

# Development Management Sub Committee

**Wednesday 3 March 2021**

## **Application for Planning Permission 20/03561/FUL at Link Between Roseburn and Union Canal at Roseburn Path, Edinburgh.**

**Creation of shared pedestrian and cycle path link including  
new bridge crossings over existing infrastructure, access  
points and public open spaces and habitats.**

**Item number**

**Report number**

**Wards**

B07 - Sighthill/Gorgie

## **Summary**

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The application proposal will support objectives of the Edinburgh Local Development Plan (LDP), the Council's Local Transport Strategy, Active Travel Action Plan and Edinburgh's Open Space Strategy.

The application would deliver LDP Transport Proposal T7, Development of active travel and footpath links, LDP Greenspace Proposal GS1, Extension and enhancement of Dalry Community Park and objectives contained in the LDP Action Programme.

The proposal will enhance connectivity by completing a missing link in the city's off-road network, encouraging walking, cycling, improving air quality and promoting access to public open space.

The proposal will involve tree removal to enable project construction. Initial proposals have now been subject to review and a greater number of trees will be retained, this informed by the preparation of a Landscape and Habitat Management Plan.

The project has sought to reconcile the design requirements for a major piece of active travel infrastructure with tree retention and sustainable woodland management. The proposed level of tree replacement is considered acceptable and will offer enhancement to landscape quality and biodiversity.

The project design, in respect of the proposed bridge structures, materials palette, soft and hard landscaping and enhancement of Dalry Community Park have sought to respond to the local context and are acceptable.

The proposals would not adversely affect the amenity of neighbours.

It is recommended that the application be granted subject to conditions relating to archaeology, land contamination and confirmation of material finishes relating to the bridges. Further the Landscape and Habitat Management Plan prepared as part of the application should form a basis for the ongoing public engagement and management of the site.

There are no material considerations that outweigh this conclusion.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LTRA09, LDES01, LDES03, LDES04, LDES05, LDES07, LDES08, LEN09, LEN12, LEN15, LEN16, NSGD02, LEN18, LEN21, LEN22, NSOSS, LTS1,
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# Report

## **Application for Planning Permission 20/03561/FUL at Link Between Roseburn and Union Canal at Roseburn Path, Edinburgh.**

### **Creation of shared pedestrian and cycle path link including new bridge crossings over existing infrastructure, access points and public open spaces and habitats.**

#### **Recommendations**

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

#### **Background**

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##### **2.1 Site description**

The application site (3.15 hectares) embraces the Roseburn, Dalry and Fountainbridge areas, these situated to the south west of Edinburgh City Centre.

The site area is mostly built up on embankment associated with the former railway and engine sheds at Dalry, these being disused and dismantled from 1967 onwards. The land now comprises mainly woodland with public open space, including the Dalry Community Park to the south east.

The site extends from the junction of Sauchiebank and Russell Road in the north west to the West Approach Road and Telfer Subway to the south east. The site is subdivided into 3 component parts, these being separated by the Mid Calder Railway line and Dalry Road.

The northern part of the site (0.93 hectares) includes land bounded by Sauchiebank to the north with Sauchiebank Industrial Estate lying to the east. Russell Road is situated to the west and the Mid Calder railway line is to the south east. The land is covered by mature and semi mature, mainly broadleaved woodland with scrubland situated to the railway cutting forming the south eastern edge. Site levels generally fall sharply towards Russell Road to the west and Sauchiebank to the north.

In terms of adjacent character and uses, Russell Road and Sauchiebank are mainly defined by light industrial, commercial and depot uses including the Sauchiebank industrial estate to the north east, the Council transport depot situated to the west and Haymarket Rail depot situated to the north of the railway.

The central part of the site (0.76 hectares) is bounded by the Mid Calder railway line to the north west and the West Approach Road to the south west. The site levels generally fall towards the railway to the north west, sloping sharply towards Duff Street Lane and Downfield Place lying to the eastern edge. This area is characterised by older tenemental and modern flatted residential properties.

This part of the site reduces in width towards Dalry Road and the existing West Approach Road bridge. The land comprises mainly mixed wooded with a grassy clearing to the western part of the area, this being accessed via steps from Duff Street Lane.

The south eastern part of the site (1.44 hectares) is occupied by the existing Dalry Community Park. The area is bounded by the West Approach Road and associated embankments to the south east and south west, with woodland planting to the site edges. Land levels generally fall towards the north west. The park includes an existing games court and shelter and is crossed from north to east by an existing walkway/cycleway which also serves as National Cycle Route 1. A supermarket with surface car parking, student accommodation and residential flats are situated to the north of the park, these being separated by a retaining wall. The Telfer Subway to eastern corner of the site currently provides a pedestrian link beneath the West Approach Road, this connecting with Dundee Street and the Fountain Park leisure complex to the south.

The LDP allocates the application site as Urban Area and Open Space, with Dalry Park also designated as a Local Nature Conservation Site. The south eastern part of the site is also covered by LDP City Centre Proposal CC3, Fountainbridge and LDP Proposal GS1, Extension and enhancement of Dalry Community Park. LDP Transport and Active Travel Proposal T7, which identifies various proposed and potential off-road cycle links and new access points across the city.

There are no water courses within the proposed site.

The site is not situated within a conservation area.

## **2.2 Site History**

28 August 2019 - Proposal of Application Notice presented to Committee for the development of a new cycle link between Roseburn Path and Union Canal, to deliver a safe, family friendly network across the city (Reference: - 19/02885/PAN)

08 June 2016 - Proposal of Application Notice for the same proposal originally presented to Committee (Reference; - 16/01908/PAN)

## **Main report**

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### **3.1 Description of the Proposal**

#### Scheme 2

The proposal seeks to develop an off-road pedestrian and cycle route from the junction of Sauchiebank/Russell Road to the Telfer Subway at the northern edge of the West Approach Road.

This project forms part of a longer-term Council strategy to deliver a safe, family friendly cycle network across the city, which includes a new cycle link between the Roseburn Path to the north and the Union Canal to the south.

The route will utilise sections of former railway embankment with two new overbridges proposed to cross the Mid Calder Railway and Dalry Road. Earthworks and retaining structures will also be required to form the new route, particularly within the Sauchiebank and Dalry Park areas.

The route would be predominantly 4 metres width and approximately 1.05km in length.

Four additional public access points would be formed as part of the project. These would include three new accesses at Russell Road (x 1 cycle/pedestrian and x 2 pedestrian stepped accesses). A new stepped and ramped access would link the Duff Street Woodland with Duff Street Lane. The existing access points to Dalry Park area (x 4) existing accesses would be subject to improvement.

A series of public open spaces and habitats are proposed along the route. Two amenity spaces at Sauchiebank and Duff Street Woodland would be created, while the existing Dalry Community Park would be re-modelled and enhanced. There would be extensive planting across the site including around 4000 new trees of native species, which would provide a new woodland setting for the route.

A detailed design package has been submitted as part of the application. In addition to proposed civil engineering and landscape elements, details have also been provided of street furniture including lighting stanchions, waste bins and wayfinding signage. A range of seating is also proposed including CEC Standard benches, bespoke concrete cubes and jumbo steps set in soft landscape, concrete seating walls with timber picnic tables.

The route would be finished predominantly in asphalt with buff coloured anti-skid surfacing at safety critical locations.

The proposed works to each section of the route are outlined as follows:-

### Sauchiebank Gardens

The proposed route would ascend in an easterly direction from the Sauchiebank/Russell Road junction via a series of ramps, with gradual gradients leading to the proposed Mid Calder Railway Bridge. Two stepped access routes for pedestrians, these distinct from the principal shared route, would provide direct access through this part of the site from Russell Road.

This part of the site would be subject to extensive tree removal and earthworks with the existing stone retaining wall to Russell Road also subject to re-modelling.

A new landscape structure will replace the existing tree lined slope. This would provide a landscaped clearing framed by both new and existing trees, with community garden, allotment spaces defined by hedge enclosures and seating areas for views and relaxing.

The section of Russell Road, immediately to the north of the site, including the railway underpass, would be upgraded to include an enhanced route for active travel, this forming a connection to the Roseburn Path and the North Edinburgh Cycle Network lying to the north of the railway.

Although included within the scope of the project, these works would be carried out by the Council using existing permitted development rights and are not included within the red line boundary of the application.

### Mid Calder Railway Overbridge

This would comprise a Warren Truss bridge (36 metre span length, height of truss 2.75 rising to 3.55 metres, 4.5 metres overall width reducing to 4 metres clear usable width) spanning the railway cutting to connecting the Sauchiebank part of the site with the Duff Street Woodland. The bridge would be painted steel construction, the approach ramps being formed of reinforced soil and blockwork.

### Duff Street Woodland

This section of the proposed route would be elevated, to provide largely level access between the Mid Calder to the Dalry Road Bridges.

A level of tree removal will also need to be undertaken in this area to allow for earthworks and construction access, particularly for the new bridges and approach ramps. A new landscape structure will seek to create a woodland clearing and wildflower meadow to the centre of the area. The area would feature new woodland and boundary planting, with ramped access to Duff Street Lane also now subject to additional planting to preserve the amenity and outlook of residential properties lying adjacent.

In addition to the Duff Street Lane access, a further route for maintenance vehicles will also be formed from the West Approach Road lying to the south.

A timber noise attenuation barrier is proposed to the southern edge of the woodland, where this abuts the West Approach Road. This would extent approximately 230 linear metres, this also including a further 40 metre section to the south of the Dalry Road Bridge. The barrier would be constructed from weathered timber sleepers placed between steel beam posts, to 1.4 metres maximum height.

### Dalry Road Overbridge

This would comprise a beam bridge design (28 metre span length + approach ramps, 6.5-7.5 metres clearance to bridge soffit, 10 metres maximum height, 3.5 metres width with 3 metre clear usable width to the cycleway). The structure be would be positioned parallel to the existing West Approach Road Bridge, located immediately to the south west.

The bridge would be formed of a precast concrete beam, and concrete deck slab. The bridge deck and parapet railings would be enveloped in a largely perforated 'Corten' steel cladding, this featuring an 'active travel' themed design. A propriety wall cladding system (Tier Panel system by Castlecary) is proposed to the bridge abutments, wing and retaining walls. The proposed finish would seek to tie in with the historic stonework of the existing bridge and retaining walls.

## Dalry Community Park

From the Dalry Road Bridge, the shared path would be routed via the southern edges of the park before proceeding eastwards towards the Telfer Subway. A re-aligned shared path would be formed through the park to provide direct access from Dalry Road.

At the eastern end of the site, a new signalised Toucan crossing would be installed at the West Approach Road to provide better continuity for cyclists traveling towards Dundee Street and the Union Canal. New stepped and ramped access would also be provided to the Telfer Subway with a new pocket park situated above. This would incorporate tree planting with informal cube seating.

The route to the south of the Dalry Road Bridge would be largely elevated, the level differences addressed by regrading of the existing site levels, new sections of retaining wall and stepped landscaping terracing. These works will require some tree removal at the western edges of the park, but new tree planting is identified to provide a new landscape structure to this part of the site.

The project will deliver a range of enhancements to Dalry Community Park to form a multi-function park space. This would include a new layout, establishing play zones for toddler, sensory, agility, balance, climbing and adventure. New equipment would be provided for younger children with the existing sports pitch being replaced with an all-weather, multi-use games pitch for use by mainly older children.

The park will feature full lighting, seating and wayfinding to maximise daytime and evening use. Signing for the park, in the form of wall mounted 'Corten' steel lettering would be placed at the Dalry Road entrance.

## Tree Removal, Landscape and Habitat Management

Following discussion with the project team, the initial tree removal proposal has been subject to review.

Revised details have now been prepared in relation to tree protection + retention, tree constraints and soft landscaping. These have been informed by the preparation of a Landscape and Habitat Management Plan, which has been commissioned by the Council project team, to provide a framework for the long-term landscape and biodiversity management of the site. This seeks to protect and enhance existing habitats whilst integrating a new programme of activities and enabling access across the site as per the original aims of the cycleway project.

Whilst a level of tree removal will be required as part of the initial construction works, existing trees will be retained where this is feasible. The Landscape Habitat Management Plan advocates phased removal of trees as part of an ongoing management regime, promoting both woodland and biodiversity enhancement. Of the original 862 trees originally proposed for removal, this figure has now been reduced to approximately 400\* due to the construction of the route, level changes and site access. A quarter of these losses are as result of these trees being unsafe.

(\* this figure being subject to detailed review with the contractor on-site)

The revised landscape proposals set out areas where existing trees would be retained, and new ones planted. Extensive replacement planting would be implemented as part of the project. This would include around 4000 tree saplings, this supplemented by 196 larger trees (advanced nursery stock trees including 91 semi-mature and 95 extra heavy standard) to existing woodland and fruit trees to the proposed community allotments at Sauchiebank.

The fallen trees will be retained onsite as a habitat for fungi and invertebrates. The landscape design proposals will also make provision for meadow, glade, and wet planted areas to diversify the available habitats for wildlife.

### Scheme 1

As above, but with earlier proposals regarding tree removal, tree replacement, landscape and biodiversity management now superseded.

Scheme 1 was supported Landscape Strategy and Management Proposals, this accompanied by detailed Tree Survey information. This identified 1286 trees across the site, these comprising 386 individual trees and around 900 smaller trees recorded in groups. Of the total number of trees, approximately 862 (67%) were identified for removal as part of the construction works with 428 (33%) retained.

### Supporting information

The following documents were lodged as part of the application: -

- Planning Statement
- Design + Access Statement
- PAC Report
- Sustainability Statement
- Integrated Impact Assessment
- Drainage + SUDS Strategy
- Ground Investigation Report
- Groundwater + Ground Gas Monitoring Form
- Ecological Survey
- Tree Survey
- Landscape Strategy and Management Proposals
- Landscape and Habitat Management Plan, Feb 2021

## **3.2 Determining Issues**

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

Do the proposals comply with the development plan?



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

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

### **3.3 Assessment**

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

- a) The principle of the proposed use is acceptable;
- b) The proposal would address issues relating to Transport Policy and Active Travel;
- c) The proposed removal and replacement of trees is acceptable;
- d) The proposal would raise issue in respect of ecology and protected species;
- e) The proposal would achieve an acceptable standard of design;
- f) The proposal would be detrimental to neighbour amenity;
- g) The proposal would raise issues in respect of flooding and drainage;
- h) The proposal would raise issues in respect of land contamination;
- i) The proposal would raise issues in respect of archaeology;
- j) The proposal addresses issues raised in representations.

#### **a) Proposed Use**

In terms of land use, the Edinburgh Local Development Plan (LDP) allocates the three principal sections of the site including Dalry Park as Open Space, with street spaces designated as Urban Area. The south eastern part of the site is also covered by LDP City Centre Proposal CC3.

Dalry Park is further designated as a Local Nature Conservation Site (LNCS). Issues relating to this designation are assessed as part of section 3.3 d) of the report.

LDP Policy Env 18, Open Space Protection, outlines that 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;
- b) The open space is a small part of a larger area or of limited amenity or leisure value and there is 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.

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 an integral part of the city's landscape and townscape character and biodiversity.

Whilst the proposal will result in a cycle route being formed through areas of designated Open Space, with associated civil engineering works, the proposal would not result in the significant loss of designated Open Space. The application proposal seeks to enhance the quality of the open spaces thereby contributing to the city's landscape character, biodiversity and green network. All parts of the route would continue to contribute to the amenity of their surroundings with the accessibility of these areas being enhanced to provide for recreational benefits and enjoyment.

There would be no significant impact on the quality or character of the local environment, large parts of the site are currently of limited leisure value and the proposal would not be detrimental to the wider network including its continuity or biodiversity. The proposal would therefore address requirements of LDP Policy Env 18, Open Space Protection, parts a) b) and c).

LDP City Centre Proposal CC3 includes the extents of Dalry Park. This proposal establishes development principles relating to Fountainbridge, which is an area of ongoing regeneration lying to the south east of the application. Development principles state that proposals should contribute to the improvement of Dalry Community Park, with developer contributions being sought for this purpose. The application proposal seeks to promote the enhancement of the park and this is further discussed below.

The application proposal is supported by LDP Transport Proposal T7 which identifies various active travel and footpath links across the city. The LDP Proposals Map illustrates a proposed route alignment linking Roseburn to the West Approach Road - as per the scope of the application proposal. This is further discussed in section 3.3 b) of the report.

The Dalry Community Park is identified as LDP Greenspace Proposal GS1. This proposal seeks to enhance and extend the existing park (1.1ha) to meet existing deficiencies in open space provision and as part of public open space requirements associated with the redevelopment of Fountainbridge, where open space provision cannot be met onsite.

Open Space 2021, Edinburgh's Open Space Strategy identifies extensions to the city's Green Network as set out in the LDP. The proposed Roseburn to Union Canal Cycle Link is referred to as a potential access opportunity, with Dalry Park identified as 'Local Greenspace' and a potential addition to the green network.

Both these aspects of the project will play an important role in meeting the open space needs of new residents and bring benefits to the existing community, particularly in a densely developed area of the city. The project will also enhance the accessibility to open space, including the green network with new linkages formed by the new access points and bridges connecting the various areas of the site.

The enhancement of Dalry Community Park is further outlined in the LDP Action Programme, February 2020. This identifies the improvement and extension of the multi-functional park space, this being linked to the development of the Roseburn to Union Canal Cycleway. Works would include hard landscaping, new layout and new equipment to children's play area, the replacement of existing sport pitch with MUGA pitch, street furniture and improved access points from Dalry Road, the supermarket car park and Telfer Subway.

In summary, the development of the cycle route and enhancement of Dalry Community Park are supported by LDP Transport Proposal T7, Greenspace Proposed GS1 and City Centre Proposal CC3. The nature of the proposed use would not result in significant impact to the quality and character of designated Open Space and would deliver actions contained within Edinburgh's Open Space Strategy and LDP Action Programme.

## **b) Transport Policy and Active Travel**

The Council's City Mobility Plan was approved on 19 February 2020 and sets a bold, new strategic framework for the sustainable, safe, efficient and inclusive movement of people, goods and services into and around Edinburgh whilst seeking to address the associated environmental and health impacts.

Active Travel sits at the heart of the Strategy, being supported by the Council's Active Travel Action Plan (ATAP) which sets out a range of actions aimed at encouraging both walking and cycling. This includes giving greater priority to pedestrians and cyclists in street design and management. The ATAP also strives to develop a 'family' and 'quiet routes network' predominantly on quiet roads and off-street, aimed at ensuring that less confident cyclists, including family groups and older, unsupervised children, feel safe and secure.

The Roseburn to Union Canal project has been identified as a priority within the Active Travel Action Plan 2016. This route would fill in a 'missing link' between the existing off-road networks including the North Edinburgh path network via Roseburn Path (National Cycle Network 1) and the Union Canal (National Cycle Network 75) and would play an important part of the Council's strategy to deliver a comprehensive cycle network across Edinburgh. The ATAP recognises that on the Quiet Routes network, coherence is of the utmost importance and a single 'missing link' can seriously undermine the effectiveness of a route or the entire network.

The delivery of the project is supported through the LDP as part of LDP Transport Proposal T7, which identifies various off-road cycle and footpath links across the city. The LDP Proposals Map illustrates a proposed route alignment linking Roseburn to the West Approach Road - as per the scope of the application proposal. Further potential linkages from this route are also indicated to the West Approach Road both to the west and east and it is anticipated these could be implemented as future projects.

LDP Policy Tra 9 - Cycle and Footpath Network, seeks to ensure that development proposals do not prejudice the future implementation of potential additions or improvements to off-road routes across the city.

The proposal would seek to enhance the off-road network and will not prejudice the further implementation of extensions to the network.

The project, including the extension of the cycle/footpath and green network, is also identified as part of the LDP Action Programme 2020. The Roseburn to Union Canal Transport Contribution Zone (TCZ) identifies the requirement for securing developer contributions towards the project.

The nature of the project, the promotion of active and sustainable travel infrastructure, the enhancement of off-road connectivity linking key destinations to the north and south of the city and completion of a missing link to the network was strongly supported in 71% representations to the application, including Gorgie Dalry Community Council. The proposal would form a link between the established North Edinburgh Cycle Network and several strategic cycle routes particularly to the south and south west of the city including the National Cycle Network and the Union Canal.

Representations highlighted that the existing on-street route (via Russell Road, Murieston Crescent and Dalry Road) is busy, narrow with numerous hazards including the proximity of vehicles to cyclists, numerous junctions and the presence of parked cars. These factors are not conducive to cycling, particularly children and less confident cyclists. The inclusion of two overbridges as part of the project will address complicated level changes.

Representations also remarked on the limited scope of the project, particularly the lack of direct connection with the Roseburn Path to the north and the Union Canal to the south. However, it is not currently possible to deliver an 'at grade' bridge link between Sauchiebank and the Roseburn Path. This would involve spanning the existing Edinburgh to Glasgow railway and adjacent tram line, which presents significant technical challenges. The project forms a key part of the Council's long-term vision to develop a 'quiet routes network' and it is anticipated that further enhancements to active travel infrastructure will continue to be delivered incrementally as resources allow.

In summary, the delivery of the application proposal would see the realisation of a major project identified as part LDP Transport Proposal T7 and the LDP Action Programme. The proposal would complement transport objectives of the LDP and Council Transport Policy, aligning with objectives to protect the environment, prioritise travel by sustainable means and encourage the use of alternatives to the car, whilst seeking to reduce emissions from motorised transport. The project will also promote objectives relating to road safety.

### **c) Tree Removal and Replacement**

The site comprises small pockets of broadleaved woodland, grassland areas and ruderal vegetation typical of an urban area in Edinburgh. Overall, the woodland is mixed quality and has been subject to limited management, with the presence of scrub and undergrowth, e.g. brambles, which currently limits biodiversity quality. However, it is recognised that the woodland plays an important strategic landscape role, also contributing to the character and amenity of the location, biodiversity and green networks.

A detailed tree survey has been submitted as part of the application. All trees have been comprehensively surveyed in line with best practice and in accordance with the Edinburgh Design Guidance.

Key findings of the tree survey can be summarised as follows:-

- The tree stock within the Sauchiebank area are mostly young and early mature native species with some notable larger trees on the western and northern edges. The area is fenced off and some areas are becoming overgrown.
- The Duff Street Woodland area is fairly overgrown with mostly native species of various ages and a number of notable larger trees, which are visually prominent from the West Approach Road. It is believed that some of this area and trees to the edges of Dalry Park were planted in relation to the construction of the West Approach Road during the 1980's.
- Dalry Park comprises a mixture of mostly young and early mature native trees, with some larger trees bordering the park to the southern edges including mature Railway Poplars, Silver Lime and Norway Maple.

However, the loss of woodland, mature trees, vegetation and wildlife habitat were identified in 61% of objections and the response from Gorgie Dalry Community Council.

Given this level of concern, initial proposals relating to tree removal have now been reviewed by the project team and the landscape architects. Revised proposals have been carefully considered to minimise the level of tree loss and retain trees of quality. To inform this approach, a Landscape and Habitat Management Plan (LHMP) has now been prepared. This document sets out proposals for the phased management of the site over a 25-year period.

The LHMP has now presented revised proposals relating to tree works and tree removal, this promoting reduced tree loss and phased tree replacement as part of ongoing woodland management.

Of the original 862 trees originally proposed for removal, this figure has now been reduced to approximately 400 trees. This is required for the construction of the route, level changes and construction site access. A quarter of these losses are as result of these trees being unsafe.

Following review, it will be possible to retain groups of mature trees at the northern corner of Sauchiebank and to the western section of the Duff Street Woodland, these being visually prominent from the West Approach Road.

The presence of Ash trees within the site has also been taken into consideration as part of the ongoing management of the site. Many Ash trees in the city now becoming increasingly affected by Ash Die-back disease and will therefore limit their lifespan.

Extensive replacement planting would be implemented as part of the project. New woodland planting comprising around 4000 tree saplings are proposed at Sauchiebank and Duff Street Woodland. These would include 'Miyawaki' small areas of dense forest planting.

These would be supplemented by 196 larger trees Extra Heavy Standard and Semi Mature trees to be distributed across the site, these being planted within existing woodland and proposed parkland to reinforce visually prominent locations. Semi mature trees would also be introduced to hardstanding, particularly in Dalry Park with fruit trees also proposed for the community allotments at Sauchiebank.

Tree protection measures, for those trees to be retained, will be implemented by the contractor as part of the construction works, in line with best practice. This requirement has been stipulated in the provisions of the contract.

LDP Policy Env 12 -Trees, states that development will not be permitted if it is likely to have a damaging impact 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.

It is recognised that a level of tree removal will be necessary in order to construct the project, particularly at Sauchiebank, Duff Street Woodland and Dalry Road. The initial impact of these works will be visually pronounced, until a new tree planting and landscape structure begin to establish. However, the LHMP and revised proposals are considered to offer an appropriate strategy for the replacement of trees and the ongoing management of the site, placing greater emphasis on the creation of new wildlife habitats and sustainably managed woodland. The level of replacement planting, species and numbers are considered appropriate to offset the loss to amenity and address the requirements of this LDP Policy Env 12.

It is recommended that the LHMP form a basis for further engagement between the Council and the local community, to inform the long-term management of the site as Woodland and Open Space. Such an approach would be comparable to other projects currently being promoted through the Edinburgh Living Landscapes initiative.

The LHMP also highlights the need for tree and ecological information to be updated periodically as part of the ongoing management of the site, and prior to any future phases of woodland management, including further tree removal.

These matters relating to the LHMP will be highlighted through informative.

#### **d) Ecology and Protected Species**

LDP Policy Env 16 - Species Protection, outlines that permission will not be granted for development that would have an adverse impact on species protected under European or UK law unless; part b) a full survey has been carried out of the current status of the species and its use of the site.

Ecological survey information has been provided as part of the application. In terms of protected species, this identified the potential for foraging and commuting bats due to linear woodland features and open adjacent habitat. However, it was also noted that the habitat within the site was generally poor for roosting with few Potential Roosting Features (PRF's) recorded during the survey. Buildings near the site are deemed to be of negligible bat roosting potential due to their good condition and lack of features available.

Revised proposals now identify the greater retention of trees which could potentially be used by foraging bats and will improve upon the current situation. The Landscape and Habitat Management Plan (LHMP) also proposes suitable mitigation as part of the ongoing woodland management across the site and this would address relevant requirements of LDP Policy Env 16.

The LHMP also makes provision for the review and updating of ecological surveys at pre-construction stage and prior to any future phases of woodland management. This requirement will be highlighted through informative. The LHMP also highlights the need for tree and vegetation removal to be undertaken outside the bird breeding season, recognised as extending from March to August inclusive. This requirement has been stipulated in the provisions of the contract.

Dalry Park forms a designated Local Nature Conservation Site (LNCS).

LDP Policy Env 15 - Sites of Local Importance, seeks to protect sites of local nature conservation value, including flora, fauna and landscape features from damaging development.

This LNCS was last subject to detailed assessment in 2006 and information held by the Council is now out of date. The ecological information provided by the consultants can be used to update the records relating to Dalry Park.

The proposals will have minimal impact on the Local Nature Conservation Site. The project includes measures to enhance the woodland and biodiversity of the Park, with the Landscape and Habitat Management Plan identifying measures for the positive management of the wider application site. These will enhance the value of the LNCS. The proposal would address the requirements LDP Policy Env 15 b) in that adverse consequence of the development have been minimised and would be mitigated in an acceptable manner.

## **e) Design**

### Design Vision and Concept

LDP Policy Des 1 - Design Quality and Context, states the proposals should 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. 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 Design and Access Statement establishes a design vision for the project based around landscape, this supporting the local residents, visitors and commuters, considering both the functional requirements of servicing and access, along with the social aspects of wellbeing and sense of place. To achieve this, the project will improve contact with nature and the sharing of green space.

The design concept aims to create defined spaces along the route by utilizing the existing landscape zones within the site. Sauchiebank and Duff Street's scattered woodland habitat would be enhanced and restored and connected to Dalry Park's greenery. Those three habitats will form a united network and series of unique character zones that will be linked by a cohesive material palette.

The Design and Access Statement outlined a Landscape Masterplan and design principles for the various zones of the site including Sauchiebank Gardens, Duff Street Woodland and Dalry Park and individual landscape elements including a Street Furniture Strategy, Landscape Boundaries Planting and Structures. A Landscape and Habitat Management Plan has been prepared as part of the revised scheme, this further developing the original design proposals in respect of tree removal and landscape design.

The design concept has sought to acknowledge the characteristics of the site, particularly through landscape design approach and the design of structures. The landscape design approach will seek to enhance the qualities of the open space in terms of woodland management, biodiversity enhancement and usability of open space.

LDP Policy Des 3 - Development Design - Incorporating and Enhancing Existing and Potential Features, outlines that existing characteristics and features worthy of retention on a site should be identified, incorporated and enhanced through the design. The policy also identifies that trees and woodland, landscape character and biodiversity can enhance a developments sense of place and contribute to the wider habitat and green network.

The proposed route will be based around the alignment of the former railway with the design seeking to re-use some of the sections of embankment. The proposed bridge spanning the Mid Calder railway will align with the location of the former railway bridge with the historic railway station platform, associated with the former Dalry Station, also remaining in-situ at the western end of the site.

Elements in the design approach have also sought to acknowledge the area's railway and industrial heritage, with reclaimed railway sleepers proposed for the noise barrier to the West Approach Road and 'Corten' steel for the Dalry Road Bridge and Dalry Park signage.

The project will also deliver a revitalised area of woodland and open space, enhancing a local sense of place, reinforcing biodiversity and the city's Green Network. LDP Policy Des 7 - Layout Design, also highlights the requirement for design proposals to take a comprehensive and integrated approach to the layout, including the relationship between adjacent buildings and streets, public and private open spaces, services and SUDS features has been taken.

The need to ensure an integrated design approach, particularly between landscape design and civil engineering requirements was highlighted at the outset of pre-application discussions. Landscape Architects were engaged early in the design process, ensuring an approach which has sought to reconcile the technical design requirements for a major piece of active travel infrastructure with tree retention and sustainable woodland management.



The design proposals which have been developed holistically to respond to the constraints and characteristics of the various part of the site, integrating the cycle route with open space and requirements for sustainable urban drainage.

An extensive level of design detail has been submitted in support of the application, outlining a comprehensive and sensitively considered design approach.

The design concept and detailed design proposals fully address requirements of LDP Policies Des 1, Des 3 and Des 7. The proposals also pay due cognisance to the Edinburgh Design Guidance and Edinburgh Street Design Guidance, including design principles relating to the design of cycle paths and local greenspace.

### Earthworks and Structures

The application seek permission for the development of two bridges spanning the Mid Calder Railway and Dalry Road. The development of the route will also require regrading of parts of the site including the formation of embankments and retaining walls.

LDP Policy Des 4 - Development Design - Impact on Setting, states that development must have a positive impact on its surroundings, including the character of the wider townscape and landscape, having regard to a) height and form, b) scale and proportions, d) materials and detailing.

The proposed Mid Calder Railway Overbridge is of a 'Warren Truss' design. Structural elements would be partially infilled with panelling, these forming the bridge parapets. Although the structure will be visible from some of the adjacent flats on Duff Street, the bridge would occupy a relatively secluded location being visually contained within the railway cutting. New tree planting will also further screen views of the bridge as this becomes established.

The proposed design is considered to offer an appropriate response to the location. Network Rail have made comments regarding technical design requirements and these will be highlighted through informative.

The proposed Dalry Road Overbridge would be of a beam bridge design, this positioned parallel to the existing bridge, an historic railway bridge which was modified to carry the West Approach Road during the 1980's. This forms a visible townscape feature on Dalry Road, particularly when seen from the east. In response to this, the bridge parapet will be clad in perforated 'Corten' Steel, this acknowledging the area's industrial heritage, with 'active travel' themed artwork embossed into the cladding both to signify its role and create visual interest. A Stone Panel system is proposed for the abutments and winds walls, this seeking to integrate with the historic stone retaining walls.

The proposed design of the various structures including the bridges, embankments, retaining walls and noise barrier to the West Approach Road are considered to respond positively to the character of the wider townscape and landscape in terms of their height, form, scale, proportions, materials and detailing and satisfactorily address the requirements of LDP Policy Des 4 and the Edinburgh Design Guidance.

It is recommended that a condition is applied, requiring confirmation of material and colour finishes for the bridges, abutments and retaining walls once these have been confirmed by the contractor.

### Landscape and Urban Design

LDP Policy Des 8 - Public Realm and Landscape Design, outlines that external spaces and features including footpaths, civic spaces, green spaces, boundary treatments and public art should be designed as an integral part of a scheme as a whole and demonstrated that:

- a) Design and materials are appropriate for their intended purpose, to the use and character of the area, especially where it has special interest or importance;
- b) Different elements of paving, landscaping and street furniture are coordinated to avoid a sense of clutter;
- c) Consideration has been given, if appropriate, to the planting of trees to provide a setting for buildings and boundaries to provide a robust landscape structure;
- d) Satisfactory scheme of maintenance will be put in place.

The proposed design and materials palette for the project have been selected to respond to the character of the location, to acknowledge site's urban and landscape context.

An extensive level of design detail has been submitted in support of the application, which has sought to provide an integrated design approach between soft and hard landscaping elements. The revised landscape design proposals, and Landscape and Habitat Management Plan seek to promote a robust landscape structure across the site, which will feature extensive new tree planting.

In terms of future maintenance, the various material finishes, play equipment and street furniture has been selected to allow for ease of maintenance by the Council, whilst seeking to innovate in terms of landscape design and provide areas of distinctive character.

The use of public art within the project has been raised in representations, suggesting that public art should have formed a more integral part of the design with opportunities for artists and community co-design. This matter has been discussed with the Project Team. In response to this issue, an offer of Sustrans funding (£5K) has subsequently been made by the project to a local community group, to develop artwork to be included in the project. The project team are also investigating the installation of community story boards within the scheme, as identified by Gorgie Dalry Community Council.

In summary, the proposed design approach to landscape and public realm, would enhance the quality and usability of the existing spaces across the site and address the requirements of LDP Policy Des 8 and the Edinburgh Design Guidance.

## Dalry Park Enhancement

The project will support the delivery of LDP Proposal GS1 which seeks to enhance and extend the existing park to meet local deficiencies in open space provision.

The proposal will also support the objectives of Edinburgh's Open Space Strategy which identifies the Park as an important area of 'Local Greenspace' with further improvements to the Park to be progressed as part of the Roseburn to Union Canal project.

The provision of new equipment including play equipment for younger children, a multi-use-games-area for older children and the pocket park to the Telfer Subway will broaden appeal of the Park to a wider range of users.

The new cycle route will form an integral component of the new layout for the Park, which will increase footfall and activity through the area. The proposals will revitalise the existing park environment which has become rundown, providing a greatly enhanced resource in a densely populated area of the city.

The landscape design approach for Park, including choice of play equipment has developed in conjunction with the Council's Parks and Open Spaces Team who will assume ongoing management responsibility for the space.

The design proposals would address requirements of LDP Policy Des 8 - Public Realm and Landscape Design and the Edinburgh Design Guidance (Section 3.2) which outlines measures expected to achieve a Local Greenspace standard.

A detailed design package for the enhancement of the Park has been submitted as part of the application and it is recommended that drawings form part of the Approval.

### **f) Neighbour Amenity**

#### Noise

Representations have highlighted the potential for increased noise as result of tree removal, with the trees acting as a sound barrier to traffic on the West Approach Road and the railway. Comments have also been made that some locations along the proposed route will experience increased noise due to absence of noise barrier.

Environmental Protection have commented that the removal of trees could give the perception that traffic noise levels will no longer be mitigated by trees. However, in reality trees provide limited levels of noise mitigation unless they are densely planted over a large area. In this case the removal of trees is unlikely to cause traffic noise to be increased within the adjacent residential properties but from a psychological perspective (and the visual sight of traffic) the loss of feelings can induce the feeling of increased noise levels.

Timber screening, extending approximately 230 linear metres, will be erected to the southern edge of the Duff Street Woodland and to the south of the Dalry Road Bridge.

This will mitigate against road traffic noise and provide screening from vehicle headlights on the West Approach Road. Extensive new tree planting will also be implemented as part of the project with existing trees being retained where possible.

New planting, foliage growth and the future management of trees will also give future residents the visual perception of separation from the West Approach Road.

### Privacy

The Community Council and residents of Duff Street Lane have expressed concern regarding the proximity of the route to adjacent flats and potential loss of privacy. The removal of the existing green outlook, trees and wildlife habitat and resulting loss of amenity has also been highlighted.

The distance from the rear of the Duff Street Lane properties to the proposed cycleway ranges from 15 -30 metres. This is comparable to a street situation.

In Planning terms, the loss of outlook or loss of a private view cannot be considered as a material issue. Whilst the initial impact of tree removal may appear stark in some part of the site, the landscape proposals seek to retain large part of the site as woodland. With the retention of existing trees and planting of new trees, the proposal would result in a limited impact to the privacy and amenity of neighbouring residents.

Following discussions between the project team and local residents, additional tree planting is now proposed in the vicinity of the ramps and steps at Duff Street Lane in order to form additional screening for neighbouring residents.

The proposals would address the requirements of LDP Des 5 - Development Design - Amenity, Part a) in that the amenity of neighbouring developments would not be adversely affected in relation to noise, privacy or immediate outlook.

### **g) Flooding and Drainage**

A Drainage + SUDS Strategy, including Surface Water Management Plan has been submitted as part of the application, this being prepared in accordance with Council's Self Certification Scheme.

The proposals will involve extensive earthworks including the re-engineering of steeply sloping land with residential and commercial properties situated in close proximity to the site boundaries. The Drainage and SUDS Strategy has set out key surface water drainage and SUDS issues and constraints and sought to provide an integrated drainage solution for the development of the site. Surface water flows will be contained on-site through the use of infiltration trenches and soakaways - via crossfall to infiltration trenches located adjacent to the cycleway where any excess flows will be directed to soakaways. The soakaway features will be designed to accommodate a 1 in 200 year plus 40% climate change event in accordance with the Edinburgh Design Guidance. The SUDS will be integrated within the landscape proposals to enhance amenity, biodiversity and habitat, whilst protecting and/or enhancing water quality.

The Council's Flood Prevention Team have advised that they have no concerns regarding the application, although have recommended that further infiltration testing be undertaken prior to construction in order to confirm the adequacy of the surface water management proposals.

In summary, the design proposals and supporting information would address the requirements of LDP Policy Env 21, Flood Protection, in that the site is developable from a flood risk perspective and would not increase the level of flood risk to adjacent land.

## **h) Land Contamination**

Historically, much of the application site are has been associated with industrial uses and processes, including the former Engine Sheds at Dalry. A Ground Investigation Report and Geo-Environmental Addendum Report have therefore been prepared as part of the application.

These reports have noted the presence of the ash and traces of asbestos in parts of the site. Given that the accessibility to the area will increased by the project, with parts of the site also forming designated public space, there remains uncertainty surrounding the extent of potential sources of contamination as defined by the current investigation, although it is concluded that potential risks from contamination would be at low level of concern based upon the nature of development

Environmental Protection have therefore recommended that a supplementary site inspection and ongoing monitoring in the form of a detailed watching brief be undertaken as part of the construction works. This should identify any unrecorded potential sources of contamination, being progressed during development and at new formation level to determine any new requirements for additional localised site investigation/or mitigation measures within the development. An updated report detailing the outcome of the watching brief and recommendations shall be provided for review and agreement by the Council's Place Development Service. This requirement will be stipulated through condition.

The presence of Japanese Knotweed has been noted in the northern and central parts of the site. This has previously been the subject of treatment and will continue to be remediated as part of project construction. This issue will be addressed through Health and Safety legislation, and there is no requirement to address this as part of the Planning process.

The proposal would address requirements of LDP Policy Env 22 - Pollution and Air, Water and Soil Quality, parts a) and c) in that there will be no significant adverse effects for health, the environment and amenity and appropriate mitigation to minimise any adverse effects can be provided.

## **i) Archaeology**

The City Archaeological Officer has commented that the site overlies part of the 1840's Edinburgh, Leith and Granton branch-line for the Caledonian Railway decommissioned in the 1960's. In particular, the route runs adjacent to the Victorian Dalry Road Railway Bridge, over the site of the Railway Depot under Dalry Park and across the former railway bridge over the Mid-Calder main railway line. Accordingly, the site is considered as occurring across an area of archaeological potential in terms of Victorian industrial and railway/transport heritage.

Most of the proposed works along the route are not considered to have significant archaeological impacts, although construction work within Dalry Park may have minor localised upon the sites of Victorian structures including two former engine sheds and railway bridge. The erection of the new bridge at Dalry Road, in close proximity to the existing bridge, will also result in impact to the stone abutments and retaining walls associated with the existing structure.

It is therefore recommended that a condition requiring a programme of archaeological work be attached the consent. This should include a photographic record of the Victorian Dalry Road Railway Bridge, prior to the commencement of works.

Subject to condition, the proposals address the requirements of LDP Policy Env 9 - Development of Sites of Archaeological Significance.

## **j) Issues raised in material representations**

### Support

- Support the general nature of project/enhancement of active travel/cycle infrastructure
- Proposal will make the city more cycle friendly, promote cycling as a means of active/sustainable travel, introduce segregated route;
- Proposal will result in the enhancement of a key active travel corridor, promoting a quiet off-road route;
- Proposal will result in enhanced connectivity, linking key destinations, existing cycle networks to the north and south of the city avoiding the city centre. Roseburn to the Union Canal proposal will fill in a `missing link' to the network;
- Connectivity could be improved at either end of the route (at Roseburn and Western Approach). The inclusion of a railway overbridge would address complicated level changes;
- Proposal will result in a reduction of emissions, address climate change;
- Proposal will promote access to open space/greenspace for wellbeing, physical and mental health. Dalry and Gorgie are densely populated with little access to open space;
- Project objectives will address issues faced during COVID pandemic; project will aid a green recovery;
- Project will promote community benefits, where there is a dire need for environmentally sustainable regeneration;
- Proposal will activate areas of underutilised land, enhance the quality of green spaces which are currently litter strewn;

- Proposal will enhance biodiversity;
- Proposal will enhance the existing Dalry Park/Playground, which is currently underutilised. Enhancements will make this facility more inviting and reduce anti-social behaviour;
- Proposal looks well considered and designed.

## Object

- Loss of mature trees, woodland, vegetation, wild areas and wildlife habitat is unacceptable. The level of tree removal would constitute environmental vandalism. Duff Street woodland provides a verdant green landscape, an important habitat for birds, detrimental to the eco-system, inappropriate decision at a time of climate change, Plan should be abandoned ' assessed in 3.3 (a) (c) (d);
- Increased noise as result of tree removal ' trees currently act as a sound barrier to traffic and the railway ' assessed in 3.3 (e) (f);
- Loss of residential amenity to adjacent properties due to increased noise and absence of noise barrier, proximity of development, removal of green outlook, habitat ' assessed in 3.3 (d) (f) and (f);
- Proposal should promote greater levels of tree planting ' assessed in 3.3 (c) (e); Proposal should seek to achieve greater community benefits, e.g. enhancement/use of open space, gardens, allotments ' assessed in 3.3 (e);
- New active travel infrastructure is unnecessary ' assessed in 3.3 (a) (b);
- Council should invest in making roads safe for cyclists to achieve what is actually needed ' assessed in 3.3 (a) (b);
- Active travel requirements for cyclists and pedestrians are already met via Russell Road which runs parallel to the proposed path. Russell Road is a wide street and could easily be adapted for pedestrians/cycles as has been done elsewhere in the city ' assessed in 3.3 (a) (b);
- The proposed route lacks continuity. Edinburgh-Glasgow railway prevents route connecting with the Roseburn Path, at which point cyclists will have to join Russell Road ' assessed in 3.3 (a) (b);
- A publicly funded proposal would benefit from a stronger community-led approach. Council need to engage meaningfully with the community, listen to the views of local people and ensure that ideas and ambition are included in the scheme ' the project was subject to extensive public engagement, (see 8.1 Pre-Application Process);
- Proposal should have been subject to meaningful community co-design from an early stage in the project life cycle to ensure community takes ownership and pride in their local public spaces ' assessed ' assessed in 3.3 (e);
- Proposal is as a result of poor Council assessment tools and decision making ' assessed in 3.3 (a) (b), the project was also subject to extensive public engagement (see 8.1 Pre-Application Process)
- Proposal lacks vision and ambition, not just the bare minimum ' assessed in 3.3 (a) (b) and (e)
- Proposal is a missed opportunity for funded public art along the route and project could have involved local artists and businesses. Proposal should seek to include public art in the design, e.g. signage, sculpture trail, mural and street furniture ' assessed in 3.3 (e)

- Project shows lack imagination by the Council and be more aspirational. Approach is disappointing in contrast to the High Line project in New York, which fuses art exhibits with plants and trees ' assessed in 3.3 (e)

#### Detailed design issues: -

- Works to sections of steep embankment and retaining structures could adversely impact on adjacent properties ' assessed in 3.3 (f)
- Query as to whether additional noise screen on the Murieston Crescent Lane / Coffin Lane side of the Western Approach Road could be provided as part of the project ' assessed in 3.3 (f)
- Proposed connection to the route from Duff Street has implications for road safety at Duff Street/Duff Street Lane junction ' assessed in 3.3 (b)
- Proposal should seek to provide additional pedestrian crossing to improve linkage to Tynecastle High School ' assessed in 3.3 (b)
- Proposed connecting ramp between Telfer Subway and West Approach Road is too narrow (only 1.7 metres wide) ' assessed in 3.3 (e)
- Comment querying absence of Morrison Link from the project, which would provide link from the Telfer Subway to Morrison Crescent via the West Approach Road ' assessed in 3.3 (b)
- Provision should be made for northbound cyclists approaching Russell Road, heading for the Roseburn Path and at Sauchiebank (should include traffic islands). Specific incident of collision between cyclist and vehicle cited ' outside the scope of the application. Issues has been highlighted to the project team.
- Comment that not all cycles are two wheeled and not all cyclists can dismount to pass obstacles like gates, chicanes or tight turns. This needs to be further considered as part of the design process ' issues highlighted to the project team
- Comment that no parking should be permitted on any part of the route ' the proposal will introduce an `off-road' route and no parking will be permitted

#### Non Material

- Impact on private views, loss of views;
- Disruption to businesses as part of the construction works i.e. access of properties;
- Technical difficulties using the Planning online service which is the only means of making comments given the current restrictions;
- General comment re. user conduct of those using shared pedestrian/cycle routes in Edinburgh and lack of action by the Council/Police to enforce.

#### **Conclusion**

The application proposal will support objectives of the LDP, the Council's Local Transport Strategy, Active Travel Action Plan and Edinburgh's Open Space Strategy. The application would deliver of LDP Transport Proposal T7, Development of active travel and footpath links, LDP Greenspace Proposal GS1, Extension and enhancement of Dalry Community Park and objectives contained in the LDP Action Programme.



The application would deliver LDP Transport Proposal T7, Development of active travel and footpath links, LDP Greenspace Proposal GS1, Extension and enhancement of Dalry Community Park and objectives contained in the LDP Action Programme.

The proposal will enhance connectivity by completing a missing link in the city's off-road network, encouraging walking, cycling, improving air quality and promoting access to public open space.

The proposal will involve tree removal to enable project construction. Initial proposals have now been subject to review and a greater number of trees will be retained, this informed by the preparation of a Landscape and Habitat Management Plan.

The project has sought to reconcile the design requirements for a major piece of active travel infrastructure with tree retention and sustainable woodland management. The proposed level of tree replacement is considered acceptable and will offer enhancement to landscape quality and biodiversity.

The project design, in respect of the proposed bridge structures, materials palette, soft and hard landscaping and enhancement of Dalry Community Park have sought to respond to the local context and are acceptable.

The proposals would not adversely affect the amenity of neighbours.

It is recommended that the application be granted subject to conditions relating to archaeology, land contamination and confirmation of material finishes relating to the bridges. Further the Landscape and Habitat Management Plan prepared as part of the application should form a basis for the ongoing public engagement and management of the site.

There are no material considerations that outweigh this conclusion.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions :-**

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

A supplementary site inspection and ongoing monitoring in the form of a detailed watching brief in order to identify any unrecorded potential sources of contamination shall be progressed during development and at new formation level to determine any new requirements for additional localised site investigation and/or mitigation measures within the development.

An updated report detailing the outcome of the watching brief and recommendations shall be provided for review and agreement by Council's Place Development Service

2. A supplementary site inspection and ongoing monitoring in the form of a detailed watching brief in order to identify any unrecorded potential sources of contamination shall be progressed during development and at new formation level to determine any new requirements for additional localised site investigation and/or mitigation measures within the development. An updated report detailing the outcome of the watching brief and recommendations shall be provided for review and agreement by Council's Place Development Service
3. Prior to the commencement of works on site, further details of all proposed material finishes for the Mid Calder and Dalry Road Bridges (material and colour finishes to steelwork, blockwork to bridge abutments and retaining walls, artwork to the Dalry Road Bridge) shall be submitted to an agreed by the Planning Authority in writing. This should product specifications and samples where requested.

**Reasons:-**

1. In order to safeguard the interests of archaeological heritage.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to enable the planning authority to consider this/these matter/s in detail.

**Informatives**

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. Prior to the construction of drainage design the applicant is requested to conduct infiltration testing to confirm that surface water management proposals are adequate.

5. Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The design and construction of the proposed bridge over the railway will have to comply with current Railway Standards and Guidelines and will be subject to further discussions and agreement with Network Rail. The Local Authority will be required to enter into a bridge agreement and adopt the bridge including the obligation to repair, maintain and renew it.

Construction works must be undertaken in a safe manner which does not disturb the operation of the railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

6. It is recommended that the Roseburn to Union Canal Cycleway, Landscape and Habitat Management Plan Report, dated February 2021, prepared as part of this application by Harrison Stevens Landscape Architects, form a basis for further engagement between the Council and the local community, to inform the long-term management of the site as Woodland and Open Space.
7. The Roseburn to Union Canal Cycleway, Landscape and Habitat Management Plan, dated February 2021, highlights the need for tree and ecological information to be updated periodically as part of the ongoing management of the site. This should be undertaken prior to any future phases of woodland management, including further tree removal.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

The project is being developed by the Council's Place Development Service. The project will be jointly funded through the Council's Capital Budget and Sustrans.

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

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

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

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

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

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

## **Consultation and engagement**

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

Extensive pre-application discussion took place as part of project development.

Two Proposal of Application Notices (19/02885/PAN and 16/01908/PAN) were submitted to the City of Edinburgh Council on 11 June 2019 and 29 March 2016 respectively. Each description of development outlined the delivery of a new Cycle link between the Roseburn Path and Union Canal, in order to deliver a safe, family friendly network across the city. The PAN's were considered by the Council's Development Management Sub-Committee on 28 August 2019 and 08 June 2016. The Committee noted the key issues at this stage in the process.

Each PAN set out a proposed programme of pre-application consultation. In the case of the most recent PAN, a copy was sent out to the following organisations:

#### Community Councils

- Gorgie/Dalry Community Council
- Murrayfield Community Council

#### Public Exhibition

A pre-application public consultation event took place at the St Brides Centre, 10 Orwell Terrace, Dalry, Edinburgh on 19 June 2019 between 14:00 and 19:30. This event was publicised via statutory press notices published in the Edinburgh Evening News on Wednesday 12 June 2019. It was also recommended by the Council that social media/websites were used to provide further publicity and regular updates on progress. Full details can be found in the applicant's Pre-application Consultation Report, which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards Online Service

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

The application was advertised on 08 September 2020 with a 21 day period for comment.

99 letters of representation were received, these included 26 objections, 3 neutral comments and 70 letters in support of the proposals. These included comments from member of Spokes, Living Streets and the Gorgie Collective.

The matters raised in representations are considered in the Assessment section 3.3.

Further to the expiry of the consultation period on 30 September 2020, 75 emails were received Dec 2020 - February 2021. Given their late submission, and in many cases absence of address details, these cannot be considered as valid representations to the application. The majority of these object to proposed tree removal at Sauchiebank following information published online by the 'Trees of Edinburgh' amenity group which invited members of the public to submit late representations on the proposals to the Council.

Gorgie Dalry Community Council (QDCC) provided comments in relation to Scheme 1. These are included in Appendix 1, Consultations.

## **Background reading/external references**

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- 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

Urban Area  
Open Space  
Local Nature Conservation Area (LNCS) and LDP  
Greenspace Proposal GS1- Dalry Park  
LDP Proposal T7 - Various off-road cycle footpath links  
City Centre Proposal CC3, Fountainbridge - South  
eastern part of the site including Dalry Park

### Date registered

4 September 2020

### Drawing numbers/Scheme

1-8, 21-57, 75-80, 84-85, 88-90, 92-96, 98, 100, 102,  
106-108, 112A-116A, 117-121, 122A-126A, 117-121,  
122A-126A, 127-136, 140-170,

Scheme 2

## David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Francis Newton, Senior Planning Officer

E-mail:francis.newton@edinburgh.gov.uk

## Links - Policies

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### Relevant Policies:

LDP Policy Tra 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

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

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

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

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

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

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

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

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

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

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

**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.

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

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

The Open Space Strategy and the audit and action plans which support it are used to interpret local plan policies on the loss of open space and the provision or improvement of open space through new development.

Local Transport Strategy - The Strategy lists a number of options for improving Edinburgh's transport service including: developing an integrated transport system for the city; lowering speed limits in certain areas to reduce road accidents and encourage cycling and walking; continuation of the School Streets pilot, which encourages young people to walk or cycle to school; continuing action to alleviate air quality problems and undertake further work on developing a Low Emission Zone; and, looking at the

possibility of assigning a dedicated officer to work with major employers and other agencies on travel planning.



# Appendix 1

## **Application for Planning Permission 20/03561/FUL At Link Between Roseburn And Union Canal At, Roseburn Path, Edinburgh Creation of shared pedestrian and cycle path link including new bridge crossings over existing infrastructure, access points and public open spaces and habitats.**

### **Consultations**

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#### **CEC Parks+Greenspace comment**

*I refer to the recent planning application ref 20/03561/FUL and wish to give full support.*

*The proposal would enhance the biodiversity of the green corridor between Sauchiebank and Dalry Park, offer better connectivity for cyclist and pedestrians, increase natural surveillance of the area and would deter anti-social behaviour.*

*The proposed design elements would improve the quality of Dalry Park and increase the play value for children, while the entrances would make the site more welcoming for families and provide better access to quality greenspaces.*

#### **CEC Archaeology comment**

*The overlies part of the 1840's Edinburgh, Leith and Granton branch-line for the Caledonian Railway decommissioned in the 1960's. In particular the route runs adjacent to the Victorian Dalry Road Railway Bridge, over the site of a Railway Depot under Dalry Park and across the site of the former railway bridge over the Mid-Calder Main Line. Accordingly, the site is consider as occurring across an area of archaeological potential in terms of Victorian industrial and railway/transport heritage.*

*This application must therefore be considered therefore under terms of Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, HES's Historic Environment Policy for Scotland (HEPS) 2019 and CEC's Edinburgh Local Development Plan (2016) Policies ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

#### *Dalry Road former Railway Bridge*

*The scheme will run along the eastern face of this Victorian steel railway bridge, which although unlisted this historic structure contributes significantly to the character of this area. However, as the historic bridge will not be directly impacted upon, it has been*

*concluded that these proposals do not have any significant archaeological/heritage impact in regard to this structure. That said it is recommend that a photographic record of it is undertaken prior to development as part of overall archaeological programme of works.*

### **Dalry Park & Mid Calder Bridge**

*Although most of the route is considered to have no significant archaeological impacts, work within Dalry Park and during the construction may have minor localised impacts upon the sites of Victorian structures namely: two engine sheds within Dalry Park and a former railway bridge in these locations. It is recommended therefore that ground-breaking works that may affect the sites of these structures are monitored and any significant remains encountered excavated and recorded.*

*It is recommended that the following condition is attached to this consent, in preserve and fully record the sites important industrial maritime heritage;*

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

*The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.*

### **Roads Authority Issues**

*No objections to the application.*

### **Gorgie Dalry Community Council Comment**

*Gorgie Dalry Community Council are in favour of this proposal, as we believe this offers a useful new pedestrian and cycle route through our area, connecting the National Cycle Route 1 (NCN1) to the Union Canal. We hope that this new path will provide a safer route for pedestrians and cyclists to travel through the area while keeping users off the busy Dalry Road and improving connections across the West Approach Road. It should also be a safer route for children to travel to school and facilitate greater independence. The new facilities, communitygardens and the woodland, are very welcome.*

*We are also excited about the proposed works in Dalry Community Park which seem to offer improved facilities for children of all ages. Enhancing the park's connections to the community will hopefully improve its current status as a relatively unused green space. We do hope care will be taken to protect local biodiversity and not excessively impact on existing plants and rare species that call the park home.*

However, we have concerns about several of the details in the current planning application and our full support comes with the caveat that these points are taken into account (in no particular order):

1. That the number of proposed trees to be felled be reassessed as to whether that number can be reduced as currently it seems excessive. We also want the Council to guarantee that the number of new trees quoted will be planted and adequately maintained over the decades to come.

2. Residents of Duff Street Lane have voiced their criticism about the proposed impact on their flats, in terms of privacy and aesthetics. Therefore, we ask that this part of the design is potentially revisited to manage the sightlines between the project and the flats. Trees which can be kept in this location should be retained, and the possibility of increasing the number of semi mature trees in this location to improve their privacy and views be considered. At minimum, the proposed privacy barriers should be further consulted on with the affected residents.

3. There is a strong need for good lighting and CCTV to make this path and the community park safe in the dark. Understandably, this aspect is missing at this stage of design, however it is vitally important that this is part of the final design.

4. We also would like to ask about the possibility of installing community story boards, similar to the ones on the North Edinburgh Cycle path at Drylaw, as part of this project or earmarking space for these. We would also welcome inclusion on the design or facilitation of these, along with other community groups and residents. The signs in North Edinburgh tell the story of the local community, biodiversity and culture, these would be very fitting items to include in the Community Park and this path.\*

5. Given the planned works on Russell Road, improvements should be made for northbound cyclists turning right onto the NCN1. Currently this is a dangerous turn for cyclists, due to the sharp bend and often busy oncoming traffic, leaving cyclists waiting in the middle of the road. This could be improved upon with a traffic island or by encouraging cyclists to join the path further south at Sauchiebank.

6. The proposed toucan crossing on Dalry Road has provisions to allow for cyclists to pull into the side when heading into town so that they can use the crossing to access the Community Park. Provision for cyclists facing southbound are lacking in this design, as it appears that they will have to enter the park via the toucan crossing, which is dangerous for any pedestrians waiting there. We would suggest a separate location for cyclists to enter and exit the park other than the toucan crossing; potentially similar to the provision on the other side of the road.

7. The signs for the Community Park in this application read "Dalry Park", these should be changed to read "Dalry Community Park".

8. The path is a shared space for pedestrians and cyclists; we have some concerns that potentially this new path may generate problems for disabled users, particularly the partially sighted. The RNIB, Sustrans and the DfT don't recommend shared use paths in urban areas; we ask whether other options could be investigated to potentially segregate or widen the path.

9. The scheme does not show adequate (corduroy) tactile paving at the entrances to the scheme at the Dalry Road entrance, and the existing provision around the Telfer subway are lacking. No (corduroy) tactile paving is shown at any of the stairways in this scheme. Corduroy tactile paving acts as a warning for the partially sighted users of the path and should be included.

### **Network Rail comment**

*Whilst Network Rail has no objections in principle to the proposal, due to its close proximity to the operational railway, we would request that the following matters are taken into account, and if necessary and appropriate included as advisory notes, if granting the application:*

*The design and construction of the proposed bridge over the railway will have to comply with current Railway Standards and Guidelines and will be subject to further discussions and agreement with Network Rail. The Local Authority will be required to enter into a bridge agreement and adopt the bridge including the obligation to repair, maintain and renew it.*

*Construction works must be undertaken in a safe manner which does not disturb the operation of the railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.*

*o Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.*

*The developer must contact our Asset Protection Engineers regarding the above matters.*

### **CEC Environmental Protection comment**

*Environmental Protection has no objections to the proposed development.*

*The application proposes a shared pedestrian and cycle path at the link between Roseburn and Union Canal.*

#### *Site Investigations*

*The Factual Ground Investigation Report (June 2015) and Geo-Environmental Addendum Report (September 2015) from WSP:PB present on the planning portal has been considered by Environmental Protection.*

*The initial interpretation provided of the factual data set is regarded to satisfactorily conclude that the recorded near surface ground material and contamination from the*

*investigation trial pits and boreholes positioned throughout the site, based upon a 'route option 3' scenario, should not be expected to present significant risk to the proposed cycle path and the water environment, while it is viewed that inclusion of a condition within the planning report for the further assessment of contamination prior to development commencing should not be warranted.*

*Nevertheless, given the preliminary status of the risk assessment overview alongside some reported access restrictions to the investigation at pre-development formations, the recording of made ground with significant ash content and one noted asbestos identification (WS13 at 0.6m depth below ground level), noting also the intention for 'public open space' within the development, there remains a level of uncertainty surrounding the extent potential sources of contamination are defined by the current investigation, despite the overview conclusion that potential risks from contamination would be at a low level of concern based upon the nature of development.*

*Given those observations and adopting a precautionary approach, Environmental Protection is in agreement with the recommendations under the provisional Asbestos - Summary Commentary within section 2.4 of the GIR Addendum, advising of further monitoring and evaluation of ground surface conditions during development and based around a detailed plan of development. It is anticipated this will be focused on supplementary detailed inspection of surface ground throughout the site once complete access is gained following clearance, and at development formation levels. This should initially take the form of a watching brief which should aim to identify unrecorded physical evidence of contamination, provide additional assurance that the asbestos identification is not representative of wider contamination, and confirm prevalence of the reported ground conditions indicative of low risk to development, thus highlighting or discounting any further localised investigation requirements and potential remediation measures that would be target areas of landscaping/open space around the cycle path.*

*It is therefore advised that a precautionary approach toward the satisfactory completion of the contaminated land assessment would comprise of a watching brief and ongoing monitoring to be progressed by experienced personnel and site construction workers, to supplement the existing investigation data and risk assessment , with an updated report being made available for agreement. This may take the form of a condition or informative within the planning report. A condition is therefore recommended to this effect below.*

### *Amenity Issues*

*Representations have been received which highlight concerns at the removal of trees adjacent to the West Approach Road. It is understood that the concerns relate to increased traffic noise and that the trees act as an existing noise barrier to protect local residents.*

*The proposal does include some tree removal however it is understood that this is subject to review. It is understood that the tree removal may be reduced in certain areas and there will be a general approach based upon new woodland planting and management of existing trees and foliage growth. The removal of trees can give local residents the perception that traffic noise levels will no longer be mitigated by the trees. However in reality, trees provide limited levels of noise mitigation unless they are very*

*thick and over a large area although tree rustling can slightly mask traffic noise when it is breezy. In this case, the removal of the trees is unlikely to cause traffic noise to be increased within the adjacent residential properties but from a psychological perspective (and the visual sight of traffic) the loss of trees can induce the feelings of increased noise levels. It is therefore understood that timber screening will be erected along a length of the route to mitigate against road traffic noise and vehicle headlights on West Approach Road. The fencing has been recommended within a condition below. The replanting and future management of trees and foliage growth is also supported to continue to give local residents the visual perception of separation from West Approach Road.*

*Therefore, Environmental Protection offers no objection to the development subject to the following conditions:*

- 1. A supplementary site inspection and ongoing monitoring in the form of a detailed watching brief in order to identify any unrecorded potential sources of contamination shall be progressed during development and at new formation level to determine any requirements for additional localised site investigation and/or mitigation measures within the development. An updated report detailing the outcome of the watching brief and recommendations shall be provided for review and agreement by the Place Development.*
- 2. Timber fencing as shown on drawings referenced 70008597-DRG-300-291 P02 dated July 20 and 70008597-DRG-300-292 P02 dated July 20 shall be erected and in place prior to opening of the pathway.*

#### Prevention initial comment

have found the drainage drawings on the portal. Is there a Surface Water Management Plan (SWMP) report to support these drawings? We typically request a SWMP report is prepared in line with the self-certification scheme - details of which can be found at the link in my signature below.

From the drawings available, I have made the following comments that would likely be resolved by a report if available:

1. Drainage drawings 1-6 of 9 are available on the portal. Are the remaining drawing nos. 7-9 available. Apologies if I have missed these on the portal.
2. Surface water runoff appears to be managed via soakaways and infiltration trenches. Has soakaway testing been conducted to support the proposals? We typically request the results of soakaway testing to confirm that the soakaways and attenuation provide can accommodate the 1:200-year+40%CC storm event.
3. Please identify existing and proposed ground level surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outside of the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. First, to understand if there

is any significant re-direction of surface flows to surrounding land. Second, to identify if surface water will flow towards property entrances and sensitive receptors.

4. Please provide a SWMP checklist to support this application. The checklist should be completed to provide a summary of the information submitted in support of the application.

5. Please provide a self-certification declaration (Certificate A1) covering the surface water management proposals.

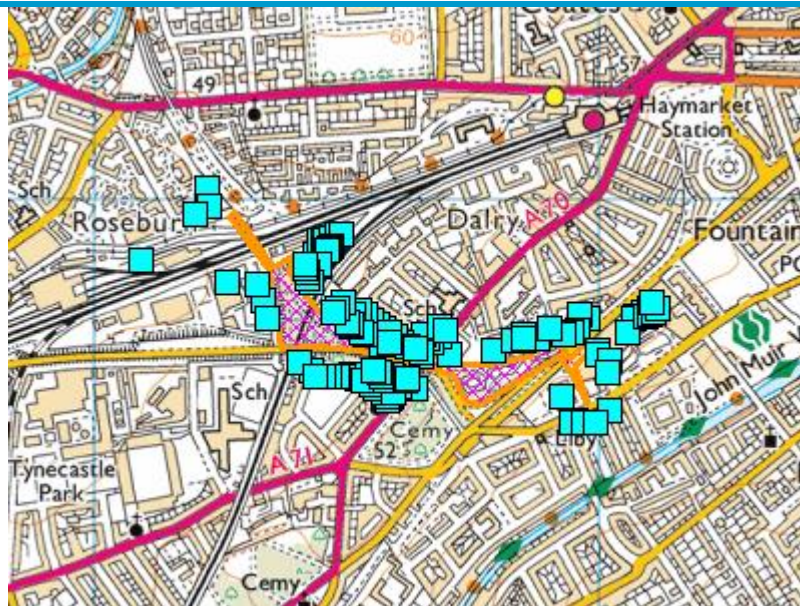
### **CEC Flood Prevention updated comment**

have reviewed the updated drainage information for the Roseburn to Union Canal Cycleway. We have no major concerns over this application, although have one remaining comment that could be attached as a condition to determination.

o Prior to construction, could the applicant please conduct infiltration testing to confirm the surface water management proposals are adequate.

### **Location Plan**

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