

Development Management Sub Committee

Wednesday 01 July 2020

Application for Planning Permission 19/01036/FUL At Car Park, Torphin Road, Edinburgh Application for a new residential building, comprising 9 flats and 2 houses, with associated infrastructure, landscaping and engineering works (as amended).

Item number

Report number

Wards

B08 - Colinton/Fairmilehead

Summary

The proposal does not comply with the Edinburgh Local Development Plan. The development site is within the green belt and there is no shortage in the five year housing land supply which would justify the release of the site for housing.

While there may be some relationship of the development to the nearby class 8 use, the design quality of the development falls far below that which would be expected for this highly sensitive site. It would have an unacceptable impact on the special landscape area and rural character of the area. In addition, the proposal would fail to provide an adequate level of amenity for future occupiers.

There are no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LHOU01, LHOU02, LEN10, LEN11, LEN18, LDES01, LDES04, LDES05, LTRA02, LTRA03, LEN17, NSG, NSGD02, NSGCGB,

Report

Application for Planning Permission 19/01036/FUL At Car Park, Torphin Road, Edinburgh Application for a new residential building, comprising 9 flats and 2 houses, with associated infrastructure, landscaping and engineering works (as amended).

Recommendations

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

Background

2.1 Site description

The application site lies to the west of the city across the A720 City Bypass where it is crossed by Torphin Road.

The site measures 0.33 hectares and comprises principally compressed soil and gravel, with a scrub embankment to the south and with mixed shrub planting to the northern and western boundaries. It was previously used as car parking for a former golf club. To the west of the site lies a further area of shrub and young trees along with a wooden bus shelter.

The site is accessed via Torphin Road and shares access with the former Torphin Hill Golf Clubhouse, now a centre for adults with learning disabilities and complex needs, which is situated approximately 150 metres away. The site sits opposite a group of five residential bungalows and is primarily surrounded by fields in agricultural use to the south and west.

The site lies within the Edinburgh Green Belt, Pentland Hills Regional Park, Pentlands Special Landscape Area and an area of open space as defined by the Edinburgh Local Development Plan.

2.2 Site History

22 June 2017 - Planning permission granted for temporary use of existing car park for storage container (application reference 17/01778/FUL)

Related applications - Torphin Hill Golf Clubhouse

9 May 2017 - Planning permission was granted for change of use from golf clubhouse (class 11) to residential accommodation with care (class 8). This involved alterations and extensions to the existing club house to form two bedroom care flats with ancillary staff accommodation and new toilets for an existing meeting room. New workshops were formed in the adjoining land (as amended) (application reference: 15/01378/FUL).

Main report

3.1 Description Of The Proposal

The application seeks planning permission for a residential development consisting of nine flats and two houses in a singular 'S' shaped terraced block. It is indicated that some of this will be for supported living.

The two houses would occupy either ends of the block at two storeys in height. The centre of the building would accommodate the nine flats with a slight step down at the roof ridge and eaves. The building would be approximately 67 metres in total length.

The houses comprise two three bedroom dwellings. The flats are proposed as one four bedroom flat, four two bedroom flats and four one bedroom flats of which two provide access for people with disabilities. In addition, there are two separately accessed common rooms measuring 53sqm and 60sqm and a separate laundry room to the ground floor.

The block is proposed with main walls in white render, projecting rear porches with a stone finish and a grey slate roof. Photovoltaic panels are proposed to south facing roof slopes.

There is shared open space to the north and west of the block and a bin store, cycle store and 15 car parking spaces to the west. Additional planting is proposed to the northern boundary and west of the site. A gravel path is proposed to the rear of the development connecting with the existing bus shelter.

Previous Scheme

The original scheme proposed the construction of a total of 13 dwellings comprising two houses and eleven flats.

Supporting Information

The following documents were submitted in support of the application:

- Planning Statement
- Planning Statement Addendum
- Landscape and Visual Appraisal
- Green Belt Assessment
- Housing Land Supply Statement
- Phase 1 Environmental Risk Assessment
- Settlement and Local Character Appraisal
- Preliminary Ecological Appraisal
- Flood Risk and Drainage Strategy
- Public Consultation Report
- Design and Access Statement

The applicants submitted a further Planning Statement Addendum on 8 June 2020.

These can be viewed on the Planning Portal.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of housing and design is acceptable;
- b) the proposals would have a detrimental impact on the Special Landscape Area;
- c) the impact on neighbouring amenity is acceptable;
- d) amenity for future occupiers is acceptable;
- e) the proposal will have any parking, traffic or road safety issues;
- f) other matters have been addressed; and
- g) any public comments have been addressed.

a) Principle and design of housing

The supporting statements for this application make considerable reference to the proximity of the site to the former golf clubhouse, which is now a class eight use providing accommodation with care. The proposal is not for class eight use. The proposal would constitute both mainstream and supported living housing provision.

The application site lies within the Edinburgh Green Belt, the Pentland Hills Regional Park, the Pentland Hills Special Landscape Area and within an area of open space as defined in the Local Development Plan.

The Edinburgh Local Development Plan (LDP) sets out two key policies for assessing the principle of housing in green belt locations, policy Hou 1 (Housing Development) and policy Env 10 (Development in the Green Belt and Countryside). Policy Hou 2 is also relevant to the consideration of the supported living provision. The applicant has submitted a Planning Statement, Housing Land Supply Statement and Planning Statement Addendums relating to both policies which are addressed in turn below.

Policy Hou 1

Both mainstream and supported living housing require to be assessed under the LDP policy Hou 1 (Housing Development). This policy relates to the location of housing development and consists of two parts. The first part gives priority to housing development in the urban area as defined in the LDP.

The application site lies in the green belt as defined in the LDP Proposals Map and is not supported by part 1 of Policy Hou 1. Should there be a deficit in the maintenance of the five year housing land supply (as evidenced through the housing land audit), the site may be assessed in terms of part 2 of Policy Hou 1.

The latest assessment of the housing land supply in the City of Edinburgh is the 2019 Housing Land Audit and Completions Programme (HLACP), which was reported to Planning Committee on 2 October 2019. The capacity of the housing land supply and the anticipated programme of completions within the HLACP were agreed as reasonable with Homes for Scotland.

The HLACP examines both the supply of effective housing land (an input) and the expected delivery of new homes (the output). The 2019 HLACP demonstrates that there is more than sufficient effective housing land to meet the housing land requirements included in the adopted Local Development Plan, November 2016. The HLACP also demonstrates that the five year completions programme (previously referred to as the five year effective land supply) is above the five year completions target. There is, therefore, no shortfall in either the supply of effective housing land or the expected delivery of new homes over the next five years.

The applicant's submitted Planning Statement dated February 2019, Housing Land Supply Statement dated February 2019 and an additional addendum of June 2020 set out that, in the applicant's view, the Council is not maintaining a five year housing land supply. The applicant suggests that the housing land requirement against which the effective housing land supply should be compared is the remaining housing supply target set out in table 7a of the Adopted Local Development Plan, increased by 10% to ensure generosity.

The Housing Supply Target is the number of new homes to be delivered over the development plan period. The generosity margin is not intended to increase the number of new homes to be delivered over the plan period, rather it is to ensure that there is sufficient land available for the housing supply target to be met should some housing sites fail to come forward as anticipated. As stated above, the HLACP examines both the supply of effective housing land (an input) and the expected delivery of new homes (the output). The 2019 HLACP demonstrates that there is more than sufficient effective housing land to meet the remaining housing land requirement set out in table 7a of the adopted LDP and the five year completions programme (previously referred to as the five year effective land supply) is above the five year completions target.

The applicant's arguments do not outweigh the conclusion that there is an effective housing land supply. The proposal fails to meet the objectives of policy Hou 1 part 1 and part 2 does not apply.

Policy Hou 2

The information submitted with the proposal describes the development as housing offering supported living.

Policy Hou 2 (Housing Mix) sets out that a provision of a mix of house types and sizes, to meet a range of housing needs, including those of families, older people and people with special needs will be sought, whilst having regard to the character of the surrounding area and its accessibility.

Some of these flats will provide supported living, with the remaining flats and dwelling houses for care workers, although these are not necessarily to be associated with the applicant or the class eight use at the former golf club site, now known as Hoyland House. Correspondence with the applicant has not been able to confirm that the development is exclusively for people with support needs.

Whilst the exact makeup is not known, the proposed application, would provide a mix of housing types, including mainstream housing and housing with supported living. This mix addresses, in part, the requirements of policy Hou 2. However, as stated above the principle of housing is not supported under policy Hou 1 and the proposals scale and design fails to have regard to the character of the surrounding area. This element is assessed later in the report.

Policy Env 10

Policy Env 10: Development in the Green Belt and Countryside sets out that development will only be permitted where it meets one of four criteria and would not detract from the landscape quality and/or rural character of the area.

Criteria a) states that development will only be permitted where it is for the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside use is essential and provided any buildings structures or hardstanding areas are of a scale and quality of design appropriate to the use.

The Council's non-statutory Guidance on Development in the Countryside and Green Belt provides further information on the definitions of agriculture, woodland and forestry, horticulture and countryside recreation. The proposed development does not relate to development for the purposes of agriculture, woodland and forestry, horticulture or countryside recreation and as such the first part of criteria a) does not apply.

The applicant's Planning Statement dated February 2019 and Green Belt Assessment advised that the applicant considered that the proposal did not accord with Policy Env 10. The later submitted Planning Statement Addendum dated June 2019 puts forward a contrary view arguing that the proposal accords with policy Env 10 a) by being 'development where a countryside location is essential'.

The Planning Statement and Addendum describe the proposed development as being associated with the operation of two existing facilities which support adults with learning disabilities and complex needs. This includes Hoyland House, approximately 150 metres away which provides residential accommodation with care (class 8) along with

workshop facilities and additional facilities located 500 metres along Torphin Road, which are also run by the applicant. It is stated that the residential development will provide rented accommodation in a shared living arrangement to individuals, families and people with learning disabilities and other support needs many of whom work or receive day care at the existing facilities. The proximity of the development to existing facilities will mean that help and support will be available at all times by trained care workers.

The Planning Statement Addendum puts forward that the countryside location is essential as "the rural location also provides a sense of security, and peacefulness that cannot be easily reproduced in an urban location. Residents with autism and learning difficulties can find urban locations unsettling or overwhelming."

Env 10 - Other Criteria

Additional criteria under policy Env 10 set out that development will only be permitted:

- b) For the change of use of an existing building.
- 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.

Criterion (c) provides for development that relates to an existing use, and the applicant's supporting information makes frequent reference to the close connection in terms of location and function between the existing class eight use at Hoyland House and the proposal.

The site was the former car park associated with the golf course, which included the clubhouse, and as such, had an historical, incidental function with that building. Although the former golf use no longer exists, following the grant of planning permission to change the use of the clubhouse, the application site and former club house have the potential of an operational relationship, having 150m separation distance.

The description of development specifies the formation of residential units only and does not make reference to it being an incidental use. The supporting statements provide greater clarity on the function of the units, although they do contain some conflicting information in terms of the proposed relationship between the applicant's other facilities, which are nearby, and the proposed residential units subject of this application.

The proximity of the existing, lawful facilities, and the historical relationship between one of these properties and the application site, provides some justification for acknowledging the ability for the development to operate in an incidental and supplementary manner. However, any grant of planning permission using the description of development, could result in the units being used for mainstream housing, which would not comply with any of the criteria of LDP Policy Env 10.

To avoid such circumstances, it would be necessary to restrict the use of all of the units to ensure they were linked to the functions of the class eight facility at Hoyland House. This would require to be done via a legal agreement.

Notwithstanding the above, criterion (c) requires that the proposal should be of a high quality design and the overarching test for greenbelt development is that it must not detract from the landscape quality and/or rural character of the area. Design policies are relevant to this part of the assessment.

Policy Des 1 (Design Quality and Context) states that 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.

The form, height and scale of the proposed development is urban in character. The continuous terraced 'S' block form is of a substantial length and the proposed height at 7.8 metres is equivalent to a two storey building. Much of the flatted accommodation is within the upper floor, leading to a building with a significant roof form which is out of scale with its surroundings. The use of natural slate for the roof, whilst more appropriate, does not adequately mitigate this form. The use of white render for the elevations, while a traditional material, will also increase its visibility within the Special Landscape Area. The proposed design does not draw on any positive characteristics of the surrounding area in height and scale and would be inappropriate within the rural character of the area.

LDP Policy Des 4 (Development Design - Impact on Setting) requires new development to have a positive impact on its surroundings, including the character of the wider townscape and landscape character, and impact on existing views. This includes in terms of height and form, scale and proportions, positioning of buildings, and materials and detailing. As set out above the design is considered inappropriate and will have a negative impact on its surroundings.

Policy Des 9 (Urban Edge Development) seeks to maintain the defensibility of the green belt boundary and its objectives. The proposed development lies within the green belt directly over the boundary from the urban area, which in this location is clearly demarked by the A720 City Bypass. Development in this location weakens the defensibility of the green belt boundary and does not meet the requirements to conserve and enhance the landscape setting and special character of the city.

The proposal is contrary to policy Env 10, supported by policies Des 1, Des 4 and Des 9. The form and scale of the design is inappropriate and its quality falls far below that which would be expected for this highly sensitive site in the greenbelt. The development, by virtue of its design, would severely impact on the character and qualities of the surrounding area. While there is a relationship with the nearby use at Hoyland House, the proposal fails to comply with the requirements of policy Env 10 c) in respect of design quality.

b) Special Landscape Area

Policy Env 11 (Special Landscape Areas) states that 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 area.

The site is located within the Pentland Hills Special Landscape Area as defined on the LDP Proposals Map. This landscape character assessment for the Pentland Hills contained within the Edinburgh Landscape Character Assessment (2010) describes the area as playing an important role in providing visual containment with views to the Pentlands and city edge important. It consists mainly of sloping farmland and shelterbelts and provides a foreground to the rugged character of the Pentland Hills. The area is noted as being visible from the A720 City Bypass.

The applicants have provided a Landscape and Visual Appraisal. This describes the site as being located within an 'established node of built form' and that views into the site are contained to a 'very localised area'.

The application site sits directly opposite a row of five bungalows with the former golf club house located to the south of the site screened from view behind a hilled embankment. Other than the bungalows, there are no other buildings visible within the immediate site area which is surrounded by farmland. Historic maps show that the bungalows date to before the construction of the A720 City Bypass which left them separated from similar properties further along Torphin Road which are within the urban area. The character of the immediate and wider area remains rural in character.

The landscape form would mean that view towards the site from the south would largely be obscured. However, from the east and west, along Torphin Road the development would be visible. Potential views from the bypass and urban area, where not obscured by planting, or in winter months, would mean that the development would be partially visible within the landscape.

The site is also located within the Pentland Hills Regional Park. Policy Env 17 (Pentland Hills Regional Park) seeks to protect the aims of the park and principally relates to ensure proposals do not have unacceptable impact on the character and landscape quality. The site is relatively well screened from distant views due to topography and trees. The presence of the bungalows opposite the site forms an isolated, but distinct character within the immediate vicinity that would allow a compatible development to exist on the former car park. However, given the design and form of the proposal, it would constitute an over-dominant and incongruous development that would fail to respect the surrounding rural characteristics.

Policy Env 18 (Open Space Protection) protects against the loss of open space. The proposal is within a designated area of open space, although its loss would not impact on the provision of open space in the area, as this designation is associated with the former use of the wider site as a golf course.

The development, as proposed, would have a significant adverse and unacceptable impact on the rural character of the area and ultimately the character and qualities of the Special Landscape Area and Pentlands Regional Park and is contrary to policies Env 11, Env 17 and Env 18.

c) Neighbouring amenity

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

The existing bungalows would sit approximately 20 metres in distance from the proposed residential block. There is screening to lower levels provided by existing and proposed hedging. Privacy distances are generally acceptable, although the upper storey flats would cause a level of overlooking across the public road.

The applicant has submitted a drawing within the design and access statement to demonstrate that the properties would not be significantly overshadowed by the proposed development.

The development does not raise significant issues in respect of neighbouring amenity under Des 5.

d) Amenity for future residents

The Edinburgh Design Guidance provides detail on the minimum internal floor areas for different properties - as follows:

- 1 bedroom - 52 sqm
- 2 bedroom - 66 sqm
- 3 bedroom - 81 sqm
- 3+ bedroom - 91 sqm

The development includes a mix of one, two, three and four bedroom properties including two one bedroom disabled flats adapted for disabled use. However, all of the one bedroom flats, ranging from 39sqm to 44sqm, and all of the two bedroom flats, ranging from 54sqm to 64sqm fail to meet the minimum space standards.

The applicant's Design and Access Statement refers to the removal of lobby areas to the flats to increase the habitable areas of the flats. However, in some case the total floor area falls 20% below minimum standards. The proposed common rooms are intended to be shared by the residents, but this does not satisfactorily compensate for the deficiency in amenity for future occupiers in their own flats.

LDP Policy Hou 3 (Private Green Space in Housing Development) requires developments to provide adequate provision for green space to meet the needs of future residents. The proposed development provides communal shared space around the development. While there is some overshadowing of the southern space due topography of the site, given the wider context of being adjacent to the Pentland Hills, this detraction upon the quality of the space is acceptable in this instance.

The proposed development includes a significant number of properties which do not meet minimum space and amenity standards and is contrary to Des 5.

e) Transport

Policy Tra 2 states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance.

Policy Tra 3 states that planning permission will be granted for development where proposed cycle parking and storage provision complies with the standards set out in Council guidance.

The proposal does not raise any issues in respect of road safety. The Council's transport officer has commented that the provision of 24 cycle spaces does not meet the required provision and that should the development go ahead, this would require provision of 28 cycle parking spaces in a secure and undercover location in line with the Council's parking standards.

The provision of 15 car parking spaces, including two electric charging points and two disabled spaces, meet the Council's parking standards.

f) Other Planning Matters

Natural Heritage

On the request of the biodiversity officer the applicant has provided a Preliminary Ecological Appraisal. The appraisal has confirmed that no protected species have been found on site but that measures would be required during construction to ensure protection of small mammals. It is noted that Japanese Knotweed was found on site and that any treatment or removal of Japanese Knotweed should be undertaken in accordance with SEPA guidance. Clearance of vegetation should be at times so as not to disturb nesting birds and that biodiversity enhancements are recommended in relation to swift bricks.

Environmental Protection

Environmental health officers require any floodlighting to not exceed 25 Lux and provision of two electric vehicle charging points. They did not raise issues in respect of noise.

Contributions

The development falls within the Firhill Contribution Zone for education provision, but the scale of development does not generate an education contribution.

g) Public comments

Material comments - Objection:

- inappropriate use of green belt land and impact on countryside - this has been addressed in section 3.3 a);
- proposal has no regard to character of local area, scale, massing, design and materials - this has been addressed in section 3.3 a&b);

- loss of amenity, overshadowing and loss of sunlight, privacy and overlooking - this has been addressed in section 3.3 c);
- loss of amenity due to increased traffic and parking - this has been addressed in section 3.3 e);
- loss of wildlife habitat - this has been addressed in section 3.3 f);
- light and noise pollution - this has been addressed in section 3.3 f);

Material comments - Support

- support for the principle of development in relation to the need for provision of specialist housing for people with learning disabilities and autism for which there is a shortage - addressed in section 3.3.a)

Non-Material Comments

- general support for the activities of the applicant Tipherath Ltd. The circumstances and reputation of the applicant is not a material planning consideration.

Community Council Comments

Colinton Community Council have provided a neutral response (neither objecting or supporting the proposal). This recognises there is both support and objection to the development within the community council area and acknowledge that there are likely to be impacts on residents of Torphin Road opposite the development site including increased traffic movements and noise impacts from residents. They consider the terraced form of the development 'questionable in terms of adopted policies'.

Conclusion

The proposal does not comply with the Edinburgh Local Development Plan. The development site is within the green belt and there is no shortage in the five year housing land supply which would justify the release of the site for housing.

While there may be some relationship of the development to the nearby class 8 use, the design quality of the development falls far below that which would be expected for this highly sensitive site. It would have an unacceptable impact on the special landscape area and rural character of the area. In addition, the proposal would fail to provide an adequate level of amenity for future occupiers.

There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

Reasons:-

- 1) The proposal is contrary to the Local Development Plan Policy Hou 1 in respect of Housing Development, as the site lies within the green belt, and there is no shortfall in the five year housing land supply.
- 2) The proposal is contrary to the Local Development Plan Policy Env 10 in respect of Development in the Green Belt and Countryside, as it would not form a high quality design and would have an adverse effect on the landscape quality of the greenbelt.
- 3) The proposal is contrary to Local Development Plan policies Env 11, Env 17 and Env 18 as it significantly detracts from the character and qualities of the Special Landscape Area and adversely impacts on the character and landscape of Pentland Hills Regional Park and the rural character.
- 4) The proposal is contrary to the Local Development Plan Policy Des 1, Des 4 and Des 9 in respect of design quality and context, as the design is poor quality and inappropriate and would be damaging to the character and qualities of the area.
- 5) The proposal is contrary to Local Development Plan policy Des 5 as future occupiers will have insufficient internal space.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

A total of 102 representations were received relating to the proposal. These included 25 objections, 74 support comments and three neutral comments. Of the 72 support comments received, 11 were received after the closing date for representations. These are summarised and addressed in the assessment section of this report.

Background reading/external references

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

Statutory Development**Plan Provision**

The site is located within the Edinburgh Green Belt.

Date registered

5 March 2019

Drawing numbers/Scheme

01-09A,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

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

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

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

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

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

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

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

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

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

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy Env 17 (Pentlands Hills Regional Park) identifies the circumstances in which development will be permitted in the Pentlands Hills Regional Park.

Relevant Non-Statutory Guidelines

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

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

Appendix 1

Application for Planning Permission 19/01036/FUL At Car Park, Torphin Road, Edinburgh Application for a new residential building, comprising 9 flats and 2 houses, with associated infrastructure, landscaping and engineering works (as amended).

Consultations

Roads Authority

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

- 1. The applicant should be required to provide 28 cycle parking spaces in a secure and undercover location in line with the Council's parking standards (2 spaces per 2 or 3 room, 3 spaces per 4 room);*
- 2. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*
- 3. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.*

Note:

- The proposed cycle parking does not appear to meet the Council's cycle parking standards. It is unclear whether the proposal is for 24 stands or 24 spaces but they appear to be located at an insufficient spacing to meet the standards;*
- The proposed development provides 15 car parking spaces, including 2 electric charging points and 2 disabled spaces, which is considered acceptable under the Council's parking standards.*

Flood Protection

CEC accept this application and are happy for it to proceed to determination, subject to other consultee responses.

CEC also has role in determining allowable surface water discharges as part of sustainable development within the authority boundary and to comply with the self-certification process a maximum allowable discharge rate of 4.5l/s/ha od drained should

be implemented to the design. This is subject to minimum diameter for flow control devices of 75mm aperture size for adoptable networks, and 30mm diameter for privately owned drainage systems to minimise blockage risk. Previous land uses do not typically influence the allowable surface water discharge rate. The application has stated that 5.0 l/s discharge is proposed for design and this is accepted by CEC Flood Prevention.

Flow path drawings received and accepted by CEC Flood Prevention.

Upon review of the more detailed resolution SEPA flood maps available to CEC and LiDAR data it can be seen that the pluvial flooding is shown to be contained within Torphin Road to the north of the site and also the former golf club access road. As a result, CEC accept the applicant's assertion that this CEC query has been resolved.

Scottish Water

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

There is currently sufficient capacity in the MARCHBANK Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

There is currently sufficient capacity in the EDINBURGH PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Infrastructure within boundary

According to our records, the development proposals impact on existing Scottish Water assets. The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly at service.relocation@scottishwater.co.uk. The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

Community and Families

The Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that if a development is expected to generate at least one primary school pupil but less than one secondary school pupil, only the 'primary school contribution' is required.

Using the pupil generation rates set out in the Supplementary Guidance, the development is expected to generate at least one additional primary school pupil but less than one secondary school pupil.

This site falls within Sub-Area F-1 of the 'Firrhill Education Contribution Zone'. The Supplementary Guidance does not identify a requirement for a primary school contribution in this area.

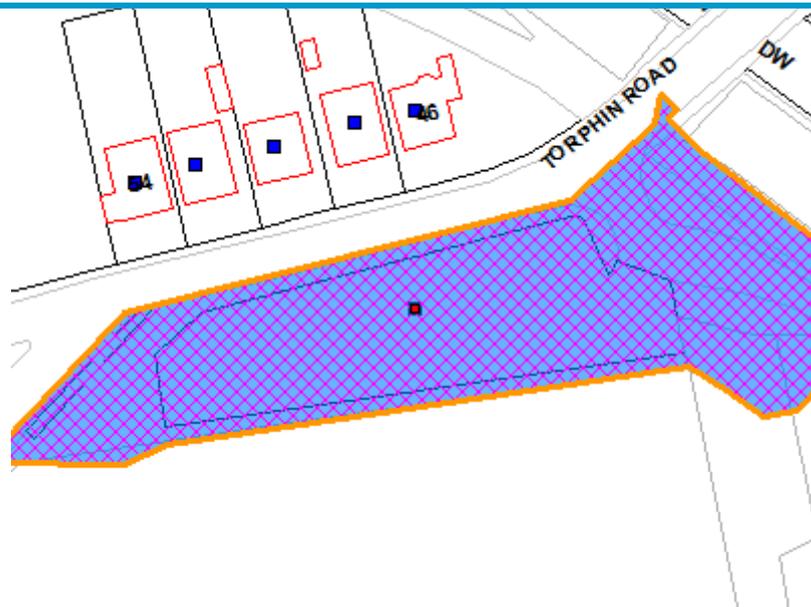
As the development is only expected to generate one additional primary school pupil, no additional infrastructure action would be required to mitigate the impact of the development. A contribution towards education infrastructure is therefore not required.

Archaeologist

Historic maps indicate that the site remained open ground until the creation of the current car-park in the 20th century for Torphin Golf Club. No archaeological remains have been recorded in the immediate area. Given this and the probable effects caused by the construction of the car-park it is considered unlikely that significant remains will be affected.

It has been concluded therefore that there are no known archaeological implications regarding this application.

Location Plan



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