

Development Management Sub-Committee Report

Wednesday 29 June 2022

**Application for Planning Permission
The Forts, 3 Hawes Brae, South Queensferry**

Proposal: The development of a Forth Bridge Walk Reception Hub building, new sections of bridge access system, new viewing platforms, alterations to Dalmeny Battery, demolition of 2 No. outbuildings, associated car parking, landscaping, servicing and alterations to existing vehicular and pedestrian accesses.

**Item – Other Item at Committee
Application Number – 22/00358/FUL
Ward – B01 - Almond**

Reasons for Referral to Committee

There are more than six objections and the recommendation is to grant planning permission. Therefore, the application must be considered by Development Management Sub Committee.

Recommendation

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

Summary

The development will protect the key characteristics of the iconic Forth Bridge and will preserve and enhance the essential character of Queensferry Conservation Area through the promotion of its main tourist attraction.

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and in accordance with the Edinburgh Local Development Plan. There are no material considerations which indicate that the proposal should be refused. Therefore, the recommendation is to grant planning permission.

SECTION A – Application Background

Site Description

The site measures 3.48 hectares and comprises the southern section of the Forth Bridge, as far as the top of the first cantilever, and former Network Rail depot site at the south end of the Bridge to the east and west of the approaching viaduct. The land is located on the eastern side of South Queensferry, to the east of the Forth Bridge and to the south of Hawes Brae.

The Forth Bridge is a category A listed building, completed in 1890 (reference LB40370, listed on 18 June 1997.)

UNESCO inscribed the Forth Bridge as a World Heritage Site on 5 July 2015. The bridge has a statement of Outstanding Universal Value and a Management Plan.

Dalmeny Battery, a reinforced concrete coastal defence building, dating from circa 1903, is situated within the eastern section of the former Network Rail depot site and within the garden ground of a modern bungalow known as "The Forts", currently in use as a rented residence. The Battery is category A listed (reference LB52469, listed on 9 May 2018), excluding the engine house, oil store and caretaker's quarters to the east, and boundary railings. There are outbuildings associated with The Forts, including a swimming pool and car port and the extensive garden contains a group of substantial trees in the western section.

Vehicular access to the site is via a single-track road off Hawes Brae (B924) and there are pedestrian accesses from Dalmeny Station, located south of the site, via a woodland path and from Hawes Brae, up a flight of stairs known as Jacob's Ladder. Another footpath links the west of the site to the village centre through Ferry Glen. National Cycle Route 67 crosses through the site to the south of the former depot.

The area under the bridge viaduct comprises hard standing with a secure wire fence and there is an electricity sub-station at the foot of a bridge pier.

The Dalmeny Estate, a Designed Landscape, lies further east beyond the site boundary, (reference GDL00130, added to the inventory 1 July 1987).

The application site is within Queensferry Conservation Area.

Description of the Proposal

The application proposes a bridge walk experience enabling access out onto the Forth Bridge. The supporting infrastructure will include a reception hub, administrative offices, a parking area and improved access and pathways. This scheme is an amendment to the 2019 application which proposed a visitor hub of a different design on the west side of the bridge. The existing access stair onto the maintenance gantry was to be replaced with a new stair and ramp. The current scheme proposes the retention of a small maintenance depot on the former hub site and lesser remodelling of Forts House.

The following key elements are proposed:

Bridge walk and access

The existing stair accessing the maintenance walkway within the steelwork of the Forth Bridge will be adapted to connect with a new metal gantry with perforated metal balustrading. This gantry will form the access to the bridge walk from the new hub building. The alterations to the existing stair involve the removal of part of the lowest flight, the extension of the existing landings and installation of a perforated metal safety screen.

A new stair will be erected up the east side of the Jubilee Tower connecting visitors onto the access track leading to the top of the first cantilever. Four overbridge structures will be installed over key cross-member structures of the bridge and two additional platforms will provide a continuous walkway.

Two new viewing platforms will be installed at either end of the top of the first cantilever to allow clear views across to the north and south. Each platform will measure approximately seven metres by six metres. Visitors will walk up the eastern side of the bridge and down the western side, descending at Jubilee Pier.

The stairs, open-grid walkways and platforms and supporting structures will be manufactured in galvanised steel with GRP handrails and kickboards.

A parallel application has been submitted for listed building consent to install a bridge access system on the Forth Bridge and a steel mesh capping to the Dalmeny Battery (application reference 22/00360/LBC).

Dalmeny Battery

The Dalmeny Battery will remain in situ and as a key part of the landscape proposals for the reception hub building. To make the structure safe for visitors, a steel mesh capping is proposed over open sections of the structure to replace the existing wire mesh and interpretive signs will be installed. The previous application proposed glazed capping.

Reception hub building

This new building will be located to the east of the Forth Bridge piers on land currently used as a Network Rail maintenance depot. The proposed structure is a long, single storey, contemporary style pavilion with black-stained larch clad elevations with large, glazed sections and a twin-pitched roof finished in profiled aluminium. A terrace with a retaining wall will be located at the north end and plant will be contained within the south end of the hub. Photovoltaic panels will be contained within the roof valley.

Office building

The Forts dwelling, to the east of the new hub, will be converted into office space for staff. Minor external alterations are proposed, including repainting the existing white rendered walls in a dark grey shade and installing an access ramp and windcatchers on the roof. The previous application proposed the removal of the conservatory along the front of the building.

Two of the four existing outbuildings will be retained and upgraded to provide equipment storage and drying areas.

A parallel application has been submitted for conservation area consent to demolish the existing swimming pool and car port within the garden grounds (application reference 22/00359/CON).

Pedestrian/cycle access and path links

A new stepped access path 1.5 metres wide will be formed from the west platform of Dalmeny Rail Station down the embankment to connect with the existing woodland path running parallel to Ashburnham Loan. After a short distance, the path will run approximately two to three metres to the east of the existing path. The redundant section of the current path will be removed and planted up with woodland and understory species.

The upgraded path will connect with the existing access path from Ashburnham Loan which leads down steps to the core path/national cycle route. The existing stepped bridge over the core path leading to the reception hub site will be replaced with a new level bridge and the existing steps to the core path will be replaced with new steps with a cycle gutter. A new three-metre-wide shared cycle/footpath will lead from the core path/national cycle route to the hub building and existing access road.

A new pedestrian walkway will be formed directly below the Forth Bridge to connect with Hawes Brae. The proposed structure is zigzag in plan and of steel construction with landing platforms.

Vehicle access and parking

The existing single-track access from the B924 (Hawes Brae) will be widened with passing places and resurfaced with porous asphalt. A barrier system will be installed to restrict access to the car park.

A total of 56 car parking spaces will be provided: 38 in the new parking area to the south of Dalmeny Battery, including 15 spaces with electric vehicle charging points and three accessible spaces, and the remaining spaces for staff use within the curtilage of The Forts.

A total of 29 cycle parking spaces - 19 short stay and 10 long stay, will be provided in the form of racks below the bridge to the west of the reception hub and staff spaces close to the office.

Tree works and landscaping

A survey of 587 trees across the site has been undertaken. Of these trees, around 115 trees will be removed to facilitate the proposals. 180 new trees will be planted within the core development area and existing woodland areas.

The hard surfacing will be a mix of reinforced gravel and grass and asphalt

Operation

The experience will operate for pre-booked visits only and no walk-up tickets will be available. The attraction will be promoted as a rail-based visitor experience and the proposals focus on enhancing connections to Dalmeny Railway Station.

The hours of operation will be between 08:00 and 22:00 and no more than 15 people at a time will access the bridge walk, with up to four groups heading out per hour. The experience will take around three hours to complete, so there will be a maximum of 12 groups accessing the facility simultaneously. There will be a maximum of 540 visitors per day, equating to 36 bridge climbs.

Visitors will arrive and check in at the reception hub, then receive a briefing and safety equipment before assembling on the departure terrace where they will be harnessed to a continuous secure wire, then led through a secure gate onto the new bridge access stair.

Supporting Information

- PAC Report;
- Heritage Statement;
- Planning Supporting Statement;
- Design and Access Statement;
- Landscape Visual Impact Analysis;
- S1 Sustainability Form;
- Surface Water Management Plan;
- Flood Risk Assessment;
- Geotechnical Desk Study;
- Acoustic Assessment;
- Archaeology Desk Based Assessment;
- Transport Statement;
- Tree Survey Report;
- Tree and Woodland Management Plan;
- Preliminary Ecological Appraisal;
- Habitat Regulation Appraisal and
- Bat Survey Report.

Relevant Site History

19/02357/PAN

The Forts
3 Hawes Brae
South Queensferry
EH30 9TE

Proposed development of reception centre and bridge access system with associated car parking, landscaping and servicing and alterations to existing pedestrian and vehicular access.

Pre-application Consultation approved.
3 June 2019

19/04116/FUL
Forth Rail Bridge
Hawes Brae

South Queensferry

Development of a Forth Bridge Walk Reception Centre; new sections of bridge access system; new viewing platforms; associated car parking; landscaping; servicing and alterations to existing vehicular and pedestrian accesses. (as amended)

Granted

6 April 2020

19/04118/LBC

Forth Rail Bridge

Hawes Brae

South Queensferry

Installation of bridge access system on Forth Bridge and installation of glazed capping to Dalmeny Battery

Granted

6 April 2020

19/04117/CON

Forth Rail Bridge

Hawes Brae

South Queensferry

To demolish 2x ancillary buildings of residential property to make way for proposed development of Forth Bridge Experience

Granted

6 April 2020

21/04153/PAN

The Forts

3 Hawes Brae

South Queensferry

EH30 9TE

Proposed development of reception centre and bridge access system with associated car parking, landscaping and servicing, alterations to existing pedestrian and vehicular access and retention of operational land for maintenance purposes.

Pre-application Consultation approved.

24 August 2021

Other Relevant Site History

Appeal (reference PPA-230-2312) against Condition 17 (provision of no more than 39 car parking spaces) of planning permission reference 19/04116/FUL upheld on 17 August 2020.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Transportation Planning

Environmental Protection

Edinburgh Airport

Flood Planning

Archaeologist

Outdoor Sport and Learning

Lothian and Borders Badger Group

Cyclists' Touring Club (CTC) Scotland

Historic Environment Scotland

Fife Council

River Forth Fisheries

Network Rail

Police Scotland

NatureScot

Scottish Rights of Way

Queensferry and District Community Council

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

Publicity and Public Engagement

Date of Neighbour Notification: 1 February 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 11 February 2022;

Site Notices Date(s): 8 February 2022;

Number of Contributors: 12

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

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

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

If the proposal is in accordance with the development plan the determination should be to grant planning permission unless material considerations indicate otherwise?

If the proposal is not in accordance with the development plan the determination should be refuse planning permission unless material considerations indicate otherwise?

In the assessment of material considerations this report will consider:

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

Assessment

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

a) The proposals harm the listed building and its setting?

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

"In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

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

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

Forth Bridge

This category A listed structure is internationally acclaimed as one of the most ambitious and successful engineering achievements of the 19th century due to its exceptional bridge span and scale for a steel structure. The bridge has a distinctive cantilevered design and russet colour, making the Forth Bridge Scotland's most instantly recognisable industrial landmark and a symbol of national identity.

The proposed development is a commercial venture which will encourage people to interact with the structure of the Forth Bridge and enjoy spectacular views from the top, not dissimilar to the visitor experiences at the Eiffel Tower in Paris or Tower Bridge in London, which are also UNESCO World Heritage Sites. The development proposes minimal intervention on the listed structure.

The Forth Bridge is exceptionally large in scale and has a maximum of around 80 people working on its structure at any one time, in addition to trains crossing. The impact of a group of tourists (maximum 15 at a time) climbing up the southern span will have no detrimental impact on its function or appearance. For the most part, the visitors will be unseen within the complex steel spans.

The proposed walkways and platforms are relatively small in scale and will be inconspicuous against the large bridge trusses. The new stair proposed up the east side of the Jubilee Tower is an extension of the existing stair and will be constructed in the same materials and style, so it will not have any significant visual impact against the granite pier. The supporting steelwork will be bolted or clamped onto the historic structure and any fixings will reuse existing rivet holes rather than drilling new holes, wherever possible.

The proposed alterations and extensions affecting the existing steel access stair from the maintenance compound will have no adverse physical or visual impact on the historic pier.

A condition has been applied to ensure that the specified finishes for the proposed walkways and platforms are appropriate.

The application is supported by a Landscape and Visual Impact Assessment (LVIA) which demonstrates that the proposals will not have a detrimental visual impact on the character of the Forth Bridge.

Dalmeny Battery

The proposed upgrading of the Dalmeny Battery is an appropriate and minimal intervention. The proposed steel mesh capping over the open areas will replace the existing wire mesh covering providing a more robust solution that will allow viewing of the structure whilst protecting its interior.

A condition has been applied to ensure that the proposed fixtures and finish of the proposed capping are appropriate.

Setting of Forth Bridge and Dalmeny Battery

The proposed reception hub building is low lying and of appropriate industrial style form, reminiscent of the former timber construction sheds that once occupied the site during the bridge construction. This structure, along with the associated hard and soft landscaping in sympathetic materials and an appropriate level and specification of tree and shrub planting, will have minimal visual impact on the bridge's wider landscape setting and will enhance the current setting of the bridge piers which comprises a rough ground compound with wire security fencing.

The appearance of The Forts' Garden will change from a private garden to a new landscape space and setting for the Dalmeny Battery. This listed structure is currently hidden from public view within in a domestic garden and the proposed setting, comprising a sensitive mix of soft and hard landscaping, will provide a new and appropriate place from which to view this historic military installation.

Whilst the new parking area will be formed to the south of the Battery and not a significant distance away, it will be surfaced in gravel with landscaped edges along the north boundary so the impact on the setting of the listed structure will not be harmful.

Conclusion in relation to the listed building

The proposed interventions to these listed structures are relatively small scale, sensitively designed and reversible so the key characteristics will be preserved. The associated built infrastructure is fitting to the landscaping setting of the Forth Bridge and Dalmeny Battery.

Historic Environment Scotland has raised no objection to the proposals.

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

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

The Queensferry Conservation Area Character Appraisal identifies that *"visitors are a major factor in the town's activity, drawn by views of the bridges and access to the water."*

The Forth Bridge and Forth Road Bridge are the outstanding landmarks of Queensferry Conservation Area, dominating the town and wider area with their sheer scale and presence. However, the bridges are often hidden from view within the enclosure of the High Street, allowing local landmarks to become more evident. The iconic rail bridge is a major tourist attraction, so the development of a visitor experience to promote the education and enjoyment of the bridge's industrial heritage is in keeping with the character of the conservation area. The inherent features of Queensferry are derived from its topography and historical use as a point to cross the River Forth. The proposed bridge experience will allow tourists to experience views of Queensferry village, including its topography, from the highest point of the bridge.

The location for this development at the south-west edge of the conservation area within an open space below the bridge piers and extending westwards is appropriate. The reception hub will be sited on a former railway maintenance site associated with the history of the Forth Bridge construction and the new building will sit unobtrusively within this section whilst upgrading a relatively unused hard cored site. The removal of the security fence around this area will visually incorporate the site into the public realm which includes the existing woodland paths and national cycle route.

The Dalmeny Battery will also be brought into the public realm from being within a private garden, allowing public appreciation of this historic military installation.

The proposed conversion of The Forts dwelling house to office use is appropriate to the semi-commercial character of this part of Queensferry Conservation Area, as many villas in this locality have changed use to hotels and public houses. The two outbuildings to be demolished are modern, comprising a single storey, red brick constructed, flat-roofed building housing a swimming pool and a single storey, steel framed, car port with a polycarbonate roof. Neither of these structures is of any historic or architectural significance and make a neutral contribution to the character of the conservation area, so their removal is acceptable in principle to form an access road to the staff office and public car park. Part of the swimming pool site to the east of the Dalmeny Battery will be soft landscaped, so an appropriate balance of hard and soft landscaping will be retained. The upgrading of the house and remaining outbuildings will make a positive contribution to this site.

As regards its landscape character, Queensferry Conservation Area has an abundance of open space with a variety of roles and qualities. Woodland and landscape amenity spaces are significant elements of the character of Queensferry, enclosing the historic core and providing visual breaks between contrasting areas.

The proposed development includes careful woodland management of the site to mitigate the interventions required to create the new/upgraded pathways from Dalmeny Station down to Hawes Brae and Ferry Glen to assist with accessibility.

Where possible trees will be retained, especially boundary trees which are a key feature in the conservation area. A certain percentage of the trees are in a poor condition or lesser specimens, so a level of woodland maintenance would be required in any case. Whilst the loss of a significant number of trees within the garden of the Forts dwelling to accommodate car parking is unavoidable, the overall replacement planting plan is appropriate to the landscape character of each specific area of the development site in terms of the siting of trees and species proposed, including establishing a fitting setting for the Dalmeny Battery.

The hard and soft landscaping materials proposed respect the semi-rural character of the site, with areas of lawn and shrub planting focussed around the Battery and reinforced grass and gravel surfaces for the new paths and car park. The use of asphalt for the re-routed woodland path is acceptable, given that this is the existing surface material. Otherwise, asphalt and exposed concrete aggregate is only specified for the main vehicle access routes.

Conditions have been applied to ensure that the proposed landscaping is implemented in accordance with the plans submitted and within an acceptable timescale and to check that the proposed finishes for the hard landscaping and new/modified buildings are of appropriately specified.

Conclusion in relation to the conservation area

The development will preserve and enhance the special character and appearance of Queensferry Conservation Area in terms of its tourism role, built heritage and landscape quality.

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

c) The proposals comply with the development plan?

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

- LDP Delivery Policy Del 1
- LDP Shopping and Leisure Policy Ret 7
- LDP Employment Policy Emp 10
- LDP Environment Policies Env 1, Env 3, Env 4, Env 5, Env 6, Env 7, Env 9, Env 10, Env 16 and Env 21
- LDP Des 1, Des 3, Des 4, Des 5, Des 6, Des 7 and Des 8
- LDP Housing Policy 7
- LDP Transport Policies Tra 1, Tra 2, Tra 3 and Tra 4

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering policies Env 3, Env 4 and Env 6.

The 'Edinburgh Design Guidance' is a material consideration that is relevant in the consideration of policies Tra 2, Tra 3 and Tra 4.

The site is located within the Urban Area and Green Belt as designated by the Edinburgh Local Development Plan (LDP).

The LDP supports leisure development in principle which supports Edinburgh's role as a major tourist destination and cultural centre of international importance. The proposed visitor experience is therefore acceptable in principle.

The section of site to the east of the bridge piers containing the Dalmeny Battery and The Forts is within the Green Belt. Policy Env 10 only permits development on green belt land which does not detract from the landscape quality and/or rural character of the area.

A significant area of this section of the site is occupied by a railway maintenance compound and residential property, so the site is semi-brownfield in nature. The proposed development will fulfil the criteria of Policy Env 10 by preserving and enhancing the landscape setting of the area in a unique recreational/educational use that needs to be on and close to the heritage structure.

Whilst the previous planning permission sited the reception hub on the west side of the bridge, outwith the Green Belt, this location necessitated the provision of a vehicle turning area to the east of the bridge which meant a larger area of hard landscaping overall. The current scheme proposes a new building within green belt land, but the proposed structure is low-lying and linear in form with timber elevations, so it will not occupy a significant percentage of the site area and will sit well against the woodland backdrop.

The LVIA demonstrates that the proposed development can be accommodated within the existing landscape context with negligible impact. Also, the landscape proposals seek to manage the existing vegetation and strengthen the Green Belt boundary through additional tree planting.

The proposed improvements to the foot and cycle path network will provide opportunities for wider access to the site and improved amenity and biodiversity, which will contribute to the wider aim of providing multi-functional green networks.

Policy Ret 7 supports sustainable leisure proposals on the basis of compatibility of use with the surrounding uses, appropriate integration with the physical surroundings and accessibility by a range of transport modes, with focus on car reduction.

The promotion of the Forth Bridge Experience as primarily a rail experience will help to fulfil these policy requirements. Visitors will be encouraged to visit the attraction by rail, accessing the site from the upgraded footpath/cycle path link from Dalmeny Rail Station. The existing footpath also connects directly to the public bus stop on Station Road. The new walkway up the bank of Hawes Brae will provide access from the village centre bus stops. A moderate level of car parking has been provided to avoid an unacceptable level of overspill into the neighbouring residential streets.

The use is acceptable in terms of the surrounding mixed residential and commercial uses. The nature and design of the proposed infrastructure will ensure that noise levels and disruption are kept to acceptable levels in terms of protecting the amenity of the nearby residences.

The development is acceptable in principle and in compliance with LDP Policies Env 10 and Ret 7.

Character and setting of the listed building

This has been assessed in section a) and the proposals comply with LDP Policies Env 3 and Env 4.

Character and appearance of the conservation area

This has been assessed in section b) and the proposals comply with LDP Policies Env 5 and Env 6.

Outstanding Universal Value of World Heritage Site

Policy Env 1 aims to protect World Heritage Site from development which would harm the qualities which justified their inscription.

The "Statement of Outstanding Universal Value (OUV)" for the Forth Bridge World Heritage Site states:

"This enormous structure, with its distinctive industrial aesthetic and striking red colour, was conceived and built using advanced civil engineering design principles and construction methods. Innovative in design, materials and scale, the Forth Bridge is an extraordinary and impressive milestone in bridge design and construction during the period when railways came to dominate long-distance land travel."

The proposed visitor experience will meet with the UNESCO objectives of broadening the understanding of the world's iconic bridges.

The new walkway and viewing platforms, including methods of support, will result in minimal change to the appearance and fabric of the bridge. The added stair around the Jubilee Tower may be seen when approaching Queensferry from the east but is of such small scale that it would not detract from the OUV of the structure.

The proposed infrastructure at ground level will not interrupt any key views of the Forth Bridge. The new reception hub building will be sited discreetly and of sensitive design, so it will have no adverse effect on the unique qualities of the bridge.

The development will have no detrimental impact on the Outstanding Universal Value of the Forth Bridge World Heritage Site, in compliance with LDP Policy Env 1.

Sustainability, Design and Sense of Place

The proposed development will create a new distinctive heritage experience and place for visitors and residents to enjoy, in keeping with Policy Des 1. Travelling to the site by sustainable means will be promoted by the rail experience theme and encouraged through new pedestrian and cycle path links within the existing green network.

The existing characteristics and features of the site worthy of retention - the listed structures and their landscape settings and wider woodland area - will be preserved and enhanced in keeping with Policies Env 3 and Env 4. The proposals include new sustainable connections to the railway station and town centre which demonstrates an integrated approach to the development in accordance with the aims of Policy Env 7.

The location of the development and design strategy incorporates the principles of sustainable design and construction, including the reuse of existing structures, in keeping with Policy Env 6. Accessibility, connectivity and water efficiency are also significant elements of the design. The site is close to sustainable transport means, including rail, bus and dedicated cycling and walking routes. Private car journeys will be discouraged, and several electric vehicle charging points will be provided to enable the use of electric cars. The provision of ample cycle parking spaces, along with staff showers in both the hub and office buildings will encourage active travel. Also, the site is located adjacent to National Cycle Route 67 which will be connected to the local paths from Dalmeny Station and Ashburnham Loan and new cycle links will be provided into the west section of the site.

The development is likely to generate a certain level of traffic from visitors arriving by private car. The impact on local air quality from car parking movements has not been assessed as the proposed number of car parking spaces is below 100 - the minimum standard to trigger the need for an air quality assessment. However, the average volume of cars at peak time is not considered significant in this location.

The development will meet the current carbon dioxide emissions reduction target by using low and zero carbon generating technologies, including air source heat pumps, PV panels and low energy lighting. Other features of the development that will reduce or minimise environmental resource use and impact are water saving devices, sustainable urban drainage systems (SUDS), including permeable paving and filter drains, and provision for the separation and collection of recyclable waste.

In terms of construction materials, recycled aggregates will be used as sub-base across the landscaping of the site and the proposed materials for the reception hub building are sustainable. The condition applied regarding materials includes the requirement for information on source.

In conclusion, the design of the development is based on a strong sustainable concept which draws upon the positive characteristics of the site and surrounding area and creates a new sense of place, in compliance with LDP Policies Des 1, Des 3, Des 4, Des 6, Des 7 and Des 8.

Archaeological remains

The site lies within an area of considerable archaeological significance in terms of its 20th century military history and railway heritage and location within an area that was the focus for prehistoric occupation and burial dated to the 9th millennium BC.

Accordingly, a condition has been applied to ensure that a programme of archaeological work is undertaken to ensure that any significant archaeological remains are conserved appropriately, in compliance with Policy Env 9.

Residential amenity

Policy Hou 7 aims to protect predominately residential areas from non-compatible uses which would affect the living conditions of residents.

Noise

The nearest residences to the development, in order of proximity, are on Ashburnham Loan to the south-west and Bankhead Grove to the south. Both are separated from the application site by the core path/cycle route which follows a former railway line with woodland banking. The houses on Ashburnham Loan have the added buffer of the main railway line and woodland edge on its west side.

The existing conditions entail a degree of noise from the railway and people using the core path/cycle route and local path running to the west of the railway line. In addition, the fenced off area in the west section of the site is occasionally used by Network Rail as a maintenance compound.

Whilst the proposed development will generate a certain level of noise due to the concentration of people on the site and greater use of the pedestrian/cycle paths, any increase in noise is not likely to be significant due to the existing conditions and substantial landscape buffers between the houses and paths/site. Also, the number of visitors at any one time will be restricted due to the operational model of pre-booked visits only and limited numbers on the bridge walk at any one time. The associated hub building will only be for visitors to the Bridge Walk Experience rather than a general visitor centre attraction and there will no private functions or late night events at the premises. A condition has been attached to control hours of operation to between 08:00 and 22:00 as an added safeguard.

Environmental Protection has advised that the proposed level of plant associated with the development will have no significant impact on the existing noise levels in the area.

In terms of noise from cars arriving at the development, vehicular access will be from the existing access off Hawes Brae at the east end of the site and the car park will be in the middle of the site. These areas are isolated from the surrounding residential properties. This also applies to the new staff office which will replace a residential use with a commercial use.

The existing Rights of Way through the site connecting Queensferry promenade to the station will be upgraded and signposted as part of the proposals and are likely to intensify in use as a result, but without any adverse impact on neighbouring amenity.

As regards the wider effects of additional car movement generated by the development, the Transport Statement sets out ways in which this will be managed. The new attraction will be promoted as a primarily rail experience to encourage travel by train and any visitors arriving by car will be provided with a time-selected parking space on site. Whilst a certain increase in car movements as a result of the development is inevitable, these measures will ensure that this increase will not be detrimental to the general amenity of Queensferry's residents.

Overlooking

A key concern of the closest residents to the development is the potential for overlooking from the new stair access to the bridge walkways. In the current scheme, the reception hub is sited on the east side of the bridge piers and the departure terrace is on the north side of the hub building. The new stair connection to the walkway will be an extension of the existing maintenance stair that runs up the north side of one of the bridge piers. This is a significant distance from the nearest dwelling and sight of any of the houses on Ashburnham Loan will be blocked by the bridge pier.

A further concern of residents on the east side of Ashburnham Loan is privacy due to the loss of parts of the existing landscape cover along the railway embankment due to the upgrading of the footpath from Dalmeny Station. A temporary loss of sections of the landscape buffer is unavoidable, but new planting along the boundary with Ashburnham Loan along the route of the original footpath will resolve this issue in the short and longer term. The new trees will be a mix of feathered and semi mature trees planted at around two metres in height to ensure that a visual barrier that will not leave residents exposed to overlooking from the path will be provided at the outset until the trees grow and form a denser screen.

Lighting

The applicant has submitted a lighting plan which will provides for low level sensitive lighting of the facility to protects the heritage value of the site and local biodiversity. This lighting plan has regard for nearby residents through careful orientation of the lighting and level of illumination to ensure that light pollution from the development does not cause disturbance.

Community Safety

The proposals will ensure the safety and security of its visitors and surveillance over the footpaths and cycle routes will be increased.

In conclusion, the development will have no significant adverse impact on neighbouring residential amenity, in compliance with LDP Policy Des 5.

Parking, road safety and infrastructure

Policy Tra 1 encourages major travel generating development to be located close to sustainable modes of transport.

In terms of sustainable transport, the site is located on a main north-south railway line and there are frequent local services between Edinburgh and Fife that stop at Dalmeny Station. There is also a regular bus service from Edinburgh to Queensferry (No. 43 Lothian County) that stops at Dalmeny Station. The station is close to the development site and already within easy walking and cycling distance. However, the new link from the east side of the station platform to the woodland footpath and improved access from this path to the national cycle route, along with new cycle links to the new reception hub, will provide shorter and safer routes. The new pedestrian walkway with resting platforms up the bank of Hawes Brae will provide an additional and less arduous direct route for those able to use stairs, as the existing steps to the east ('Jacob's Ladder') are very steep and continuous.

Parking

The scheme has been assessed against policies Tra 2 on private car parking and Tra 3 on private cycle parking. Any parking provision should comply with Tra 4 and the standards set out in the Edinburgh Design Guidance and incorporated within the scheme.

South Queensferry lies within Zone 3 (the areas of the city with the lowest accessibility to public transport) and there is no specific parking standard that applies to a development of this unique nature. In this case, the proposed parking provision should be informed by the predicted number of visitors, mode share analysis and site wide access management strategy.

The proposed 56 car spaces, which include 15 spaces with electric vehicle charging points and three accessible spaces, is in line with the Reporter's decision to uphold the appeal against the condition on the previous planning application (reference 19/04116/FUL) that restricted the number of spaces to 39 to encourage sustainable travel to the development (appeal reference PPA-230-2312).

The Reporter concluded that the appellant's suggested modification of the condition to stipulate a maximum of 57 spaces was a reasonable compromise which would balance the need to encourage sustainable travel whilst avoiding any significant adverse impact on the amenity of neighbouring residents through on-street parking around the site.

There have been no significant changes to the frequency of trains stopping at Dalmeny Station or buses to the Queensferry harbour area since the appeal decision was issued, so the level of parking proposed remains appropriate. The access management strategy is also the same as previously proposed involving a barrier-controlled vehicular entrance, with visitor access limited to pre-booked, timed slots.

The provision of 29 cycle parking spaces distributed and located appropriately with a mix of short and long stay will encourage active travel to the site and a condition has been applied to ensure that the proposed specifications are in accordance with the design standards as set out in the Edinburgh Design Guidelines.

Concerns have been raised regarding the provision of cycle gutters only alongside the new steps to the core path/national cycle route which could result in cycle/pedestrian conflict on the steps and limit access to those with no mobility impairments and riding electric bikes. Whilst a fuller ramp would improve accessibility, this would result in a greater loss of a landscape cover which would be detrimental to the amenity of the nearest residents to the site. Also, the upgraded footpath link from Dalmeny Station will be approximately one metre in width, so cyclists should remain dismounted from the station platform to the national cycle path to avoid cycle/pedestrian conflict.

An informative has been applied recommending that the applicant develops a Travel Plan as a further way to promote journeys by public transport and active means.

Road Safety

Vehicular access to the site will be via the existing access off Hawes Brae serving The Forts dwelling and maintenance compound used by Network Rail. The Road Safety Audit carried out on the access junction demonstrates that, by removing some obstructions, an adequate visibility splay can be achieved. Priority will be given to vehicles accessing the site and passing places will be formed.

High quality, well sign-posted linkages to the site from the surrounding public and active travel facilities will be provided and this will contribute to a safe road environment, along with the proposed single track access route with passing places.

Concerns have been raised about additional traffic entering the Queensferry network causing congestion and car parking problems, particularly around Dalmeny Railway Station and in Station Road. Visitors accessing the attraction by car will be allotted a time slot and access to the car park will be via a controlled barrier system, so the development should not create any significant additional car parking problems in the village, including the neighbouring residential streets. The implications of the one-way traffic system now in operation on the High Street have been factored into the assessment of the possible effects of any additional traffic generated.

Infrastructure

The Roads Authority has requested financial contributions to improve pedestrian and road safety on Hawes Brae as follows:

- £2,000 to progress a suitable order to introduce waiting and loading restrictions; and
- £2,000 to promote a suitable order to introduce a 30pmh speed limit.

An informative has been added to secure these contributions through a legal agreement.

In conclusion, the development complies with Policies Tra 1, Tra 2, Tra 3 and Tra 4 and will have no detrimental impact on road safety or infrastructure.

Flooding

The application is supported by a Flood Risk Assessment and a Surface Water Management Plan.

The main risk to the site is from pluvial flooding with some potential for ground water run-off from the neighbouring field.

The site is currently 60% hard standing. Although the existing pond within The Forts' garden will be filled in, the proposals include increased porous surface drainage and filter drains on site. This approach was proposed in the 2019 application (reference 19/04116/FUL) and was accepted by SEPA and Flood Planning. There has been no change to the level of flood risk since this application was approved, so the flood mitigation measures proposed in this application are acceptable.

Scottish Water has confirmed that there is available capacity for surface and foul water in the water/wastewater network to deal with the likely demands of the development.

The proposals will not result in increased flood risk for the site being developed or for the surrounding area, in compliance with Policy Env 21.

Trees

Policy Env 12 aims to protect trees or woodland worthy of retention unless necessary for good arboricultural reasons and requires replacement planting of appropriate species and numbers where removal is acceptable to accommodate development.

The Tree Survey was carried out in May 2019 and was reviewed in December 2021, resulting in updated proposals for tree removal and management. Out of 587 trees across the site, around 115 trees will be removed to facilitate the proposals, 20 of which are dead, dying or dangerous, including as a result of Ash dieback and the condition of a number of the other trees to be felled is 'fair'. This is ten less trees to be felled than proposed in the previous planning application (reference 19/04116/FUL)

The loss of trees within the site is regrettable but is required to ensure good connectivity to the reception hub building from Dalmeny Station and Queensferry and will be mitigated through the planting of around 180 new trees within the core development area and existing woodland areas.

The overall character of the site and woodland as a whole needs to be considered rather than focusing on individual specimens. Key boundary planting will be retained and any areas of clearances for access/path upgrading will be replaced with appropriate species and growth that will provide an instant level of cover until fuller coverage is achieved as these trees mature. New trees will be planted on the open lawn spaces to the east and south-west of Dalmeny Battery to integrate the new landscape into the existing woodland and provide shelter to the open spaces and enclosure to the office building. Trees will also be planted to the east and west of the new car park to provide screening. The decision to remove the two monkey puzzle trees on The Forts' lawn area was reached due to their potential mature size and close proximity to the Dalmeny Battery and also as these species would not present the best setting for the listed structure within the new landscape. The surrounding vegetation, beds and pathways around the Battery and landform around will be reshaped to achieve a more appropriate setting, hence the proposed removal these two trees.

The general planting palette highlights varieties with rich seasonal colour, that will reflect the russet hue of the Forth Bridge, comprising native and more ornamental broadleaf trees. Feathered and multi-stem trees will predominate over clear stem varieties to ensure an appropriate level of coverage from the outset of planting.

A condition has been applied to ensure that the proposed landscaping is implemented in accordance with the plans submitted and within an acceptable timescale.

In conclusion, the proposed tree removal and new planting is in accordance with Policy Env 12.

Biodiversity and protected species

The application site lies within 20km of four European Designated Sites, the nearest being the Firth of Forth Special Protection Area and Ramsar wetlands site. The implications of the proposed development on these designations have been assessed in a detailed Habitat Regulation Appraisal submitted with the application. This work was carried out in consultation with NatureScot and concludes that the proposals will not adversely affect the integrity of the Special Protection Areas.

In response to the recommendations of the report, the applicant has submitted detailed planting proposals which aim to enhance local biodiversity. In addition, the Woodland Management Plan aims to ensure adequate tree canopy cover is achieved across the site and will be actively monitored and managed for the first ten years following completion of the development. The smaller trees proposed for the shaded and steep embankments will allow for easier future management of the woodland whilst supporting native wildlife.

Subject to the submission of a detailed Construction Environmental Management Plan (CEMP) to ensure careful management of the wildlife and habitats on the site, the proposals have the potential to improve biodiversity on the site in the long term.

A Preliminary Ecological Appraisal has also been submitted which identifies that the clearance of trees on the site could lead to the potential loss of ecological corridors and identifies that there is potential for foraging and commuting bats both within the trees and buildings. For this reason, a detailed Bat Survey has been carried out and the report identifies a roost in the swimming pool building (to be demolished) and another in the underground bunker of the Dalmeny Battery. As the development will affect a European protected species, the applicant will be required to obtain a BLIMP licence from NatureScot. Prior to issuing this licence, it is necessary for the applicant to be in receipt of planning permission. Therefore, the planning authority must be satisfied that the three tests necessary for a licence to be issued will be met. With information supplied by the applicant, the three tests have been applied to this application and it is considered likely that NatureScot will issue a licence. A suspensive condition has been applied to ensure that no demolition will start until the applicant has secured this licence.

In conclusion, the development will have no adverse impact on biodiversity or protected species, in compliance with Policy Env 16.

Conclusion in relation to the Development Plan

Overall, the proposals comply with the Local Development Plan and with particular respect to the impact on built and natural heritage and sustainability.

d) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

SPP - Sustainable development

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

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

Emerging policy context

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

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

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. The nature of the visitor experience will require a level of mobility and fitness to ascend the bridge, although visitors with mobility issues will be able to access the new reception hub building and other public areas. The proposed layout and design of the building and circulation paths will be accessible and on-site accessible car parking bays will be provided. The new footbridge proposed is level making the route from Dalmeny Station more accessible than via the current stepped bridge.

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

Public representations

A summary of the representations is provided below:

Community Council

Queensferry and District Community Council supports this application and seeks that the number of car parking spaces proposed is not reduced. It is essential that adequate parking is provided in a place with limited public transport and parking for tourists.

The Transport Statement contains inaccurate and misleading information, especially regarding bus services which serve Queensferry.

These comments are addressed in section c) of the assessment under subheading, "Parking, road safety and infrastructure" and any inaccurate information in the Transport Statement has been taken into account.

material considerations

Heritage

- turning Queensferry into a tourist site would be massively detrimental to the historic area;
- the final result of the new buildings and tourist attraction will be unsightly and will not be in keeping with the history of the area;
- wholesale changes to the setting of the Dalmeny Battery, including felling trees within its curtilage, will have an adverse effect and would require listed building consent.

These comments are addressed in sections a) and b) of the assessment and section c) under subheadings, "Principle" and "Trees". Listed building consent is not required for landscaping works affecting the setting of a listed building.

Design

- the proposals are contrary to Policy Measure MOVEMENT 24 of the City Mobility Plan and also contrary to the Equality Act 2010 in terms of accessibility;
- the narrow edge for cyclists on the new stairs connecting the walkway/ cycleway will exclude wheelchair access;
- the replacement of the existing ramp at Dalmeny Station with steps will exclude those dependent on wheelchairs from safely accessing the station;
- the lighting is inadequate for those heading west along the existing path towards the centre of Queensferry or east towards Dalmeny.

These comments are addressed in section c) of the assessment under subheadings, "Parking, road safety and infrastructure" and "Equalities and human rights". The lighting issue affects areas outwith the application site and requesting a developer contribution towards lighting would not meet any of the planning obligations tests. The existing ramp at Dalmeny Station will remain.

Transport

- the proposals will not encourage behaviour change to use sustainable travel modes;
- there is insufficient evaluation of the available park and ride facilities north of the firth or at strategic points to the south;
- the proposed attraction should be a car-free experience, given the excellent transport links;
- the number of parking spaces should be reduced and based on the Council's previous decision;
- a lack of car parking will lead to on-street parking congestion and inconsiderate and dangerous parking in residential streets;
- increased congestion on the High Street and Hawes Brae could block lifeboat crews on emergency calls and other emergency vehicles;
- no additional safety measures have been provided for school children on Station Road which has become the main traffic route due to the one-way system on the High Street;
- a pedestrian crossing should be installed at the mini roundabout at the junction of Station Road/Rosshill Terrace/Dalmeny Station.

These comments are addressed in section c) of the assessment under subheadings, "Sustainability, Design and Sense of Place" and "Parking, road safety and infrastructure". Station Road and the mini roundabout at Dalmeny Station are outwith the application site and requesting a developer contribution towards road safety improvements would not meet any of the planning obligations tests.

Biodiversity

- the removal of trees will result in loss of natural habitat for a number of birds and animals.

These comments are addressed in section c) of the assessment under subheading, "Biodiversity and protected species".

support comments

- the public will be able to access this world-famous structure for the first time to explore its heritage and to access outstanding, world-class views;
- the new attraction will enhance tourism in Queensferry;
- significant landscape and architectural improvements to the area below the bridge are welcomed.

non-material considerations

- the previous appeal process was flawed;
- the Council should require or formally withdraw the consent for the original application;
- the electric vehicle charging points should be accessible to residents out of operating hours of the centre;
- adequate signage should be provided along the various walkways to indicate where the local amenities are for those visiting the centre;
- noise increase due to construction work.

These comments are non-material in planning terms. The issues regarding signage and access to electric vehicle charging points concern operational matters which are outwith the control of the planning authority.

Conclusion in relation to identified material considerations

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

Overall conclusion

The development will protect the key characteristics of the iconic Forth Bridge and will preserve and enhance the essential character of Queensferry Conservation Area through the promotion of its main tourist attraction.

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and in accordance with the Edinburgh Local Development Plan.

There are no material considerations which indicate that the proposal should be refused. Therefore, the recommendation is to grant planning permission.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions :-

1. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
2. No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building recording, excavation, analysis and reporting, publication, interpretation and public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
3. Details of the finishes and fixtures for the new walkways and platforms on the Forth Bridge, including handrails, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
4. Details of the finish and fixtures for the steel mesh capping on the Dalmeny Battery shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
5. A detailed specification, including trade names where appropriate and sources, of the proposed materials for the reception hub building and hardstanding materials throughout the site and a paint colour specification for the external office walls, including outbuildings, shall be submitted to and approved in writing by the Planning Authority before the construction of the new elements and painting hereby approved are commenced on site; Note: samples of the materials may be required.

6. Details of the proposed cycle parking racks, both external and within in the new stores and including provision for various bicycle types, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
7. The approved landscaping scheme shall be fully implemented within six months of the completion of the development. For a period ten years of commencement of the development hereby approved, an annual inspection of the trees and woodland will be carried out and submitted to the Planning Authority for review. A programme of operation should be agreed focussing on maintenance and after care. A full tree survey report shall be prepared every five years and submitted to the Planning Authority for on-going monitoring and management of the site.
8. Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the approval of the Planning Authority.
9. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 " Trees in relation to design, demolition and construction".
10. Prior to the commencement of works a Construction Environmental Management Plan (CEMP) will be submitted to the Planning Authority for approval, in consultation with relevant Statutory Consultees. The CEMP will detail the procedures and methods to be followed to minimise any potential adverse effects of construction on the local environment and shall include the following;
 - a) a risk assessment of potentially damaging construction activities;
 - b) a risk assessment of tree loss on the bank stability;
 - c) the identification of "biodiversity protection zones";
 - d) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
 - e) the location and timing of sensitive works to avoid harm to biodiversity features;
 - f) the times during construction when specialist ecologist need to be present on the site to oversee works;
 - g) the responsible persons and lines of communication;
 - h) the role and responsibilities on site of ecological clerk of works (ECow) or similar competent person and
 - i) the use of protective fences, exclusion barriers and warning signs.
11. No demolition shall commence until the applicant has secured the appropriate licence from NatureScot in respect of any bat roosts within the buildings.
12. The footpath and cycleway connections linking Dalmeny Station and the national cycle route as shown on the approved drawings shall be fully implemented and open prior to the opening of the Forth Bridge Experience.
13. The hours of operation shall be restricted to 08:00 until 22:00.

Reasons: -

1. In order to protect the amenity of the users of the development.
2. In order to safeguard the interests of archaeological heritage.
3. In order to safeguard the character of the statutorily listed building.
4. In order to safeguard the character of the statutorily listed building.
5. In order to enable the planning authority to consider this/these matter/s in detail.
6. In order to enable the planning authority to consider this/these matter/s in detail.
7. In order to ensure that the approved landscaping works are properly established on site.
8. In order to safeguard protected trees.
9. In order to safeguard protected trees.
10. In order to safeguard the interests of nature conservation.
11. To ensure adequate protection of European Protected Species on the site.
12. In order to encourage sustainable modes of transport to the new attraction.
13. In order to safeguard the amenity of neighbouring residents and other occupiers.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded to secure the following:
 - the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions on Hawes Brae as necessary
 - the sum of £2,000 to promote a suitable order to introduce a 30pmh speed limit on Hawes Brae, and subsequently install all necessary signs and markings at no cost to Council; and
 - the provision of an uncontrolled pedestrian crossing on Hawes Brae adjacent to the site access.

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

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. In accordance with the Council's City Mobility Plan policy, the applicant should consider developing a Travel Plan including provision of a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities) and timetables for local public transport.
6. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable footways, footpaths, cycle tracks, verges is to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, design and specification.
7. Any work affecting adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point.
8. All accessible parking places should comply with the Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if bays should be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

Background Reading/External References

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

Further Information - Local Development Plan

Date Registered: 27 January 2022

Drawing Numbers/Scheme

01-20, 21A-25A, 26, 27A-30A + 31-33

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Clare Macdonald, Senior Planning Officer
E-mail: clare.macdonald@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: Transportation Planning

COMMENT: No objections to the application subject to conditions or informatives as appropriate being applied regarding:

- financial contributions for a waiting and loading restrictions order and speed limit order on Hawes Brae;
- a controlled pedestrian crossing on Hawes Brae;
 - the design of cycle parking spaces;
 - open accesses;
 - a Travel Plan; and
 - work affecting adopted roads and accessible parking places.

DATE: 24 May 2022

NAME: Environmental Protection

COMMENT: No objections to the proposed development, subject to a condition regarding potential ground contamination and remedial measures, if required.

DATE: 15 February 2022

NAME: Edinburgh Airport

COMMENT: The development does not conflict with aerodrome safeguarding criteria, so Edinburgh Airport has no objection to this proposal.

DATE: 25 February 2022

NAME: Flood Planning

COMMENT: The application does not take cognisance of the Edinburgh Design Guidance regarding surface water management. The filling in and building on top of the existing ponds would not generally be supported and the applicant should consider above ground surface water attenuation and treatment features.

DATE: 18 March 2022

NAME: Archaeologist

COMMENT: The application lies within a site of archaeological significance. Accordingly, a condition should be applied to ensure that a programme of archaeological work, including provision for public/community engagement, is undertaken prior to development.

DATE: 14 February 2022

NAME: Outdoor Sport and Learning

COMMENT: No comments received.

DATE:

NAME: Lothian and Borders Badger Group

COMMENT: No comments received.

DATE:

NAME: Cyclists' Touring Club (CTC) Scotland

COMMENT: No comments received.

DATE:

NAME: Historic Environment Scotland

COMMENT: The relocation (and new design) of the reception building will not cause any significant harm to the Forth Bridge, nor the category A listed Dalmeny Battery. Historic Environment Scotland is content for the application and proposals to proceed.

DATE: 24 February 2022

NAME: Fife Council

COMMENT: No comments received.

DATE:

NAME: River Forth Fisheries

COMMENT: No comments received.

DATE:

NAME: Network Rail

COMMENT: Network Rail has no comments/objections.

DATE: 16 February 2022

NAME: Police Scotland

COMMENT: No comments received.

DATE: 24 February 2022

NAME: NatureScot

COMMENT: Based on the information provided, the proposal will not adversely affect the integrity of the Firth of Forth Special Protection Area.

DATE: 4 March 2022

NAME: Scottish Rights of Way

COMMENT: No comments received.

DATE:

NAME: Queensferry and District Community Council

COMMENT: Queensferry and District Community Council supports this application and seeks that the car parking spaces allocated in this application are not reduced, as it is essential that adequate parking is provided.

DATE: 4 March 2022

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

Location Plan



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