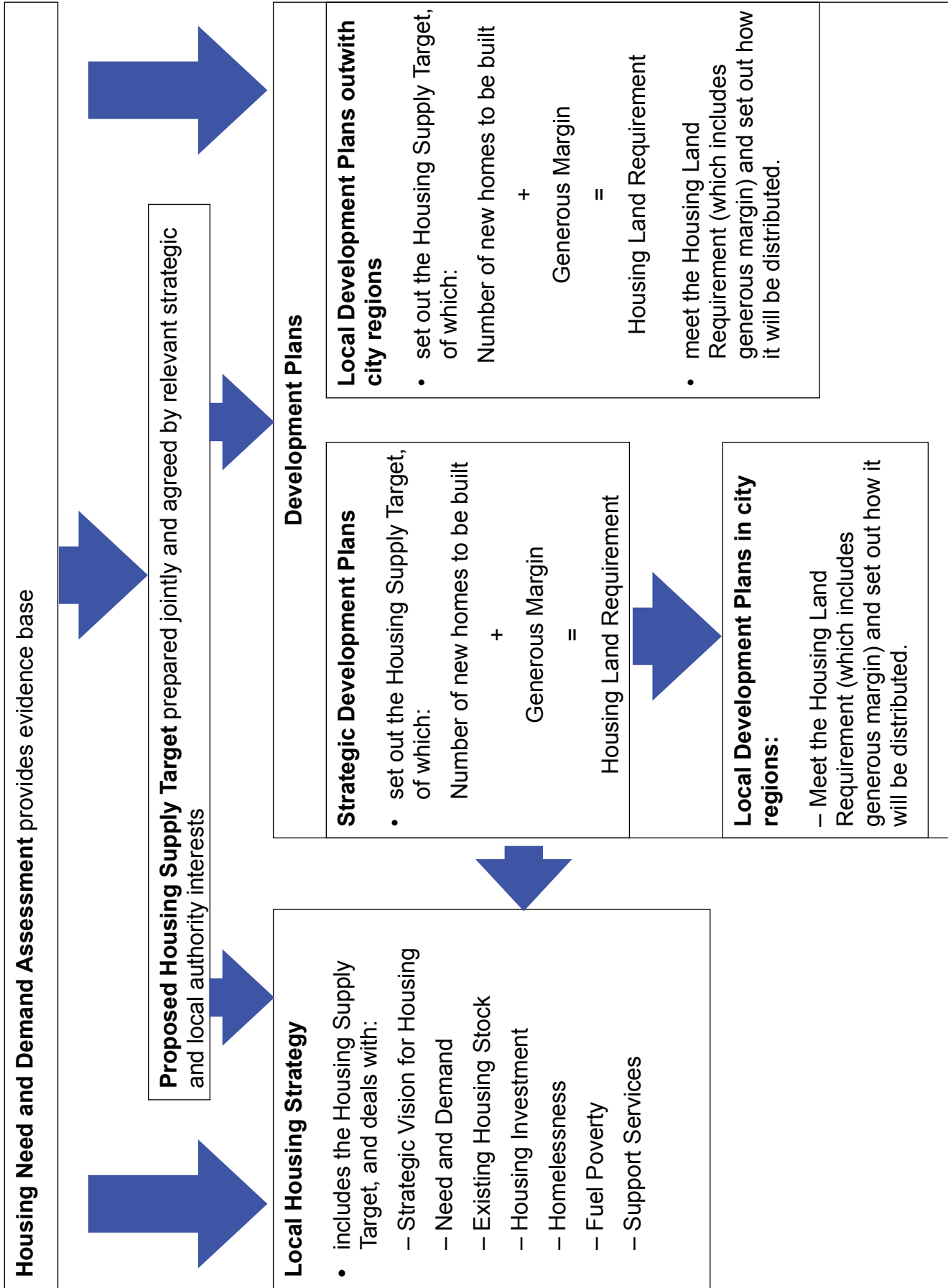
119. Local development plans in city regions should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption. They should provide for a minimum of 5 years effective land supply at all times. In allocating sites, planning authorities should be confident that land can be brought forward for development within the plan period and that the range of sites allocated will enable the housing supply target to be met.

120. Outwith city regions, local development plans should set out the housing supply target (separated into affordable and market sector) and the housing land requirement for each housing market area in the plan area up to year 10 from the expected year of adoption. They should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement in full. They should provide a minimum of 5 years effective land supply at all times. Beyond year 10 and up to year 20, the local development plan should provide an indication of the possible scale and location of the housing land requirement.

121. In the National Parks, local development plans should draw on the evidence provided by the HNDAs of the constituent housing authorities. National Park authorities should aim to meet the housing land requirement in full in their area. However, they are not required to do so, and they should liaise closely with neighbouring planning authorities to ensure that any remaining part of the housing land requirement for the National Parks is met in immediately adjoining housing market areas, and that a 5-year supply of effective land is maintained.

122. Local development plans should allocate appropriate sites to support the creation of sustainable mixed communities and successful places and help to ensure the continued delivery of new housing.

Diagram 1: Housing Land, Development Planning and the Local Housing Strategy



Maintaining a 5-year Effective Land Supply

123. Planning authorities should actively manage the housing land supply. They should work with housing and infrastructure providers to prepare an annual housing land audit as a tool to critically review and monitor the availability of effective housing land, the progress of sites through the planning process, and housing completions, to ensure a generous supply of land for house building is maintained and there is always enough effective land for at least five years. A site is only considered effective where it can be demonstrated that within five years it will be free of constraints⁵² and can be developed for housing. In remoter rural areas and island communities, where the housing land requirement and market activity are of a more limited scale, the housing land audit process may be adapted to suit local circumstances.

124. The development plan action programme, prepared in tandem with the plan, should set out the key actions necessary to bring each site forward for housing development and identify the lead partner. It is a key tool, and should be used alongside the housing land audit to help planning authorities manage the land supply.

125. Planning authorities, developers, service providers and other partners in housing provision should work together to ensure a continuing supply of effective land and to deliver housing, taking a flexible and realistic approach. Where a shortfall in the 5-year effective housing land supply emerges, development plan policies for the supply of housing land will not be considered up-to-date, and paragraphs 32-35 will be relevant.

Affordable Housing

126. Affordable housing is defined broadly as housing of a reasonable quality that is affordable to people on modest incomes. Affordable housing may be provided in the form of social rented accommodation, mid-market rented accommodation, shared ownership housing, shared equity housing, housing sold at a discount (including plots for self-build), and low cost housing without subsidy.

127. Where the housing supply target requires provision for affordable housing, strategic development plans should state how much of the total housing land requirement this represents.

128. Local development plans should clearly set out the scale and distribution of the affordable housing requirement for their area. Where the HNDA and local housing strategy process identify a shortage of affordable housing, the plan should set out the role that planning will take in addressing this. Planning authorities should consider whether it is appropriate to allocate some small sites specifically for affordable housing. Advice on the range of possible options for provision of affordable housing is set out in PAN 2/2010.

129. Plans should identify any expected developer contributions towards delivery of affordable housing. Where a contribution is required, this should generally be for a specified proportion of the serviced land within a development site to be made available for affordable housing. Planning authorities should consider the level of affordable housing contribution which is likely to be deliverable in the current economic climate, as part of a viable housing development. The level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses. Consideration should also be given to the nature of the affordable housing required and the extent to which this can be met by proposals capable of development with little or no public subsidy. Where permission is sought for specialist housing, as described in paragraphs 132-134, a contribution to affordable housing may not always be required.

⁵² Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits sets out more fully the measure of effective sites www.scotland.gov.uk/Publications/2010/08/31111624/5

130. Plans should consider how affordable housing requirements will be met over the period of the plan. Planning and housing officials should work together closely to ensure that the phasing of land allocations and the operation of affordable housing policies combine to deliver housing across the range of tenures. In rural areas, where significant unmet local need for affordable housing has been shown, it may be appropriate to introduce a 'rural exceptions' policy which allows planning permission to be granted for affordable housing on small sites that would not normally be used for housing, for example because they lie outwith the adjacent built-up area and are subject to policies of restraint.

131. Any detailed policies on how the affordable housing requirement is expected to be delivered, including any differences in approach for urban and rural areas, should be set out in supplementary guidance. Where it is considered that housing built to meet an identified need for affordable housing should remain available to meet such needs in perpetuity, supplementary guidance should set out the measures to achieve this. Any specific requirements on design may also be addressed in supplementary guidance.

Specialist Housing Provision and Other Specific Needs

132. As part of the HNDA, local authorities are required to consider the need for specialist provision that covers accessible and adapted housing, wheelchair housing and supported accommodation, including care homes and sheltered housing. This supports independent living for elderly people and those with a disability. Where a need is identified, planning authorities should prepare policies to support the delivery of appropriate housing and consider allocating specific sites.

133. HNDAs will also evidence need for sites for Gypsy/Travellers and Travelling Showpeople. Development plans and local housing strategies should address any need identified, taking into account their mobile lifestyles. In city regions, the strategic development plan should have a role in addressing cross-boundary considerations. If there is a need, local development plans should identify suitable sites for these communities. They should also consider whether policies are required for small privately-owned sites for Gypsy/Travellers, and for handling applications for permanent sites for Travelling Showpeople (where account should be taken of the need for storage and maintenance of equipment as well as accommodation). These communities should be appropriately involved in identifying sites for their use.

134. Local development plans should address any need for houses in multiple occupation (HMO). More information is provided in Circular 2/2012 Houses in Multiple Occupation⁵³. Planning authorities should also consider the housing requirements of service personnel and sites for people seeking self-build plots. Where authorities believe it appropriate to allocate suitable sites for self-build plots, the sites may contribute to meeting the housing land requirement.

⁵³ www.scotland.gov.uk/Publications/2012/06/4191

Valuing the Historic Environment

NPF and wider policy context

135. NPF3 recognises the contribution made by our cultural heritage to our economy, cultural identity and quality of life. Planning has an important role to play in maintaining and enhancing the distinctive and high-quality, irreplaceable historic places which enrich our lives, contribute to our sense of identity and are an important resource for our tourism and leisure industry.

136. The [historic environment](#) is a key cultural and economic asset and a source of inspiration that should be seen as integral to creating successful places. Culture-led regeneration can have a profound impact on the well-being of a community in terms of the physical look and feel of a place and can also attract visitors, which in turn can bolster the local economy and sense of pride or ownership.

Policy Principles

137. The planning system should:

- promote the care and protection of the designated and non-designated historic environment (including individual assets, related [settings](#) and the wider cultural landscape) and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning; and
- enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced.

Key Documents

- [Scottish Historic Environment Policy](#)⁵⁴
- [Historic Environment Strategy for Scotland](#)⁵⁵
- [Managing Change in the Historic Environment – Historic Scotland’s guidance note series](#)⁵⁶
- [Planning Advice Note 2/2011: Planning and Archaeology](#)⁵⁷
- [Planning Advice Note 71: Conservation Area Management](#)⁵⁸
- [Scottish Historic Environment Databases](#)⁵⁹

54 www.historic-scotland.gov.uk/index/heritage/policy/shep.htm

55 www.scotland.gov.uk/Publications/2014/03/8522

56 www.historic-scotland.gov.uk/managingchange

57 www.scotland.gov.uk/Publications/2011/08/04132003/0

58 www.scotland.gov.uk/Publications/2004/12/20450/49052

59 <http://smrforum-scotland.org.uk/wp-content/uploads/2014/03/SHED-Strategy-Final-April-2014.pdf>

Delivery

Development Planning

138. Strategic development plans should protect and promote their significant historic environment assets. They should take account of the capacity of settlements and surrounding areas to accommodate development without damage to their historic significance.

139. Local development plans and supplementary guidance should provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment. Local planning authorities should designate and review existing and potential conservation areas and identify existing and proposed [Article 4 Directions](#). This should be supported by Conservation Area Appraisals and Management Plans.

Development Management

140. The siting and design of development should take account of all aspects of the historic environment. In support of this, planning authorities should have access to a Sites and Monuments Record (SMR) and/or a Historic Environment Record (HER) that contains necessary information about known historic environment features and finds in their area.

Listed Buildings

141. Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting.

142. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

Conservation Areas

143. Proposals for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance. Where the demolition of an unlisted building is proposed through Conservation Area Consent, consideration should be given to the contribution the building makes to the character and appearance of the conservation area. Where a building makes a positive contribution the presumption should be to retain it.

144. Proposed works to trees in conservation areas require prior notice to the planning authority and statutory Tree Preservation Orders⁶⁰ can increase the protection given to such trees. Conservation Area Appraisals should inform development management decisions.

⁶⁰ www.scotland.gov.uk/Publications/2011/01/28152314/0

Scheduled Monuments

145. Where there is potential for a proposed development to have an adverse effect on a [scheduled monument](#) or on the integrity of its setting, permission should only be granted where there are exceptional circumstances. Where a proposal would have a direct impact on a scheduled monument, the written consent of Scottish Ministers via a separate process is required in addition to any other consents required for the development.

Historic Marine Protected Areas

146. Where planning control extends offshore, planning authorities should ensure that development will not significantly hinder the preservation objectives of [Historic Marine Protected Areas](#).

World Heritage Sites

147. World Heritage Sites are of international importance. Where a development proposal has the potential to affect a World Heritage Site, or its setting, the planning authority must protect and preserve its [Outstanding Universal Value](#).

Gardens and Designed Landscapes

148. Planning authorities should protect and, where appropriate, seek to enhance gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes and designed landscapes of regional and local importance.

Battlefields

149. Planning authorities should seek to protect, conserve and, where appropriate, enhance the key landscape characteristics and special qualities of sites in the Inventory of Historic Battlefields.

Archaeology and Other Historic Environment Assets

150. Planning authorities should protect archaeological sites and monuments as an important, finite and non-renewable resource and preserve them in situ wherever possible. Where in situ preservation is not possible, planning authorities should, through the use of conditions or a legal obligation, ensure that developers undertake appropriate excavation, recording, analysis, publication and archiving before and/or during development. If archaeological discoveries are made, they should be reported to the planning authority to enable discussion on appropriate measures, such as inspection and recording.

151. There is also a range of non-designated historic assets and areas of historical interest, including historic landscapes, other gardens and designed landscapes, woodlands and routes such as drove roads which do not have statutory protection. These resources are, however, an important part of Scotland's heritage and planning authorities should protect and preserve significant resources as far as possible, in situ wherever feasible.

A Low Carbon Place

Delivering Heat and Electricity

NPF Context

152. NPF3 is clear that planning must facilitate the transition to a low carbon economy, and help to deliver the aims of the [Scottish Government's Report on Proposals and Policies](#)⁶¹. Our spatial strategy facilitates the development of generation technologies that will help to reduce greenhouse gas emissions from the energy sector. Scotland has significant renewable energy resources, both onshore and offshore. Spatial priorities range from extending heat networks in our cities and towns to realising the potential for renewable energy generation in our coastal and island areas.

153. Terrestrial and marine planning facilitate development of renewable energy technologies, link generation with consumers and guide new infrastructure to appropriate locations. Efficient supply of low carbon and low cost heat and generation of heat and electricity from renewable energy sources are vital to reducing greenhouse gas emissions and can create significant opportunities for communities. Renewable energy also presents a significant opportunity for associated development, investment and growth of the supply chain, particularly for ports and harbours identified in the [National Renewables Infrastructure Plan](#)⁶². Communities can also gain new opportunities from increased local ownership and associated benefits.

Policy Principles

154. The planning system should:

- support the transformational change to a low carbon economy, consistent with national objectives and targets⁶³, including deriving:
 - 30% of overall energy demand from renewable sources by 2020;
 - 11% of heat demand from renewable sources by 2020; and
 - the equivalent of 100% of electricity demand from renewable sources by 2020;
- support the development of a diverse range of electricity generation from renewable energy technologies – including the expansion of renewable energy generation capacity – and the development of heat networks;
- guide development to appropriate locations and advise on the issues that will be taken into account when specific proposals are being assessed;
- help to reduce emissions and energy use in new buildings and from new infrastructure by enabling development at appropriate locations that contributes to:
 - Energy efficiency;
 - Heat recovery;
 - Efficient energy supply and storage;

61 www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets

62 www.scottish-enterprise.com/~media/SE/Resources/Documents/Sectors/Energy/energy-renewables-reports/National-renewables-infrastructure-plan.ashx

63 Further targets may be set in due course, for example district heating targets have been proposed.

- Electricity and heat from renewable sources; and
- Electricity and heat from non-renewable sources where greenhouse gas emissions can be significantly reduced.

Key Documents

- [Electricity Generation Policy Statement](#)⁶⁴
- [2020 Routemap for Renewable Energy in Scotland](#)⁶⁵
- [Towards Decarbonising Heat: Maximising the opportunities for Scotland, Draft Heat Generation Policy Statement](#)⁶⁶
- [Low Carbon Scotland: Meeting Our Emissions Reductions Targets 2013 - 2027](#)⁶⁷

Delivery

Development Planning

155. Development plans should seek to ensure an area's full potential for electricity and heat from renewable sources is achieved, in line with national climate change targets, giving due regard to relevant environmental, community and **cumulative impact** considerations.

156. Strategic development plans should support national priorities for the construction or improvement of strategic energy infrastructure, including generation, storage, transmission and distribution networks. They should address cross-boundary issues, promoting an approach to electricity and heat that supports the transition to a low carbon economy.

157. Local development plans should support new build developments, infrastructure or retrofit projects which deliver energy efficiency and the recovery of energy that would otherwise be wasted both in the specific development and surrounding area. They should set out the factors to be taken into account in considering proposals for energy developments. These will depend on the scale of the proposal and its relationship to the surrounding area and are likely to include the considerations set out at paragraph 169.

Heat

158. Local development plans should use heat mapping to identify the potential for co-locating developments with a high heat demand with sources of heat supply. Heat supply sources include harvestable woodlands, sawmills producing biomass, biogas production sites and developments producing unused excess heat, as well as geothermal systems, heat recoverable from mine waters, aquifers, other bodies of water and heat storage systems. Heat demand sites for particular consideration include high density developments, communities off the gas grid, fuel poor areas and **anchor developments** such as hospitals, schools, leisure centres and heat intensive industry.

159. Local development plans should support the development of heat networks in as many locations as possible, even where they are initially reliant on carbon-based fuels if there is potential to convert them to run on renewable or low carbon sources of heat in the future. Local development plans should identify where heat networks, heat storage and **energy centres** exist or would be appropriate and include policies to support their implementation. Policies should support

64 www.scotland.gov.uk/Topics/Business-Industry/Energy/EGPSMain

65 www.scotland.gov.uk/Publications/2011/08/04110353/0

66 www.scotland.gov.uk/Publications/2014/03/2778

67 www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets

safeguarding of piperuns within developments for later connection and pipework to the curtilage of development. Policies should also give consideration to the provision of energy centres within new development. Where a district network exists, or is planned, or in areas identified as appropriate for district heating, policies may include a requirement for new development to include infrastructure for connection, providing the option to use heat from the network.

160. Where heat networks are not viable, microgeneration and heat recovery technologies associated with individual properties should be encouraged.

Onshore Wind

161. Planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities, following the approach set out below in Table 1. Development plans should indicate the minimum scale⁶⁸ of onshore wind development that their spatial framework is intended to apply to. Development plans should also set out the criteria that will be considered in deciding all applications for wind farms of different scales – including extensions and re-powering – taking account of the considerations set out at paragraph 169.

162. Both strategic and local development planning authorities, working together where required, should identify where there is strategic capacity for wind farms, and areas with the greatest potential for wind development, considering cross-boundary constraints and opportunities. Strategic development planning authorities are expected to take the lead in dealing with cross-boundary constraints and opportunities and will coordinate activity with constituent planning authorities.

163. The approach to spatial framework preparation set out in the SPP should be followed in order to deliver consistency nationally and additional constraints should not be applied at this stage. The spatial framework is complemented by a more detailed and exacting development management process where the merits of an individual proposal will be carefully considered against the full range of environmental, community, and [cumulative impacts](#) (see paragraph 169).

164. Individual properties and those settlements not identified within the development plan will be protected by the safeguards set out in the local development plan policy criteria for determining wind farms and the development management considerations accounted for when determining individual applications.

165. Grid capacity should not be used as a reason to constrain the areas identified for wind farm development or decisions on individual applications for wind farms. It is for wind farm developers to discuss connections to the grid with the relevant transmission network operator. Consideration should be given to underground grid connections where possible.

166. Proposals for onshore wind turbine developments should continue to be determined while spatial frameworks and local policies are being prepared and updated. Moratoria on onshore wind development are not appropriate.

⁶⁸ For example, Loch Lomond and The Trossachs and Cairngorms National Parks refer to developments of more than one turbine and over 30 metres in height as large-scale commercial wind turbines.

Table 1: Spatial Frameworks

<p>Group 1: Areas where wind farms will not be acceptable:</p> <p>National Parks and National Scenic Areas.</p>		
<p>Group 2: Areas of significant protection:</p> <p>Recognising the need for significant protection, in these areas wind farms may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.</p>		
<p>National and international designations:</p> <ul style="list-style-type: none"> • World Heritage Sites; • Natura 2000 and Ramsar sites; • Sites of Special Scientific Interest; • National Nature Reserves; • Sites identified in the Inventory of Gardens and Designed Landscapes; • Sites identified in the Inventory of Historic Battlefields. 	<p>Other nationally important mapped environmental interests:</p> <ul style="list-style-type: none"> • areas of wild land as shown on the 2014 SNH map of wild land areas; • carbon rich soils, deep peat and priority peatland habitat. 	<p>Community separation for consideration of visual impact:</p> <ul style="list-style-type: none"> • an area not exceeding 2km around cities, towns and villages identified on the local development plan with an identified settlement envelope or edge. The extent of the area will be determined by the planning authority based on landform and other features which restrict views out from the settlement.
<p>Group 3: Areas with potential for wind farm development:</p> <p>Beyond groups 1 and 2, wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria.</p>		

Other Renewable Electricity Generating Technologies and Storage

167. Development plans should identify areas capable of accommodating renewable electricity projects in addition to wind generation, including hydro-electricity generation related to river or tidal flows or energy storage projects of a range of scales.

168. Development plans should identify areas which are weakly connected or unconnected to the national electricity network and facilitate development of decentralised and mobile energy storage installations. Energy storage schemes help to support development of renewable energy and maintain stability of the electricity network in areas where reinforcement is needed to manage congestion. Strategic development planning authorities are expected to take the lead in dealing with cross-boundary constraints and opportunities and will coordinate activity between constituent planning authorities.

Development Management

169. Proposals for energy infrastructure developments should always take account of spatial frameworks for wind farms and heat maps where these are relevant. Considerations will vary relative to the scale of the proposal and area characteristics but are likely to include:

- net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities;
- the scale of contribution to renewable energy generation targets;
- effect on greenhouse gas emissions;
- **cumulative impacts** – planning authorities should be clear about likely cumulative impacts arising from all of the considerations below, recognising that in some areas the cumulative impact of existing and consented energy development may limit the capacity for further development;
- impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;
- landscape and visual impacts, including effects on wild land;
- effects on the natural heritage, including birds;
- impacts on carbon rich soils, using the carbon calculator;
- public access, including impact on long distance walking and cycling routes and scenic routes identified in the NPF;
- impacts on the historic environment, including scheduled monuments, listed buildings and their settings;
- impacts on tourism and recreation;
- impacts on aviation and defence interests and seismological recording;
- impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;
- impacts on road traffic;
- impacts on adjacent trunk roads;
- effects on hydrology, the water environment and flood risk;
- the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration;

- opportunities for energy storage; and
- the need for a robust planning obligation to ensure that operators achieve site restoration.

170. Areas identified for wind farms should be suitable for use in perpetuity. Consents may be time-limited but wind farms should nevertheless be sited and designed to ensure impacts are minimised and to protect an acceptable level of amenity for adjacent communities.

171. Proposals for energy generation from non-renewable sources may be acceptable where carbon capture and storage or other emissions reduction infrastructure is either already in place or committed within the development's lifetime and proposals must ensure protection of good environmental standards.

172. Where new energy generation or storage proposals are being considered, the potential to connect those projects to off-grid areas should be considered.

Community Benefit

173. Where a proposal is acceptable in land use terms, and consent is being granted, local authorities may wish to engage in negotiations to secure community benefit in line with the [Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments](#)⁶⁹.

Existing Wind Farm Sites

174. Proposals to repower existing wind farms which are already in suitable sites where environmental and other impacts have been shown to be capable of mitigation can help to maintain or enhance installed capacity, underpinning renewable energy generation targets. The current use of the site as a wind farm will be a material consideration in any such proposals.

Planning for Zero Waste

NPF and Wider Context

175. NPF3 recognises that waste is a resource and an opportunity, rather than a burden. Scotland has a Zero Waste Policy, which means wasting as little as possible and recognising that every item and material we use, either natural or manufactured, is a resource which has value for our economy. Planning plays a vital role in supporting the provision of facilities and infrastructure for future business development, investment and employment.

Policy Principles

176. The planning system should:

- promote developments that minimise the unnecessary use of primary materials and promote efficient use of secondary materials;
- support the emergence of a diverse range of new technologies and investment opportunities to secure economic value from secondary resources, including reuse, refurbishment, remanufacturing and reprocessing;
- support achievement of Scotland's zero waste targets: recycling 70% of household waste and sending no more than 5% of Scotland's annual waste arisings to landfill by 2025; and
- help deliver infrastructure at appropriate locations, prioritising development in line with the waste hierarchy: waste prevention, reuse, recycling, energy recovery and waste disposal.

69 www.scotland.gov.uk/Publications/2013/11/8279

Key Documents

- [EU revised Waste Framework Directive](#)⁷⁰ (2008/98/EC)
- [Waste \(Scotland\) Regulations 2012](#)⁷¹: a statutory framework to maximise the quantity and quality of materials available for recycling and minimise the need for residual waste infrastructure;
- [Zero Waste Plan](#)⁷² and accompanying regulations and supporting documents;
- Safeguarding Scotland's Resources: A blueprint for a more resource efficient and circular economy;
- [Circular 6/2013 Development Planning](#)⁷³;
- SEPA waste data sources: including [Waste Data Digests](#)⁷⁴ and [Waste Infrastructure Maps](#)⁷⁵;
- [SEPA Thermal Treatment of Waste Guidelines 2013](#)⁷⁶;
- [Waste capacity tables](#)⁷⁷ (formerly Zero Waste Plan Annex B capacity tables)

Delivery

177. Planning authorities and SEPA should work collaboratively to achieve zero waste objectives, having regard to the Zero Waste Plan, through development plans and development management. A revised version of PAN 63: Planning and Waste Management will be published in due course.

Development Planning

178. Plans should give effect to the aims of the Zero Waste Plan and promote the waste hierarchy.

179. For new developments, including industrial, commercial, and residential, plans should promote resource efficiency and the minimisation of waste during construction and operation.

180. Plans should enable investment opportunities in a range of technologies and industries to maximise the value of secondary resources and waste to the economy, including composting facilities, transfer stations, materials recycling facilities, anaerobic digestion, mechanical, biological and thermal treatment plants. In line with the waste hierarchy, particular attention should be given to encouraging opportunities for reuse, refurbishment, remanufacturing and reprocessing of high value materials and products. Industry and business should engage with planning authorities to help identify sites which would enable co-location with end users of outputs where appropriate.

181. Planning authorities should have regard to the annual update of required capacity for source segregated and unsorted waste, mindful of the need to achieve the all-Scotland operational capacity. However, this should not be regarded as a cap and planning authorities should generally facilitate growth in sustainable resource management.

70 <http://ec.europa.eu/environment/waste/framework/revision.htm>

71 www.legislation.gov.uk/sdsi/2012/9780111016657/contents

72 www.scotland.gov.uk/Topics/Environment/waste-and-pollution/Waste-1/wastestrategy

73 www.scotland.gov.uk/Publications/2013/12/9924/0

74 www.sepa.org.uk/waste/waste_data/waste_data_digest.aspx

75 www.sepa.org.uk/waste/waste_infrastructure_maps.aspx

76 www.sepa.org.uk/waste/waste_regulation/energy_from_waste.aspx

77 www.scotland.gov.uk/Topics/Environment/waste-and-pollution/Waste-1/wastestrategy/annexb

182. The planning system should support the provision of a network of infrastructure to allow Scotland's waste and secondary resources to be managed in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to protect the environment and public health. While a significant shortfall of waste management infrastructure exists, emphasis should be placed on need over proximity. The achievement of a sustainable strategy may involve waste crossing planning boundaries. However, as the national network of installations becomes more fully developed, there will be scope for giving greater weight to proximity in identifying suitable locations for new waste facilities.

183. Any sites identified specifically for energy from waste facilities should enable links to be made to potential users of renewable heat and energy. Such schemes are particularly suitable in locations where there are premises nearby with a long-term demand for heat. Paragraphs 158 to 160 set out policy on heat networks and mapping.

184. Plans should safeguard existing waste management installations and ensure that the allocation of land on adjacent sites does not compromise waste handling operations, which may operate 24 hours a day and partly outside buildings.

185. Strategic development plans and local development plans outwith city regions should set out spatial strategies which make provision for new infrastructure, indicating clearly that it can generally be accommodated on land designated for employment, industrial or storage and distribution uses.

186. Local development plans should identify appropriate locations for new infrastructure, allocating specific sites where possible, and should provide a policy framework which facilitates delivery. Suitable sites will include those which have been identified for employment, industry or storage and distribution. Updated Scottish Government planning advice on identifying sites and assessing their suitability will be provided in due course.

187. Local development plans should identify where masterplans or development briefs will be required to guide the development of waste installations for major sites.

Development Management

188. In determining applications for new installations, authorities should take full account of the policy set out at paragraph 176. Planning authorities should determine whether proposed developments would constitute appropriate uses of the land, leaving the regulation of permitted installations to SEPA.

189. SEPA's Thermal Treatment of Waste Guidelines 2013 and addendum sets out policy on thermal treatment plants.

190. All new development including residential, commercial and industrial properties should include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations.

191. Planning authorities should consider the need for buffer zones between dwellings or other **sensitive receptors** and some waste management facilities. As a guide, appropriate buffer distances may be:

- 100m between sensitive receptors and recycling facilities, small-scale thermal treatment or leachate treatment plant;
- 250m between sensitive receptors and operations such as outdoor composting, anaerobic digestion, mixed waste processing, thermal treatment or landfill gas plant; and
- greater between sensitive receptors and landfill sites.

192. Planning authorities should:

- consider requiring the preparation of site waste management plans for construction sites;
- secure decommissioning or restoration (including landfill) to agreed standards as a condition of planning permission for waste management facilities; and
- ensure that landfill consents are subject to an appropriate financial bond unless the operator can demonstrate that their programme of restoration, including the necessary financing, phasing and aftercare of sites, is sufficient.

A Natural, Resilient Place

Valuing the Natural Environment

NPF Context

193. The natural environment forms the foundation of the spatial strategy set out in NPF3. The environment is a valued national asset offering a wide range of opportunities for enjoyment, recreation and sustainable economic activity. Planning plays an important role in protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use.

Policy Principles

194. The planning system should:

- facilitate positive change while maintaining and enhancing distinctive landscape character;
- conserve and enhance protected sites and species, taking account of the need to maintain healthy ecosystems and work with the natural processes which provide important services to communities;
- promote protection and improvement of the water environment, including rivers, lochs, estuaries, wetlands, coastal waters and groundwater, in a sustainable and co-ordinated way;
- seek to protect soils from damage such as erosion or compaction;
- protect and enhance ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value;
- seek benefits for **biodiversity** from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats; and
- support opportunities for enjoying and learning about the natural environment.

Key Documents

- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)⁷⁸
- [The 2020 Challenge for Scotland’s Biodiversity](#)⁷⁹
- [European Landscape Convention](#)⁸⁰
- [Nature Conservation \(Scotland\) Act 2004](#)⁸¹
- [The Conservation \(Natural Habitats etc\) Regulations](#)⁸²
- [The Wildlife and Countryside Act 1981](#)⁸³

78 www.scotland.gov.uk/Topics/Environment/Countryside/Landusestrategy

79 www.scotland.gov.uk/Publications/2013/06/5538

80 www.coe.int/t/dg4/cultureheritage/heritage/landscape/default_en.asp

81 www.legislation.gov.uk/asp/2004/6/contents

82 www.legislation.gov.uk/uksi/1994/2716/contents/made

83 www.legislation.gov.uk/ukpga/1981/69

- [EU Birds Directive – 2009/147/EC](#)⁸⁴
- [EU Habitats Directive – 92/43/EEC](#)⁸⁵
- [Ramsar Convention on Wetlands of International Importance](#)⁸⁶
- [National Parks \(Scotland\) Act 2000](#)⁸⁷
- [River Basin Management Plans](#)⁸⁸

Delivery

195. Planning authorities, and all public bodies, have a duty under the Nature Conservation (Scotland) Act 2004 to further the conservation of **biodiversity**. This duty must be reflected in development plans and development management decisions. They also have a duty under the Water Environment and Water Services (Scotland) Act 2003 to protect and improve Scotland’s water environment. The Scottish Government expects public bodies to apply the Principles for Sustainable Land Use, as set out in the Land Use Strategy, when taking significant decisions affecting the use of land.

Development Plans

196. International, national and locally designated areas and sites should be identified and afforded the appropriate level of protection in development plans. Reasons for local designation should be clearly explained and their function and continuing relevance considered when preparing plans. Buffer zones should not be established around areas designated for their natural heritage importance. Plans should set out the factors which will be taken into account in development management. The level of protection given to local designations should not be as high as that given to international or national designations.

197. Planning authorities are encouraged to limit non-statutory local designations to areas designated for their local landscape or nature conservation value:

- the purpose of areas of local landscape value should be to:
 - safeguard and enhance the character and quality of a landscape which is important or particularly valued locally or regionally; or
 - promote understanding and awareness of the distinctive character and special qualities of local landscapes; or
 - safeguard and promote important local settings for outdoor recreation and tourism.
- local nature conservation sites should seek to accommodate the following factors:
 - species diversity, species or habitat rarity, naturalness and extent of habitat;
 - contribution to national and local **biodiversity** objectives;
 - potential contribution to the protection or enhancement of connectivity between habitats or the development of **green networks**; and
 - potential to facilitate enjoyment and understanding of natural heritage.

84 ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

85 ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm

86 www.ramsar.org/cda/en/ramsar-home/main/ramsar/1_4000_0

87 www.legislation.gov.uk/asp/2000/10/contents

88 www.sepa.org.uk/water/river_basin_planning.aspx

198. Local nature conservation sites designated for their geodiversity should be selected for their value for scientific study and education, their historical significance and cultural and aesthetic value, and for their potential to promote public awareness and enjoyment.

199. Plans should address the potential effects of development on the natural environment, including proposals for [major-accident hazard sites](#) and the cumulative effects of incremental changes. They should consider the natural and cultural components together, and promote opportunities for the enhancement of degraded landscapes, particularly where this helps to restore or strengthen the natural processes which underpin the well-being and resilience of communities.

200. Wild land character is displayed in some of Scotland's remoter upland, mountain and coastal areas, which are very sensitive to any form of intrusive human activity and have little or no capacity to accept new development. Plans should identify and safeguard the character of areas of wild land as identified on the 2014 SNH map of wild land areas.

201. Plans should identify woodlands of high nature conservation value and include policies for protecting them and enhancing their condition and resilience to climate change. Forestry Commission Scotland's [Native Woodland Survey of Scotland](#)⁸⁹ provides information and guidance. Planning authorities should consider preparing forestry and woodland strategies as supplementary guidance to inform the development of forestry and woodland in their area, including the expansion of woodland of a range of types to provide multiple benefits. Scottish Government advice on planning for forestry and woodlands is set out in [The Right Tree in the Right Place](#)⁹⁰.

Development Management

202. The siting and design of development should take account of local landscape character. Development management decisions should take account of potential effects on landscapes and the natural and water environment, including cumulative effects. Developers should seek to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement.

203. Planning permission should be refused where the nature or scale of proposed development would have an unacceptable impact on the natural environment. Direct or indirect effects on statutorily protected sites will be an important consideration, but designation does not impose an automatic prohibition on development.

204. Planning authorities should apply the precautionary principle where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain but there is sound evidence indicating that significant irreversible damage could occur. The precautionary principle should not be used to impede development without justification. If there is any likelihood that significant irreversible damage could occur, modifications to the proposal to eliminate the risk of such damage should be considered. If there is uncertainty, the potential for research, surveys or assessments to remove or reduce uncertainty should be considered.

205. Where peat and other carbon rich soils are present, applicants should assess the likely effects of development on carbon dioxide (CO₂) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO₂ to the atmosphere. Developments should aim to minimise this release.

89 www.forestry.gov.uk/nwss

90 [www.forestry.gov.uk/pdf/fcfc129.pdf/\\$file/fcfc129.pdf](http://www.forestry.gov.uk/pdf/fcfc129.pdf/$file/fcfc129.pdf)

206. Where non-native species are present on site, or where planting is planned as part of a development, developers should take into account the provisions of the Wildlife and Countryside Act 1981 relating to non-native species.

International Designations

Natura 2000 Sites

207. Sites designated as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) make up the Natura 2000 network of protected areas. Any development plan or proposal likely to have a significant effect on these sites which is not directly connected with or necessary to their conservation management must be subject to an “appropriate assessment” of the implications for the conservation objectives. Such plans or proposals may only be approved if the competent authority has ascertained by means of an “appropriate assessment” that there will be no adverse effect on the integrity of the site.

208. A derogation is available for authorities to approve plans or projects which could adversely affect the integrity of a Natura site if:

- there are no alternative solutions;
- there are imperative reasons of overriding public interest, including those of a social or economic nature; and
- compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.

209. If an authority wishes to use this derogation, Scottish Ministers must be notified. For sites hosting a priority habitat or species (as defined in Article 1 of the Habitats Directive), prior consultation with the European Commission via Scottish Ministers is required unless either the proposal is necessary for public health or safety reasons or it will have beneficial consequences of primary importance to the environment.

210. Authorities should afford the same level of protection to proposed SACs and SPAs (i.e. sites which have been approved by Scottish Ministers for formal consultation but which have not yet been designated) as they do to sites which have been designated.

Ramsar Sites

211. All [Ramsar sites](#) are also Natura 2000 sites and/or Sites of Special Scientific Interest and are protected under the relevant statutory regimes.

National Designations

212. Development that affects a National Park, [National Scenic Area](#), [Site of Special Scientific Interest](#) or a [National Nature Reserve](#) should only be permitted where:

- the objectives of designation and the overall integrity of the area will not be compromised; or
- any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

213. Planning decisions for development within National Parks must be consistent with paragraphs 84-85.

Protected Species

214. The presence (or potential presence) of a legally protected species is an important consideration in decisions on planning applications. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish their presence. The level of protection afforded by legislation must be factored into the planning and design of the development and any impacts must be fully considered prior to the determination of the application. Certain activities – for example those involving European Protected Species as specified in the Conservation (Natural Habitats, &c.) Regulations 1994 and wild birds, protected animals and plants under the Wildlife and Countryside Act 1981 – may only be undertaken under licence. Following the introduction of the Wildlife and Natural Environment (Scotland) Act 2011, Scottish Natural Heritage is now responsible for the majority of wildlife licensing in Scotland.

Areas of Wild Land

215. In areas of wild land (see paragraph 200), development may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.

Woodland

216. Ancient semi-natural woodland is an irreplaceable resource and, along with other woodlands, hedgerows and individual trees, especially veteran trees of high nature conservation and landscape value, should be protected from adverse impacts resulting from development. [Tree Preservation Orders](#)⁹¹ can be used to protect individual trees and groups of trees considered important for amenity or their cultural or historic interest.

217. Where appropriate, planning authorities should seek opportunities to create new woodland and plant native trees in association with development. If a development would result in the severing or impairment of connectivity between important woodland habitats, workable mitigation measures should be identified and implemented, preferably linked to a wider green network (see also the section on green infrastructure).

218. The Scottish Government's [Control of Woodland Removal Policy](#)⁹² includes a presumption in favour of protecting woodland. Removal should only be permitted where it would achieve significant and clearly defined additional public benefits. Where woodland is removed in association with development, developers will generally be expected to provide compensatory planting. The criteria for determining the acceptability of woodland removal and further information on the implementation of the policy is explained in the Control of Woodland Removal Policy, and this should be taken into account when preparing development plans and determining planning applications.

91 www.scotland.gov.uk/Publications/2011/01/28152314/0

92 www.forestry.gov.uk/pdf/fcfc125.pdf/%24FILE/fcfc125.pdf

Maximising the Benefits of Green Infrastructure

NPF Context

219. NPF3 aims to significantly enhance green infrastructure networks, particularly in and around our cities and towns. [Green infrastructure](#) and improved access to [open space](#) can help to build stronger, healthier communities. It is an essential part of our long-term environmental performance and climate resilience. Improving the quality of our places and spaces through integrated green infrastructure networks can also encourage investment and development.

Policy Principles

220. Planning should protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking.

221. The planning system should:

- consider green infrastructure as an integral element of places from the outset of the planning process;
- assess current and future needs and opportunities for green infrastructure to provide multiple benefits;
- facilitate the provision and long-term, integrated management of green infrastructure and prevent fragmentation; and
- provide for easy and safe access to and within green infrastructure, including core paths and other important routes, within the context of statutory access rights under the Land Reform (Scotland) Act 2003.

Key Documents

- [Green Infrastructure: Design and Placemaking](#)⁹³
- [Getting the Best from Our Land – A Land Use Strategy for Scotland](#)⁹⁴
- [Planning Advice Note 65: Planning and Open Space](#)⁹⁵
- [Reaching Higher – Scotland’s National Strategy for Sport](#)⁹⁶
- [The Play Strategy for Scotland and Action Plan](#)⁹⁷
- [Let’s Get Scotland Walking: The National Walking Strategy](#)⁹⁸

Delivery

Development Planning

222. Development plans should be based on a holistic, integrated and cross-sectoral approach to green infrastructure. They should be informed by relevant, up-to-date audits, strategies and action plans covering green infrastructure’s multiple functions, for example open space, playing fields, pitches, outdoor access, core paths, active travel strategies, the historic environment, [biodiversity](#), forestry and woodland, river basins, flood management, coastal zones and the marine environment.

93 www.scotland.gov.uk/Publications/2011/11/04140525/0

94 www.scotland.gov.uk/Publications/2011/03/17091927/0

95 www.scotland.gov.uk/Publications/2008/05/30100623/0

96 www.scotland.gov.uk/Topics/ArtsCultureSport/Sport/NationalStrategies/Sport-21

97 www.scotland.gov.uk/Publications/2013/10/9424

98 www.scotland.gov.uk/Publications/2014/06/5743

Plans should promote consistency with these and reflect their priorities and spatial implications.

223. Strategic development plans should safeguard existing strategic or regionally important assets and identify strategic priorities for green infrastructure addressing cross-boundary needs and opportunities.

224. Local development plans should identify and protect open space identified in the open space audit and strategy as valued and functional or capable of being brought into use to meet local needs.

225. Local development plans should seek to enhance existing and promote the creation of new green infrastructure, which may include retrofitting. They should do this through a design-led approach, applying standards which facilitate appropriate provision, addressing deficits or surpluses within the local context. The standards delivered through a design-led approach should result in a proposal that is appropriate to place, including connections to other green infrastructure assets. Supplementary guidance or master plans may be used to achieve this.

226. Local development plans should identify sites for new indoor or outdoor sports, recreation or play facilities where a need has been identified in a local facility strategy, playing field strategy or similar document. They should provide for good quality, accessible facilities in sufficient quantity to satisfy current and likely future community demand. [Outdoor sports facilities](#) should be safeguarded from development except where:

- the proposed development is ancillary to the principal use of the site as an outdoor sports facility;
- the proposed development involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training;
- the outdoor sports facility which would be lost would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or
- the relevant strategy (see paragraph 224) and consultation with **sportscotland** show that there is a clear excess of provision to meet current and anticipated demand in the area, and that the site would be developed without detriment to the overall quality of provision.

227. Local development plans should safeguard existing and potential allotment sites to ensure that local authorities meet their statutory duty to provide allotments where there is proven demand. Plans should also encourage opportunities for a range of community growing spaces.

228. Local development plans should safeguard access rights and core paths, and encourage new and enhanced opportunities for access linked to wider networks.

229. Local development plans should encourage the temporary use of unused or underused land as green infrastructure while making clear that this will not prevent any future development potential which has been identified from being realised. This type of greening may provide the advance structure planting to create the landscape framework for any future development.

Development Management

230. Development of land allocated as green infrastructure for an unrelated purpose should have a strong justification. This should be based on evidence from relevant audits and strategies that the proposal will not result in a deficit of that type of provision within the local area and that alternative sites have been considered. Poor maintenance and neglect should not be used as a justification for development for other purposes.

231. Development proposals that would result in or exacerbate a deficit of green infrastructure should include provision to remedy that deficit with accessible infrastructure of an appropriate type, quantity and quality.

232. In the design of green infrastructure, consideration should be given to the qualities of successful places. Green infrastructure should be treated as an integral element in how the proposal responds to local circumstances, including being well-integrated into the overall design layout and multi-functional. Arrangements for the long-term management and maintenance of green infrastructure, and associated water features, including common facilities, should be incorporated into any planning permission.

233. Proposals that affect regional and country parks must have regard to their statutory purpose of providing recreational access to the countryside close to centres of population, and should take account of their wider objectives as set out in their management plans and strategies.

Promoting Responsible Extraction of Resources

NPF Context

234. Minerals make an important contribution to the economy, providing materials for construction, energy supply and other uses, and supporting employment. NPF3 notes that minerals will be required as construction materials to support our ambition for diversification of the energy mix. Planning should safeguard mineral resources and facilitate their responsible use. Our spatial strategy underlines the need to address restoration of past minerals extraction sites in and around the Central Belt.

Policy Principles

235. The planning system should:

- recognise the national benefit of indigenous coal, oil and gas production in maintaining a diverse energy mix and improving energy security;
- safeguard workable resources and ensure that an adequate and steady supply is available to meet the needs of the construction, energy and other sectors;
- minimise the impacts of extraction on local communities, the environment and the built and natural heritage; and
- secure the sustainable restoration of sites to beneficial afteruse after working has ceased.

Key Documents

- [Electricity Generation Policy Statement](#)⁹⁹
- [Management of Extractive Waste \(Scotland\) Regulations 2010](#)¹⁰⁰
- [PAN 50: Controlling the Environmental Effects of Surface Mineral Workings](#)¹⁰¹
- [Planning Advice Note 64: Reclamation of Surface Mineral Workings](#)¹⁰²
- [Circular 2/2003: Safeguarding of Aerodromes, Technical Sites and Military Explosive Storage Areas](#)¹⁰³
- [Circular 34/1996: Environment Act 1995 Section 96](#)¹⁰⁴

Delivery

Development Planning

236. Strategic development plans should ensure that adequate supplies of construction aggregates can be made available from within the plan area to meet the likely development needs of the city region over the plan period.

237. Local development plans should safeguard all workable mineral resources which are of economic or conservation value and ensure that these are not sterilised by other development. Plans should set out the factors that specific proposals will need to address, including:

- disturbance, disruption and noise, blasting and vibration, and potential pollution of land, air and water;
- impacts on local communities, individual houses, [sensitive receptors](#) and economic sectors important to the local economy;
- benefits to the local and national economy;
- [cumulative impact](#) with other mineral and landfill sites in the area;
- effects on natural heritage, habitats and the historic environment;
- landscape and visual impacts, including cumulative effects;
- transport impacts; and
- restoration and aftercare (including any benefits in terms of the remediation of existing areas of dereliction or instability).

238. Plans should support the maintenance of a landbank of permitted reserves for construction aggregates of at least 10 years at all times in all market areas through the identification of areas of search. Such areas can be promoted by developers or landowners as part of the plan preparation process or by planning authorities where they wish to guide development to particular areas. As an alternative, a criteria-based approach may be taken, particularly where a sufficient landbank already exists or substantial unconstrained deposits are available.

99 www.scotland.gov.uk/Publications/2013/06/5757

100 www.legislation.gov.uk/ssi/2010/60/contents/made

101 www.scotland.gov.uk/Publications/1996/10/17729/23424

102 www.scotland.gov.uk/Publications/2003/01/16122/16256

103 www.scotland.gov.uk/Publications/2003/01/16204/17030

104 www.scotland.gov.uk/Publications/1996/11/circular-34-1996-root/circular-34-1996-guidance

239. Local development plans should identify areas of search where surface coal extraction is most likely to be acceptable during the plan period and set out the preferred programme for the development of other safeguarded areas beyond the plan period, with particular emphasis on protecting local communities from significant cumulative impacts. Where possible, plans should secure extraction prior to permanent development above workable coal reserves.

240. For areas covered by a Petroleum Exploration and Development Licence (PEDL), local development plans should also:

- identify licence areas;
- encourage operators to be as clear as possible about the minimum and maximum extent of operations (e.g. number of wells and duration) at the exploration phase whilst recognising that the factors to be addressed by applications should be relevant and proportionate to the appropriate exploration, appraisal and production phases of operations;
- confirm that applicants should engage with local communities, residents and other stakeholders at each stage of operations, beginning in advance of any application for planning permission and in advance of any operations;
- ensure that when developing proposals, applicants should consider, where possible, transport of the end product by pipeline, rail or water rather than road; and
- provide a consistent approach to extraction where licences extend across local authority boundaries.

241. Policies should protect areas of peatland and only permit commercial extraction in areas suffering historic, significant damage through human activity and where the conservation value is low and restoration is impossible.

Development Management

242. Operators should provide sufficient information to enable a full assessment to be made of the likely effects of development together with appropriate control, mitigation and monitoring measures. This should include the provision of an adequate buffer zone between sites and settlements, taking account of the specific circumstances of individual proposals, including size, duration, location, method of working, topography, the characteristics of the various environmental effects likely to arise and the mitigation that can be provided.

243. Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries; they are time-limited; tied to a particular project and appropriate reclamation measures are in place.

244. Consent should only be granted for surface coal extraction proposals which are either environmentally acceptable (or can be made so by planning conditions) or provide local or community benefits which clearly outweigh the likely impacts of extraction. Site boundaries within 500 metres of the edge of settlements will only be environmentally acceptable where local circumstances, such as the removal of dereliction, small-scale prior extraction or the stabilisation of mining legacy, justify a lesser distance. Non-engineering works and mitigation measures within 500 metres may be acceptable.

245. To assist planning authorities with their consideration of impacts on local communities, neighbouring uses and the environment, applicants should undertake a risk assessment for all proposals for shale gas and coal bed methane extraction. The assessment can, where appropriate, be undertaken as part of any environmental impact assessment and should also be developed in consultation with statutory consultees and local communities so that it informs the design of the proposal. The assessment should clearly identify those onsite activities (i.e. emission of pollutants, the creation and disposal of waste) that pose a potential risk using a source–pathway–receptor model and explain how measures, including those under environmental and other legislation, will be used to monitor, manage and mitigate any identified risks to health, amenity and the environment. The evidence from, and outcome of, the assessment should lead to buffer zones being proposed in the application which will protect all **sensitive receptors** from unacceptable risks. When considering applications, planning authorities and statutory consultees must assess the distances proposed by the applicant. Where proposed distances are considered inadequate the Scottish Government expects planning permission to be refused.

246. Conditions should be drafted in a way which ensures that hydraulic fracturing does not take place where permission for such operations is not sought and that any subsequent application to do so is subject to appropriate consultation. If such operations are subsequently proposed, they should, as a matter of planning policy, be regarded as a substantial change in the description of the development for which planning permission is sought or a material variation to the existing planning permission. Where PEDL and Underground Coal licences are granted for the same or overlapping areas, consideration should be given to the most efficient sequencing of extraction.

247. The Scottish Government is currently exploring a range of options relating to the effective regulation of surface coal mining. This is likely to result in further guidance on effective restoration measures in due course. In the meantime, planning authorities should, through planning conditions and legal agreements, continue to ensure that a high standard of restoration and aftercare is managed effectively and that such work is undertaken at the earliest opportunity. A range of financial guarantee options is currently available and planning authorities should consider the most effective solution on a site-by-site basis. All solutions should provide assurance and clarity over the amount and period of the guarantee and in particular, where it is a bond, the risks covered (including operator failure) and the triggers for calling in a bond, including payment terms. In the aggregates sector, an operator may be able to demonstrate adequate provision under an industry-funded guarantee scheme.

248. Planning authorities should ensure that rigorous procedures are in place to monitor consents, including restoration arrangements, at appropriate intervals, and ensure that appropriate action is taken when necessary. The review of mineral permissions every 15 years should be used to apply up-to-date operating and environmental standards although requests from operators to postpone reviews should be considered favourably if existing conditions are already achieving acceptable standards. Conditions should not impose undue restrictions on consents at quarries for building or roofing stone to reflect the likely intermittent or low rate of working at such sites.

Supporting Aquaculture

NPF Context

249. Aquaculture makes a significant contribution to the Scottish economy, particularly for coastal and island communities. Planning can help facilitate sustainable aquaculture whilst protecting and maintaining the ecosystem upon which it depends. Planning can play a role in supporting the sectoral growth targets to grow marine finfish (including farmed Atlantic salmon) production sustainably to 210,000 tonnes; and shellfish, particularly mussels, sustainably to 13,000 tonnes with due regard to the marine environment by 2020.

Policy Principles

250. The planning system should:

- play a supporting role in the sustainable growth of the finfish and shellfish sectors to ensure that the aquaculture industry is diverse, competitive and economically viable;
- guide development to coastal locations that best suit industry needs with due regard to the marine environment;
- maintain a presumption against further marine finfish farm developments on the north and east coasts to safeguard migratory fish species.

Key Documents

- National Marine Plan

Delivery

Development Planning

251. Local development plans should make positive provision for aquaculture developments. Plans, or supplementary guidance, should take account of Marine Scotland's locational policies when identifying areas potentially suitable for new development and sensitive areas which are unlikely to be appropriate for such development. They should also set out the issues that will be considered when assessing specific proposals, which could include:

- impacts on, and benefits for, local communities;
- economic benefits of the sustainable development of the aquaculture industry;
- landscape, seascape and visual impact;
- biological carrying capacity;
- effects on coastal and marine species (including wild salmonids) and habitats;
- impacts on the historic environment and the sea or loch bed;
- interaction with other users of the marine environment (including commercial fisheries, Ministry of Defence, navigational routes, ports and harbours, anchorages, tourism, recreational and leisure activities); and
- cumulative effects on all of the above factors.

Development Management

252. Applications should be supported, where necessary, by sufficient information to demonstrate:

- operational arrangements (including noise, light, access, waste and odour) are satisfactory and sufficient mitigation plans are in place; and
- the siting and design of cages, lines and associated facilities are appropriate for the location. This should be done through the provision of information on the extent of the site; the type, number and physical scale of structures; the distribution of the structures across the planning area; on-shore facilities; and ancillary equipment.

253. Any land-based facilities required for the proposal should, where possible, be considered at the same time. The planning system should not duplicate other control regimes such as controlled activities regulation licences from SEPA or fish health, sea lice and containment regulation by Marine Scotland.

Managing Flood Risk and Drainage

NPF Context

254. NPF3 supports a catchment-scale approach to sustainable flood risk management. The spatial strategy aims to build the resilience of our cities and towns, encourage sustainable land management in our rural areas, and to address the long-term vulnerability of parts of our coasts and islands. Flooding can impact on people and businesses. Climate change will increase the risk of flooding in some parts of the country. Planning can play an important part in reducing the vulnerability of existing and future development to flooding.

Policy Principles

255. The planning system should promote:

- a precautionary approach to **flood risk** from all sources, including coastal, water course (fluvial), surface water (**pluvial**), groundwater, reservoirs and drainage systems (sewers and culverts), taking account of the predicted effects of climate change;
- **flood** avoidance: by safeguarding flood storage and conveying capacity, and locating development away from **functional flood plains** and medium to high risk areas;
- flood reduction: assessing flood risk and, where appropriate, undertaking natural and structural flood management measures, including flood protection, restoring natural features and characteristics, enhancing flood storage capacity, avoiding the construction of new culverts and opening existing culverts where possible; and
- avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems (SuDS) and minimising the area of impermeable surface.

256. To achieve this the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity.

257. Alterations and small-scale extensions to existing buildings are outwith the scope of this policy, provided that they would not have a significant effect on the storage capacity of the functional floodplain or local flooding problems.

Key Documents

- [Flood Risk Management \(Scotland\) Act 2009](#)¹⁰⁵
- Updated Planning Advice Note on Flooding
- [Delivering Sustainable Flood Risk Management](#)¹⁰⁶ (Scottish Government, 2011).
- [Surface Water Management Planning Guidance](#)¹⁰⁷ (Scottish Government, 2013).

Delivery

258. Planning authorities should have regard to the probability of flooding from all sources and take flood risk into account when preparing development plans and determining planning applications. The calculated probability of flooding should be regarded as a best estimate and not a precise forecast. Authorities should avoid giving any indication that a grant of planning permission implies the absence of flood risk.

259. Developers should take into account flood risk and the ability of future occupiers to insure development before committing themselves to a site or project, as applicants and occupiers have ultimate responsibility for safeguarding their property.

Development Planning

260. Plans should use [strategic flood risk assessment](#) (SFRA) to inform choices about the location of development and policies for flood risk management. They should have regard to the flood maps prepared by Scottish Environment Protection Agency (SEPA), and take account of finalised and approved Flood Risk Management Strategies and Plans and River Basin Management Plans.

261. Strategic and local development plans should address any significant cross boundary flooding issues. This may include identifying major areas of the [flood plain](#) and storage capacity which should be protected from inappropriate development, major flood protection scheme requirements or proposals, and relevant drainage capacity issues.

262. Local development plans should protect land with the potential to contribute to managing flood risk, for instance through natural flood management, managed coastal realignment, [washland](#) or green infrastructure creation, or as part of a scheme to manage flood risk.

263. Local development plans should use the following flood risk framework to guide development. This sets out three categories of coastal and watercourse flood risk, together with guidance on surface water flooding, and the appropriate planning approach for each (the annual probabilities referred to in the framework relate to the land at the time a plan is being prepared or a planning application is made):

- **Little or No Risk** – annual probability of coastal or [watercourse](#) flooding is less than 0.1% (1:1000 years)
 - No constraints due to coastal or watercourse flooding.

105 www.legislation.gov.uk/asp/2009/6/contents

106 www.scotland.gov.uk/Publications/2011/06/15150211/0

107 <http://www.scotland.gov.uk/Publications/2013/02/7905/0>

- **Low to Medium Risk** – annual probability of coastal or watercourse flooding is between 0.1% and 0.5% (1:1000 to 1:200 years)
 - Suitable for most development. A flood risk assessment may be required at the upper end of the probability range (i.e. close to 0.5%), and for **essential infrastructure** and the **most vulnerable uses**. Water resistant materials and construction may be required.
 - Generally not suitable for **civil infrastructure**. Where civil infrastructure must be located in these areas or is being substantially extended, it should be designed to be capable of remaining operational and accessible during extreme flood events.
- **Medium to High Risk** – annual probability of coastal or watercourse flooding is greater than 0.5% (1:200 years)
 - May be suitable for:
 - residential, institutional, commercial and industrial development within built-up areas provided flood protection measures to the appropriate standard already exist and are maintained, are under construction, or are a planned measure in a current flood risk management plan;
 - essential infrastructure within built-up areas, designed and constructed to remain operational during floods and not impede water flow;
 - some recreational, sport, amenity and nature conservation uses, provided appropriate evacuation procedures are in place; and
 - job-related accommodation, e.g. for caretakers or operational staff.
 - Generally not suitable for:
 - civil infrastructure and the most vulnerable uses;
 - additional development in undeveloped and sparsely developed areas, unless a location is essential for operational reasons, e.g. for navigation and water-based recreation, agriculture, transport or utilities infrastructure (which should be designed and constructed to be operational during floods and not impede water flow), and an alternative, lower risk location is not available; and
 - new caravan and camping sites.
 - Where built development is permitted, measures to protect against or manage flood risk will be required and any loss of flood storage capacity mitigated to achieve a neutral or better outcome.
 - Water-resistant materials and construction should be used where appropriate. Elevated buildings on structures such as stilts are unlikely to be acceptable.

Surface Water Flooding

- Infrastructure and buildings should generally be designed to be free from surface water flooding in rainfall events where the annual probability of occurrence is greater than 0.5% (1:200 years).
- Surface water drainage measures should have a neutral or better effect on the risk of flooding both on and off the site, taking account of rain falling on the site and run-off from adjacent areas.

Development Management

264. It is not possible to plan for development solely according to the calculated probability of flooding. In applying the risk framework to proposed development, the following should therefore be taken into account:

- the characteristics of the site;
- the design and use of the proposed development;
- the size of the area likely to flood;
- depth of flood water, likely flow rate and path, and rate of rise and duration;
- the vulnerability and risk of wave action for coastal sites;
- committed and existing flood protection methods: extent, standard and maintenance regime;
- the effects of climate change, including an [allowance for freeboard](#);
- surface water run-off from adjoining land;
- culverted watercourses, drains and field drainage;
- cumulative effects, especially the loss of storage capacity;
- cross-boundary effects and the need for consultation with adjacent authorities;
- effects of flood on access including by emergency services; and
- effects of flood on proposed open spaces including gardens.

265. Land raising should only be considered in exceptional circumstances, where it is shown to have a neutral or better impact on flood risk outside the raised area. Compensatory storage may be required.

266. The flood risk framework set out above should be applied to development management decisions. Flood Risk Assessments (FRA) should be required for development in the medium to high category of flood risk, and may be required in the low to medium category in the circumstances described in the framework above, or where other factors indicate heightened risk. FRA will generally be required for applications within areas identified at high or medium likelihood of flooding/flood risk in SEPA's flood maps.

267. Drainage Assessments, proportionate to the development proposal and covering both surface and foul water, will be required for areas where drainage is already constrained or otherwise problematic, or if there would be off-site effects.

268. Proposed arrangements for SuDS should be adequate for the development and appropriate long-term maintenance arrangements should be put in place.

A Connected Place

Promoting Sustainable Transport and Active Travel

NPF Context

269. The spatial strategy set out in NPF3 is complemented by an ongoing programme of investment in transport infrastructure. The economy relies on efficient transport connections, within Scotland and to international markets. Planning can play an important role in improving connectivity and promoting more sustainable patterns of transport and travel as part of the transition to a low carbon economy.

Policy Principles

270. The planning system should support patterns of development which:

- optimise the use of existing infrastructure;
- reduce the need to travel;
- provide safe and convenient opportunities for walking and cycling for both active travel and recreation, and facilitate travel by public transport;
- enable the integration of transport modes; and
- facilitate freight movement by rail or water.

271. Development plans and development management decisions should take account of the implications of development proposals on traffic, patterns of travel and road safety.

Key Documents

- [National Transport Strategy](#)¹⁰⁸
- [Climate Change \(Scotland\) Act 2009](#)¹⁰⁹
- [Low Carbon Scotland: Meeting the Emissions Reduction Targets 2013-2027](#)¹¹⁰
- [Infrastructure Investment Plan](#)¹¹¹
- [Strategic Transport Projects Review](#)¹¹²
- [Transport Assessment Guidance](#)¹¹³
- [Development Planning and Management Transport Appraisal Guidance \(DPMTAG\)](#)¹¹⁴
- [PAN 66: Best Practice in Handling Applications Affecting Trunk Roads](#)¹¹⁵

108 www.scotland.gov.uk/Publications/2006/12/04104414/0

109 www.legislation.gov.uk/asp/2009/12/contents

110 www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets

111 www.scotland.gov.uk/Publications/2011/12/05141922/0

112 www.transportscotland.gov.uk/strategic-transport-projects-review

113 www.transportscotland.gov.uk/system/files/documents/tsc-basic-pages/Planning_Reform_-_DPMTAG_-_Development_Management_DPMTAG_Ref_17_-_Transport_Assessment_Guidance_FINAL_-_June_2012.pdf

114 www.transportscotland.gov.uk/development-planning-and-management-transport-appraisal-guidance-dpmtag

115 www.scotland.gov.uk/Resource/Doc/47021/0026434.pdf

- [Design Manual for Roads and Bridges](#)¹¹⁶
- [Designing Streets](#)¹¹⁷
- [Roads for All](#)¹¹⁸
- [Cycling Action Plan in Scotland](#)¹¹⁹ (CAPS)
- [Let's Get Scotland Walking: The National Walking Strategy](#)¹²⁰
- [A More Active Scotland – Building a Legacy from the Commonwealth Games](#)¹²¹
- [Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles](#)¹²²
- [Tourism Development Framework for Scotland](#)¹²³

Delivery

Development Planning

272. Development plans should take account of the relationship between land use and transport and particularly the capacity of the existing transport network, environmental and operational constraints, and proposed or committed transport projects.

273. The spatial strategies set out in plans should support development in locations that allow walkable access to local amenities and are also accessible by cycling and public transport. Plans should identify active travel networks and promote opportunities for travel by more sustainable modes in the following order of priority: walking, cycling, public transport, cars. The aim is to promote development which maximises the extent to which its travel demands are met first through walking, then cycling, then public transport and finally through use of private cars. Plans should facilitate integration between transport modes.

274. In preparing development plans, planning authorities are expected to appraise the impact of the spatial strategy and its reasonable alternatives on the transport network, in line with Transport Scotland's DPMTAG guidance. This should include consideration of previously allocated sites, transport opportunities and constraints, current capacity and committed improvements to the transport network. Planning authorities should ensure that a transport appraisal is undertaken at a scale and level of detail proportionate to the nature of the issues and proposals being considered, including funding requirements. Appraisals should be carried out in time to inform the spatial strategy and the strategic environmental assessment. Where there are potential issues for the [strategic transport network](#), the appraisal should be discussed with Transport Scotland at the earliest opportunity.

116 www.dft.gov.uk/ha/standards/dmr/index.htm

117 www.scotland.gov.uk/Publications/2010/03/22120652/0

118 <http://www.transportscotland.gov.uk/guides/j256264-00.htm>

116 www.transportscotland.gov.uk/strategy-and-research/publications-and-consultations/cycling-action-plan-2013

120 www.scotland.gov.uk/Publications/2014/06/5743

121 www.scotland.gov.uk/Publications/2014/02/8239/0

122 www.transportscotland.gov.uk/report/j272736-00.htm

123 www.visitscotland.org/pdf/Tourism%20Development%20Framework%20-%20FINAL.pdf

275. Development plans should identify any required new transport infrastructure or public transport services, including cycle and pedestrian routes, trunk road and rail infrastructure. The deliverability of this infrastructure, and by whom it will be delivered, should be key considerations in identifying the preferred and alternative land use strategies. Plans and associated documents, such as supplementary guidance and the action programme, should indicate how new infrastructure or services are to be delivered and phased, and how and by whom any developer contributions will be made. These should be prepared in consultation with all of the parties responsible for approving and delivering the infrastructure. Development plans should support the provision of infrastructure necessary to support positive changes in transport technologies, such as charging points for electric vehicles.

276. Where public transport services required to serve a new development cannot be provided commercially, a contribution from the developer towards an agreed level of service may be appropriate. The development plan action programme should set out how this will be delivered, and the planning authority should coordinate discussions with the public transport provider, developer, Transport Scotland where appropriate, and relevant regional transport partnerships at an early stage in the process. In rural areas the plan should be realistic about the likely viability of public transport services and innovative solutions such as demand-responsive public transport and small-scale park and ride facilities at nodes on rural bus corridors should be considered.

277. Disused railway lines with a reasonable prospect of being reused as rail, tram, bus rapid transit or active travel routes should be safeguarded in development plans. The strategic case for a new station should emerge from a complete and robust multimodal transport appraisal in line with Scottish Transport Appraisal Guidance. Any appraisal should include consideration of making best use of current rail services; and should demonstrate that the needs of local communities, workers or visitors are sufficient to generate a high level of demand, and that there would be no adverse impact on the operation of the rail service franchise. Funding partners must be identified. Agreement should be reached with Transport Scotland and Network Rail before rail proposals are included in a development plan or planning application and it should be noted that further technical assessment and design work will be required before any proposed new station can be confirmed as viable.

278. While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered where the planning authority considers that significant economic growth or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with DMRB and where there would be no adverse impact on road safety or operational performance.

279. Significant travel-generating uses should be sited at locations which are well served by public transport, subject to parking restraint policies, and supported by measures to promote the availability of high-quality public transport services. New development areas should be served by public transport providing access to a range of destinations. Development plans should indicate when a travel plan will be required to accompany a proposal for a development which will generate significant travel.

280. Along with sound choices on the location of new development, appropriate street layout and design are key to achieving the policy principles at paragraph 270. The design of all new development should follow the placemaking approach set out in this SPP and the principles of Designing Streets, to ensure the creation of places which are distinctive, welcoming, adaptable, resource efficient, safe and pleasant and easy to move around and beyond.

281. National maximum parking standards for certain types and scales of development have been set to promote consistency (see [Annex B: Parking Policies and Standards](#)). Where an area is well served by sustainable transport modes, planning authorities may set more restrictive standards, and where public transport provision is limited, planning authorities may set less restrictive standards. Local authorities should also take account of relevant town centre strategies when considering appropriate parking provision (see paragraphs 64-65 and [Annex A: Town Centre Health Checks and Strategies](#)).

282. When preparing development plans, planning authorities should consider the need for improved and additional freight transfer facilities. Strategic freight sites should be safeguarded in development plans. Existing roadside facilities and provision for lorry parking should be safeguarded and, where required, development plans should make additional provision for the overnight parking of lorries at appropriate locations on routes with a high volume of lorry traffic. Where appropriate, development plans should also identify suitable locations for new or expanded rail freight interchanges to support increased movement of freight by rail. Facilities allowing the transfer of freight from road to rail or water should also be considered.

283. Planning authorities and port operators should work together to address the planning and transport needs of ports and opportunities for rail access should be safeguarded in development plans. Planning authorities should ensure that there is appropriate road access to ferry terminals for cars and freight, and support the provision of bus and train interchange facilities.

284. Planning authorities, airport operators and other stakeholders should work together to prepare airport masterplans and address other planning and transport issues relating to airports. Relevant issues include public safety zone safeguarding, surface transport access for supplies, air freight, staff and passengers, related on- and off-site development such as transport interchanges, offices, hotels, car parks, warehousing and distribution services, and other development benefiting from good access to the airport.

285. Canals, which are scheduled monuments, should be safeguarded as assets which can contribute to sustainable economic growth through sensitive development and regeneration. Consideration should be given to planning for new uses for canals, where appropriate.

Development Management

286. Where a new development or a change of use is likely to generate a significant increase in the number of trips, a transport assessment should be carried out. This should identify any potential [cumulative effects](#) which need to be addressed.

287. Planning permission should not be granted for significant travel-generating uses at locations which would increase reliance on the car and where:

- direct links to local facilities via walking and cycling networks are not available or cannot be made available;
- access to local facilities via public transport networks would involve walking more than 400m; or
- the transport assessment does not identify satisfactory ways of meeting sustainable transport requirements.

Guidance is available in [Transport Assessment and Implementation: A Guide](#)¹²⁴

¹²⁴ www.scotland.gov.uk/Publications/2005/08/1792325/23264

288. Buildings and facilities should be accessible by foot and bicycle and have appropriate operational and servicing access for large vehicles. Cycle routes, cycle parking and storage should be safeguarded and enhanced wherever possible.

289. Consideration should be given to how proposed development will contribute to fulfilling the objectives of Switched On Scotland – A Roadmap to Widespread Adoption of Plug-in Vehicles. Electric vehicle charge points should always be considered as part of any new development and provided where appropriate.

290. Development proposals that have the potential to affect the performance or safety of the strategic transport network need to be fully assessed to determine their impact. Where existing infrastructure has the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational performance, further investment in the network is not likely to be required. Where such investment is required, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network will have to be met by the developer.

291. Consideration should be given to appropriate planning restrictions on construction and operation related transport modes when granting planning permission, especially where bulk material movements are expected, for example freight from extraction operations.

Supporting Digital Connectivity

NPF Context

292. NPF3 highlights the importance of our digital infrastructure, across towns and cities, and in particular our more remote rural and island areas. Our economy and social networks depend heavily on high-quality digital infrastructure. To facilitate investment across Scotland, planning has an important role to play in strengthening digital communications capacity and coverage across Scotland.

Policy Principles

293. The planning system should support:

- development which helps deliver the Scottish Government’s commitment to world-class digital connectivity;
- the need for networks to evolve and respond to technology improvements and new services;
- inclusion of digital infrastructure in new homes and business premises; and
- infrastructure provision which is sited and designed to keep environmental impacts to a minimum.

Key Documents

- [Scotland’s Digital Future](#)¹²⁵ and associated [Infrastructure Action Plan](#)¹²⁶
- [Scotland’s Cities: Delivering for Scotland](#)¹²⁷
- [A National Telehealth and Telecare Delivery Plan for Scotland to 2015](#)¹²⁸

¹²⁵ www.scotland.gov.uk/Resource/Doc/981/0114237.pdf

¹²⁶ www.scotland.gov.uk/Publications/2012/01/1487

¹²⁷ www.scotland.gov.uk/Publications/2012/01/05104741/0

¹²⁸ www.scotland.gov.uk/Resource/0041/00411586.pdf

- [Planning Advice Note 62, Radio Telecommunications provides advice on siting and design](#)¹²⁹
- [Circular 2/2003: Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas](#)¹³⁰

Delivery

Development Planning

294. Local development plans should reflect the infrastructure roll-out plans of digital communications operators, community groups and others, such as the Scottish Government, the UK Government and local authorities.

295. Local development plans should provide a consistent basis for decision-making by setting out the criteria which will be applied when determining planning applications for communications equipment. They should ensure that the following options are considered when selecting sites and designing base stations:

- mast or site sharing;
- installation on buildings or other existing structures;
- installing the smallest suitable equipment, commensurate with technological requirements;
- concealing or disguising masts, antennas, equipment housing and cable runs using design and camouflage techniques where appropriate; and
- installation of ground-based masts.

296. Local development plans should set out the matters to be addressed in planning applications for specific developments, including:

- an explanation of how the proposed equipment fits into the wider network;
- a description of the siting options (primarily for new sites) and design options which satisfy operational requirements, alternatives considered, and the reasons for the chosen solution;
- details of the design, including height, materials and all components of the proposal;
- details of any proposed landscaping and screen planting, where appropriate;
- an assessment of the cumulative effects of the proposed development in combination with existing equipment in the area;
- a declaration that the equipment and installation is designed to be in full compliance with the appropriate ICNIRP guidelines for public exposure to radiofrequency radiation¹³¹; and
- an assessment of visual impact, if relevant.

297. Policies should encourage developers to explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development. This should be done in consultation with service providers so that appropriate, universal and future-proofed infrastructure is installed and utilised.

¹²⁹ www.scotland.gov.uk/Publications/2001/09/pan62/pan62-

¹³⁰ www.scotland.gov.uk/Publications/2003/01/16204/17030

¹³¹ The radiofrequency public exposure guidelines of the International Commission on Non-Ionising Radiation Protection, as expressed in EU Council recommendation 1999/519/ EC on the limitation of exposure of the general public to electromagnetic fields.

Development Management

298. Consideration should be given to how proposals for infrastructure to deliver new services or infrastructure to improve existing services will contribute to fulfilling the objectives for digital connectivity set out in the Scottish Government's World Class 2020 document. For developments that will deliver entirely new connectivity – for example, mobile connectivity in a “not spot” – consideration should be given to the benefits of this connectivity for communities and the local economy.

299. All components of equipment should be considered together and designed and positioned as sensitively as possible, though technical requirements and constraints may limit the possibilities. Developments should not physically obstruct aerodrome operations, technical sites or existing transmitter/receiver facilities. The cumulative visual effects of equipment should be taken into account.

300. Planning authorities should not question the need for the service to be provided nor seek to prevent competition between operators. The planning system should not be used to secure objectives that are more properly achieved under other legislation. Emissions of radiofrequency radiation are controlled and regulated under other legislation and it is therefore not necessary for planning authorities to treat radiofrequency radiation as a material consideration.

Annex A – Town Centre Health Checks and Strategies

Town centre health checks should cover a range of indicators, such as:

Activities

- retailer representation and intentions (multiples and independents);
- employment;
- cultural and social activity;
- community activity;
- leisure and tourism facilities;
- resident population; and
- evening/night-time economy.

Physical environment

- space in use for the range of town centre functions and how it has changed;
- physical structure of the centre, condition and appearance including constraints and opportunities and assets;
- historic environment; and
- public realm and green infrastructure.

Property

- vacancy rates, particularly at street level in prime retail areas;
- vacant sites;
- committed developments;
- commercial yield; and
- prime rental values.

Accessibility

- pedestrian footfall;
- accessibility;
- cycling facilities and ease of movement;
- public transport infrastructure and facilities;
- parking offer; and
- signage and ease of navigation.

Community

- attitudes, perceptions and aspirations.

Town centre strategies should:

- be prepared collaboratively with community planning partners, businesses and the local community;
- recognise the changing roles of town centres and networks, and the effect of trends in consumer activity;
- establish an agreed long-term vision for the town centre;
- seek to maintain and improve accessibility to and within the town centre;
- seek to reduce the centre's environmental footprint, through, for example, the development or extension of sustainable urban drainage or district heating networks;
- identify how green infrastructure can enhance air quality, open space, landscape/settings, reduce urban heat island effects, increase capacity of drainage systems, and attenuate noise;
- indicate the potential for change through redevelopment, renewal, alternative uses and diversification based on an analysis of the role and function of the centre;
- promote opportunities for new development, using master planning and design, while seeking to safeguard and enhance built and natural heritage;
- consider constraints such as fragmented site ownership, unit size and funding availability, and recognise the rapidly changing nature of retail formats;
- identify actions, tools and delivery mechanisms to overcome these constraints, for example improved management, Town Teams, Business Improvement Districts or the use of [compulsory purchase powers](#)¹³²; and
- include monitoring against the baseline provided by the health check to assess the extent to which it has delivered improvements.

More detailed advice on town centre health checks and strategies can be found in the Town Centre Masterplanning Toolkit.

¹³² www.scotland.gov.uk/Topics/archive/National-Planning-Policy/themes/ComPur

Annex B – Parking Policies and Standards

Parking Restraint Policy – National Maximum Parking Standards for New Development

In order to achieve consistency in the levels of parking provision for specific types and scales of development, the following national standards have been set:

- retail (food) (Use Class 1) 1000m² and above – up to 1 space per 14m²;
- retail (non-food) (Use Class 1) 1000m² and above – up to 1 space per 20m²;
- business (Use Class 4) 2500m² and above – up to 1 space per 30m²;
- cinemas (Use Class 11a) 1000m² and above – up to 1 space per 5 seats;
- conference facilities 1000m² and above – up to 1 space per 5 seats;
- stadia 1500 seats and above – up to 1 space per 15 seats;
- leisure (other than cinemas and stadia) 1000m² and above – up to 1 space per 22m²; and
- higher and further education (non-residential elements) 2500m² and above – up to 1 space per 2 staff plus 1 space per 15 students.

Local standards should support the viability of town centres. Developers of individual sites within town centres may be required to contribute to the overall parking requirement for the centre in lieu of individual parking provision.

Parking for Disabled People – Minimum Provision Standards for New Development

Specific provision should be made for parking for disabled people in addition to general provision. In retail, recreation and leisure developments, the minimum number of car parking spaces for disabled people should be:

- 3 spaces or 6% (whichever is greater) in car parks with up to 200 spaces; or
- 4 spaces plus 4% in car parks with more than 200 spaces.

Employers have a duty under employment law to consider the disabilities of their employees and visitors to their premises. The minimum number of car parking spaces for disabled people at places of employment should be:

- 1 space per disabled employee plus 2 spaces or 5% (whichever is greater) in car parks with up to 200 spaces; or
- 6 spaces plus 2% in car parks with more than 200 spaces.

Glossary

Affordable housing	Housing of a reasonable quality that is affordable to people on modest incomes.
Anchor development (in the context of heat demand)	A large scale development which has a constant high demand for heat.
Article 4 Direction	Article 4 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 gives the Scottish Government and planning authorities the power to remove permitted development rights by issuing a direction.
Biodiversity	The variability in living organisms and the ecological complexes of which they are part. This includes diversity within species, between species and of ecosystems (UN Convention on Biological Diversity, 1992).
Brownfield land	Land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused building and developed land within the settlement boundary where further intensification of use is considered acceptable.
Civil infrastructure (in the context of flood risk)	Hospitals, fire stations, emergency depots, schools, care homes, ground-based electrical and telecommunications equipment.
Climate change adaptation	The adjustment in economic, social or natural systems in response to actual or expected climatic change, to limit harmful consequences and exploit beneficial opportunities.
Climate change mitigation	Reducing the amount of greenhouse gases in the atmosphere and reducing activities which emit greenhouse gases to help slow down or make less severe the impacts of future climate change.
Community	A body of people. A community can be based on location (for example people who live or work in or use an area) or common interest (for example the business community, sports or heritage groups).
Cumulative impact	Impact in combination with other development. That includes existing developments of the kind proposed, those which have permission, and valid applications which have not been determined. The weight attached to undetermined applications should reflect their position in the application process.
Cumulative effects (in the context of the strategic transport network)	The effect on the operational performance of transport networks of a number of developments in combination, recognising that the effects of a group of sites, or development over an area may need different mitigation when considered together than when considered individually.

Ecosystems services	The benefits people obtain from ecosystems; these include provisioning services such as food, water, timber and fibre; regulating services that affect climate, floods, disease, waste and water quality; cultural services with recreational, aesthetic, and spiritual benefits; and supporting services such as soil formation, photosynthesis and nutrient cycling.
Effective housing land supply	The part of the established housing land supply which is free or expected to be free of development constraints in the period under consideration and will therefore be available for the construction of housing.
Energy Centre	A stand alone building or part of an existing or proposed building where heat or combined heat and electricity generating plant can be installed to service a district network.
Essential infrastructure (in a flood risk area for operational reasons)	Defined in SEPA guidance on vulnerability as ‘essential transport infrastructure and essential utility infrastructure which may have to be located in a flood risk area for operational reasons. This includes electricity generating stations, power stations and grid and primary sub stations, water treatments works and sewage treatment works and wind turbines’.
Flood	The temporary covering by water from any source of land not normally covered by water, but not including the overflow of a sewage system.
Flood plain	The generally flat areas adjacent to a watercourse or the sea where water flows in time of flood or would flow but for the presence of flood prevention measures. The limits of a flood plain are defined by the peak water level of an appropriate return period event. See also ‘Functional flood plain’.
Flood risk	The combination of the probability of a flood and the potential adverse consequences associated with a flood, for human health, the environment, cultural heritage and economic activity.
Freeboard allowance	A height added to the predicted level of a flood to take account of the height of waves or turbulence and uncertainty in estimating the probability of the flooding.
Functional flood plain	The areas of land where water flows in times of flood which should be safeguarded from further development because of their function as flood water storage areas. For planning purposes the functional floodplain will generally have a greater than 0.5% (1:200) probability of flooding in any year. See also ‘Washland’.
Green infrastructure	Includes the ‘green’ and ‘blue’ (water environment) features of the natural and built environments that can provide benefits without being connected. Green features include parks, woodlands, trees, play spaces, allotments, community growing spaces, outdoor sports facilities, churchyards and cemeteries, swales, hedges, verges and gardens. Blue features include rivers, lochs, wetlands, canals, other water courses, ponds, coastal and marine areas including beaches, porous paving and sustainable urban drainage systems.

Green networks	Connected areas of green infrastructure and open space that together form an integrated and multi-functional network.
Hazardous substances	Substances and quantities as currently specified in and requiring consent under the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993 as amended (due to be replaced in 2015 as part of the implementation of Directive 2012/18/EU).
Historic environment	Scotland's historic environment is the physical evidence for human activity that connects people with place, linked with the associations we can see, feel and understand.
Historic Marine Protected Areas	Areas designated in Scottish territorial waters (0-12 miles) under the Marine (Scotland) Act 2010 for the purpose of preserving marine historic assets of national importance.
Housing supply target	The total number of homes that will be delivered.
Hut	A simple building used intermittently as recreational accommodation (ie. not a principal residence); having an internal floor area of no more than 30m ² ; constructed from low impact materials; generally not connected to mains water, electricity or sewerage; and built in such a way that it is removable with little or no trace at the end of its life. Huts may be built singly or in groups.
Major-accident hazard site	Site with or requiring hazardous substances consent.
Most vulnerable uses (in the context of flood risk and drainage)	Basement dwellings, isolated dwellings in sparsely populated areas, dwelling houses behind informal embankments, residential institutions such as residential care homes/prisons, nurseries, children's homes and educational establishments, caravans, mobile homes and park homes intended for permanent residential use, sites used for holiday or short-let caravans and camping, installations requiring hazardous substance consent.
National Nature Reserve (NNR)	An area considered to be of national importance for its nature conservation interests.
National Scenic Area (NSA)	An area which is nationally important for its scenic quality.
Open space	Space within and on the edge of settlements comprising green infrastructure and/or civic areas such as squares, market places and other paved or hard landscaped areas with a civic function. Detailed typologies of open space are included in PAN65.

<p>Outdoor sports facilities</p>	<p>Uses where sportscotland is a statutory consultee under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, which establishes ‘outdoor sports facilities’ as land used as:</p> <p>(a) an outdoor playing field extending to not less than 0.2ha used for any sport played on a pitch;</p> <p>(b) an outdoor athletics track;</p> <p>(c) a golf course;</p> <p>(d) an outdoor tennis court, other than those within a private dwelling, hotel or other tourist accommodation; and</p> <p>(e) an outdoor bowling green.</p>
<p>Outstanding Universal Value (OUV)</p>	<p>The Operational Guidelines for the Implementation of the World Heritage Convention, provided by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) states that OUV means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. The Statement of OUV is the key reference for the future effective protection and management of the World Heritage Site.</p>
<p>PADHI</p>	<p>Planning Advice for Development near Hazardous Installations, issued by the Health and Safety Executive.</p>
<p>Prime agricultural land</p>	<p>Agricultural land identified as being Class 1, 2 or 3.1 in the land capability classification for agriculture developed by Macaulay Land Use Research Institute (now the James Hutton Institute).</p>
<p>Place</p>	<p>The environment in which we live; the people that inhabit these spaces; and the quality of life that comes from the interaction of people and their surroundings. Architecture, public space and landscape are central to this.</p>
<p>Pluvial flooding</p>	<p>Flooding as a result of rainfall runoff flowing or ponding over the ground before it enters a natural (e.g. watercourse) or artificial (e.g. sewer) drainage system or when it cannot enter a drainage system (e.g. because the system is already full to capacity or the drainage inlets have a limited capacity).</p>
<p>Ramsar sites</p>	<p>Wetlands designated under the Ramsar Convention on Wetlands of International Importance.</p>
<p>Scheduled monument</p>	<p>Archaeological sites, buildings or structures of national or international importance. The purpose of scheduling is to secure the long-term legal protection of the monument in the national interest, in situ and as far as possible in its existing state and within an appropriate setting.</p>
<p>Sensitive receptor</p>	<p>Aspect of the environment likely to be significantly affected by a development, which may include for example, population, fauna, flora, soil, water, air, climatic factors, material assets, landscape and the inter-relationship between these factors.</p> <p>In the context of planning for Zero Waste, sensitive receptors may include aerodromes and military air weapon ranges.</p>

Setting	Is more than the immediate surroundings of a site or building, and may be related to the function or use of a place, or how it was intended to fit into the landscape of townscape, the view from it or how it is seen from areas round about, or areas that are important to the protection of the place, site or building.
Site of Special Scientific Interest (SSSI)	An area which is designated for the special interest of its flora, fauna, geology or geomorphological features.
Strategic Flood Risk Assessment	Provides an overview of flood risk in the area proposed for development. An assessment involves the collection, analysis and presentation of all existing available and readily derivable information on flood risk from all sources. SFRA applies a risk-based approach to identifying land for development and can help inform development plan flood risk policy and supplementary guidance.
Strategic Transport Network	Includes the trunk road and rail networks. Its primary purpose is to provide the safe and efficient movement of strategic long-distance traffic between major centres, although in rural areas it also performs important local functions.
Sustainable Development	Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The Brundtland Definition. Our Common Future, The World Commission on Environment and Development, 1987.
Sustainable Economic Growth	Building a dynamic and growing economy that will provide prosperity and opportunities for all, while ensuring that future generations can enjoy a better quality of life too.
Washland	An alternative term for the functional flood plain which carries the connotation that it floods very frequently.
Watercourse	All means of conveying water except a water main or sewer.
Windfall Sites	Sites which become available for development unexpectedly during the life of the development plan and so are not identified individually in the plan.



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