

# Development Management Sub-Committee Report

**Wednesday 6 December 2023**

**Application for Planning Permission**

**land 14 metres northeast of, 42 Saughtonhall Avenue, Edinburgh.**

**Proposal: Demolition of garaging and erection of a two storey dwellinghouse.**

**Item – Committee Decision**

**Application Number – 22/06009/FUL**

**Ward – B06 - Corstorphine/Murrayfield**

## **Reasons for Referral to Committee**

The application is being referred to the Development Management Sub-Committee because a statutory consultee has formally objected. Consequently, under the Council's scheme of delegation, the application must be determined by the Development Management Sub-Committee.

## **Recommendation**

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

## **Summary**

The proposed development is within the urban area where residential development is acceptable in principle. The site can contribute to local living and the 20 minute neighbourhood principle whilst delivering a sustainable development on a brownfield site. Therefore, it is considered that proposals comply with the Development Plan policies of NPF4 and the LDP. The design is high quality and will complement the character of the surrounding area. A satisfactory living environment for future occupiers will be achieved and no unreasonable impact on neighbour's amenity will occur. The application requires the Scottish Ministers to be notified prior to determination due to the outstanding objection from SEPA.

## **SECTION A – Application Background**

### **Site Description**

The application site is a vacant, undeveloped triangular 'wedge' of land located on the north western corner of Saughtonhall Avenue bounding the residential property boundary of number 42 Saughtonhall Avenue to the west. Some trees are present along the eastern and southern site boundaries, and there are two single storey, garages located at the site entrance onto Saughtonhall Avenue. The site's eastern boundary is formed by a boundary wall which separates the Water of Leith situated down a slight slope. Vehicular and pedestrian entrances to the site take access from Saughtonhall Avenue.

The street consists of a mixed built character, formed predominantly by two storey residential properties dating pre and post war, with single story residential properties also located on nearby streets.

### **Description of the Proposal**

The application proposes to construct a new detached dwellinghouse comprising two storeys, with three bedrooms and associated garden ground. The proposed materials consist of larch cladding on the majority of the external walls of the property, with use of dark wood panelling for the bay window section and solar shading elements. The proposed window openings will make use of powder-coated aluminium for the frames, and use of a zinc sanding seam roof.

Additionally, the application proposes a passive form design approach to reduce the need for energy consumption, and integration of sustainable building technologies including Mechanical Ventilation with heat recovery (MVHR), use of 100% Dedicated Energy Efficient lighting throughout, Energy metering, an Efficient Air Source Heat Pump and Photovoltaics (PV).

### **Revised Scheme-**

A revised scheme was submitted for consideration in September 2023 which reflected proposed amendments to address points regarding potential overlooking and amenity concerns resultant from the proposed balcony section on the southern elevation. The extent of balcony proposed was reduced to address the concerns raised in regard to detrimental impact on the amenity of neighbouring residential properties.

### **Supporting Information**

- Design statement
- Drainage plan
- Surface Water Management Plan checklist
- Flood Risk Assessment
- Sustainability statement

## Relevant Site History

10/02383/FUL  
Land 14 Metres Northeast Of  
42 Saughtonhall Avenue  
Edinburgh

Demolition of existing garages construction of new 2 storey dwelling house with associated landscaping and ground works, construct new replacement boundary wall to north of site.

Refused  
13 December 2010

## Other Relevant Site History

### Pre-Application process

Pre-application discussions took place on this application.

### Consultation Engagement

SEPA

Infrastructure, Structural Services Flood Prevention

Natural Environment

Children and Families

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

### Publicity and Public Engagement

**Date of Neighbour Notification:** 8 December 2022

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

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

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

**Number of Contributors:** 5

## Section B - Assessment

### Determining Issues

This report will consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations and
- any other identified material considerations.

## **Assessment**

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

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

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- NPF4 Sustainable Places Policies 1, 2, 3, 4, 7, 8, 9
- NPF4 Liveable Places Policies 14, 15, 16, 17, 22
  
- LDP Developer Contributions Policy Del 1
- LDP Design Policies Des 1, Des 3, Des 4, Des 5, Des 7, Des 10
- LDP Environment Policies Env 16, Env 21
- LDP Housing Policies Hou 1, Hou 3, Hou 4, Hou 5
- LDP Transport Policies Tra 2, Tra 3

The 'Edinburgh Design Guidance' is a material consideration that is relevant in the consideration of several LPD policies.

### Principle of Use

LDP policy Hou 1 gives priority to the delivery of the housing land supply on suitable sites within the urban area provided proposals are compatible with other policies in the plan.

LDP policy Hou 3 states planning permission will be granted for development which makes adequate provision for greenspace to meet needs of future residents. A minimum of 20% of the total site area should be useable green space.

Supporting para 226, states an exception from these standards may be justifiable based on following policy on density.

LDP policy Hou 4 refers to an appropriate density being sought on site including consideration of site characteristics and the surrounding area.

NPF 4 policy 15 states development proposals will contribute to local living and 20-minute neighbourhoods.

NPF 4 policy 16 f) states development proposals on land not allocated for housing in the LDP will only be supported in limited circumstances.

The site is in the urban area where the character is mainly residential and has local access to services, shops, sustainable transport, and greenspace. In this respect, it is a suitable location for housing in principle.

The scheme will deliver an acceptable level of usable greenspace for future occupiers. The combined provision proposed in the front and rear garden ground ensures that a minimum of 20% of the total site area will be useable greenspace, compliant with policy Hou 3.

The proposal would achieve an acceptable density when considering the footprint of the proposed dwelling in the context of the overall site area, and the plot densities present within the immediate and surrounding residential streets.

The proposal supports objectives of NPF 4 policies of contributing to local living and 20-minute neighbourhoods. Overall, it complies with NPF 4 policies 15, 16, LDP policies Hou 1 and Hou 4.

#### Climate Mitigation and Adaptation

NPF4 Policy 1 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions.

NPF4 Policy 2 a) supports development proposals that are sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and in 2 b) those that are sited and designed to adapt to current and future risks from climate change.

The Scottish Governments' Chief Planners' letter 'Transitional Arrangements for NPF 4' 8th February, sets out this policy is unlikely to be a key consideration for smaller scale developments.

NPF4 Policy 9 supports development proposals which encourage, promote, and facilitate the reuse of brownfield, vacant and derelict land, and empty buildings, and help reduce the need for greenfield development. Part a) supports development proposals for the sustainable reuse of brownfield land.

The proposal requires the demolition and removal of two single storey garages in situ on site. Given the small scale of the structures currently on site subject to demolition, the demolition aspect and development of a single residential unit will limit the embodied carbon and associated environmental impacts from the proposed development.

In addition, the proposed development contributes to the spatial principles of 'Compact Urban Growth' and 'Local Living' through the use of a brownfield site for sustainable, housing within an existing community.

In light of the above, and small-scale of the proposals no further information has been sought with regard to NPF 4 policy 2.

Overall, the proposal involves re-use of a brownfield site in a sustainable location and complies with NPF 4 policy 1 and 9.

### Design

NPF4 Policy 14 (Design, quality and place) a) states development proposals will be designed to improve the quality of an area.

LDP policy Des 1 (Design Quality and Context) states that new development should contribute towards a sense of place and design should draw from positive aspects of the surrounding area.

LDP policy Des 3 (Development Design - Existing and Potential Features) states planning permission will be granted for development where it is demonstrated existing features worthy of retention on-site have been incorporated.

LDP policy Des 4 (Design - Setting) states development will be granted that has a positive impact on its surroundings including the character of the wider townscape.

LDP policy Des 10 (Waterside Development) applies to all new development on sites on the coastal edge or adjoining a watercourse, including the Union Canal. To comply with policy Des 10, proposals on applicable sites are required to:

- a) provides an attractive frontage to the water in question
- b) where appropriate, maintains, provides or improves public access to and along the water's edge
- c) maintains and enhances the water environment, its nature conservation or landscape interest including its margins and river valley
- d) if appropriate, promotes recreational use of the water.

In assessing the suitability of the proposal based on the requirements of the NPF4 and LDP design policies there are several key factors for consideration including the proposed design approach, the proposed massing, scale, form, and overall height of the proposed dwelling in the context of the existing townscape.

In relation to townscape, there are not considered to be any prevalent or identifying characteristics of the built environment present on Saughtonhall Avenue and the surrounding residential streets in close proximity to the site such as Baird Grove, Saughtonhall Terrace and Riversdale Road. This being in terms of general consistency of a standard design approach, material selection and the built form employed for the residential properties. Additionally, the site is not within or in close proximity to any Conservation Areas or Listed Buildings. Given that there is no defined townscape within the immediate vicinity of the site, the introduction of a new, contemporary design approach for the site does not require adherence to a set design approach in this case.

With reference to the proposed height, massing and scale the proposal would not visually dominate the immediate streetscape. The proposed ridge height of 9.04 metres would result in an increase of 0.44 metres in contrast to the terraced row of properties which form the established building line along Saughtonhall Avenue. The relatively small increase in ridge height, coupled with the position of the proposal as a 'bookend' and gateway to the Saughtonhall Avenue from the east ensure the proposed height is acceptable in this case.

Regarding the relationship between the site, the proposal and Water of Leith as the adjoining watercourse, the design treatment on the east and south elevations presents an attractive frontage on to the watercourse, through a contemporary design approach, use of a mix of materials with adequate fenestration to add interest to the applicable elevations. The proposal is acceptable per the provisions of LDP policy Des 10.

The design is high-quality and relates well to the surrounding built environment in regard to materials, window and door proportions. The modern, contemporary design approach would create a point of interest on the street scene, specifically as the site acts as a 'bookend' and gateway to the existing street. The proposed design solution in the context of the site and immediate townscape is considered acceptable and would not damage the character or appearance of the surrounding built environment.

The proposal is a high-quality, modern design concept, that complements the surrounding built environment and is compatible with the character of the townscape in compliance with LDP design policies and NPF policy 14 a).

### Amenity

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

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

### Amenity of Future Occupiers-

NPF4 Policy 14 requires development proposals to be designed to improve the quality of an area and be consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable and adaptable.

The LDP policies Des 1 - Des 9 ensure new development is of the highest quality, integrates with and respects the special character of the city and meets the needs of residents and other users.

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

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

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

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

The scheme will deliver an acceptable level of usable greenspace for future occupiers. The combined provision proposed in the front and rear garden ground ensures that a minimum of 20% of the total site area will be useable greenspace, compliant with policy Hou 3.

The position of the dwelling will be compatible with the spatial pattern of the street. This will allow a level of privacy for future occupiers that is characteristic of the area.

The proposals are in accordance with the intent and outcomes of NPF4 Policy 14 and LDP policies Des 1 - Des 9.

#### Amenity of Neighbouring Properties-

The Edinburgh Design Guidance states buildings should be spaced out so that reasonable levels of daylight to existing buildings are maintained.

The layout of buildings in an area will be used to assess whether proposed spacing is reasonable.

Sunlight to neighbouring gardens can be tested by checking whether new development rises above a 45-degree line drawn in section from the site boundary. Daylight to gables and side windows are generally not protected.

Furthermore, the pattern of development in an area will help define appropriate distances between buildings and privacy distances.



As part of the assessment the scheme was revised and the proposed balcony section at first floor level was reduced in terms of overall size, with the section present above the proposed car port on the western elevation removed from the proposal in order to safeguard the amenity of those in the neighbouring property at numbers 42, 40, 38 and 36 Saughtonhall Avenue.

#### Daylight-

An assessment of daylight provision to the nearest neighbouring residential property at 42 Saughtonhall Avenue was undertaken. In reviewing the daylight assessment findings, the proposed dwelling would not result in a detrimental loss of daylight to the residential property at 42 Saughtonhall Avenue. When assessed in the context of levels of daylight currently experienced by the occupants of 42 Saughtonahll Avenue given the current site condition, the orientation of the proposed dwelling within the site and separation distance (7 metres) to the closest neighbouring property, analysis ensures that there would be no significant detrimental impact on daylight provision to 42 Saughtonhall Avenue.

#### Overlooking-

In considering any potential overlooking associated with the new dwellinghouse an assessment of the relationship between the proposed and nearby existing residential properties has been undertaken. Specifically, the presence of the proposed balcony and outlooks, levels of fenestration, orientation of the proposed dwelling within the site and the presence of boundary treatments and level of screening present.

In assessing the potential impact on the amenity of neighbouring residential properties resultant from overlooking, the properties located south west of the site at 1 and 3 Baird Grove would be located at a distance of 25.4 metres (1 Baird Grove) and 33.7 metres (3 Baird Grove) from the proposed balcony per the proposal. The property located immediately west of the site at 42 Saughtonhall Avenue would be separated by a distance of 10.7 metres from the nearest point of the balcony to the rear elevation of number 42 Saughtonhall Avenue. The residential properties located west of the site beyond number 42 at numbers 40, 38 and 36 Saughtonahall Avenue would not suffer any detrimental impact in terms of overlooking. This being resultant from separation distances (in excess of 14 metres), orientation of the proposed balcony and corresponding rear garden ground layouts, as well as the provision of a privacy screen required by condition on the west elevation of the balcony.

The combination of the separation distances in place, combined with the retention of defined boundary treatments on the southern boundary between the site and neighbouring properties and provision of a privacy screen on the west elevation of the balcony will ensure no detrimental impact on the amenity of properties considered as part of the assessment by way of overlooking.

The design revision to the scheme to reduce the extent of balcony coupled, with provision of a privacy screen on the western elevation of the balcony, and the proposed building footprint and separation distances to neighbouring residential properties, the proposal complies with NPF4 Policy 14 c) and LDP policy Des 5.

## Biodiversity

NPF4 Policy 3 requires that proposals for local development include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) requires proposals to consider existing characteristics and features worthy of retention on site and in the surrounding area, and ensure they have been identified, incorporated and enhanced through design.

LDP Policy Env 15 (Sites of Local Importance) states development likely to have landscape or geological features of a Local Nature Reserve or a Local Nature Conservation Site will not be permitted unless it can be demonstrated that:

- a) the reasons for allowing the development are sufficient to outweigh the nature conservation interest of the site
- b) the adverse consequences of allowing the development for the value of the site have been minimised and mitigated in an acceptable manner.

The proposal would see the retention of the mature treeline present along the southern boundary of the site. Detailed landscaping proposals have not been submitted as part of the assessment; however an appropriate condition has been attached to ensure provision of these details prior to development commencement, with a requirement for the integration of native species. Furthermore, the inclusion of both bat and bird boxes within the built fabric of the building are secured via condition.

Overall, the proposed mitigation measures outlined will ensure that the development aligns with the policy provisions of NPF4 Policy 3 and Policy Des 3 and Env 15 of the Edinburgh Local Development Plan resulting in a positive impact on local biodiversity by protecting the fabric of the Water of Leith Local Nature Conservation Site.

## Transport

### Car Parking-

LDP policy Tra 2 states that car parking provision should comply with and not exceed the levels set out in Council guidance.

The site is identified as within Zone 2 of the Edinburgh Design Guidance Parking Standards where residential properties should have a maximum car parking provision of 1 space per dwelling.

The proposal would provide a single car parking space in compliance with policy Tra 2 and is therefore acceptable in this context.

### Cycle Parking-

LDP policy Tra 3 states cycle parking and storage provision should comply with the standards set out in Council guidance.

The EDG standards state properties in this zone should have a minimum of 1 cycle space for studios dwellings, 2 spaces for 3 habitable rooms and 3 spaces for 4 habitable rooms or more.

In addition, principles of the Council's cycle parking factsheet include that provision should include 20 % non-standard bicycles.

No cycle storage is included on the plans however there is adequate space to accommodate the required provision on-site. A condition has therefore been included for details of cycle storage to be submitted prior to commencement of the development.

### Flooding

NPF 4 Policy 22 (Flood risk and water management) intent refers to strengthening resilience to flood risk by promoting avoidance as a first principle and the vulnerability of existing and future development to flooding.

LDP Policy Env 21 (Flood Protection) states that planning permission will not be granted for development that would increase flood risk or be at risk of flooding itself.

The site sits within the functional floodplain based on the SEPA Flood Maps. This indicates that there is a medium to high risk of flooding to the site from the river. In light of flood risk to the site, extensive consultation with the Council Flood Planning team has taken place as part of this assessment.

SEPA is a statutory consultee and in this instance has objected in principle to the proposed development, as the proposed development is expected to put people or property at risk of flooding which is contrary to Scottish Planning Policy.

There is a Flood Protection Scheme (FPS) along the Water of Leith which affords a level of protection to existing properties and infrastructure located behind it. This area falls within Phase 2 of this scheme. In July 2018, SEPA published a Planning Information Note 4 which set out the position it now takes for development behind a FPS. In summary, where a planning application will result in land use change to a highly vulnerable use such as residential, SEPA requires the development to be protected to a 1:200 year standard including an appropriate allowance for climate change.

SEPA has a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce flood risk and promote sustainable flood risk management. It states that the cornerstone of sustainable flood risk management is the avoidance of flood risk. It is SEPA's view that vulnerable uses such as residential development should be directed to alternative locations rather than incorporating mitigation measures.

On this basis, SEPA has objected to introduction of residential use on site as the proposal would be contrary to NPF 4 policy 22 a).

In light of this, the proposal does not fully comply with NPF 4 policy 22 a) (Flood risk and water management).

However, SEPA recognises that in determining applications, planning authorities have to consider a range of material considerations as well as flood risk. There may be circumstances where applications are granted planning permission despite an objection from SEPA.

The applicant provided a Flood Risk Assessment (2022) which contained several recommendations to mitigate flood risk to the site accounting for climate change. These included the use of flood resilient materials and construction methods (such as the flooring and the lower 1m of the ground floor walls and doors) for the ground floor of the proposed residential unit.

Flood Planning reviewed the submitted Flood Risk Assessment, and in issuing their consultation response advised that they have no objection to the proposal subject to provisions for access to the Water of Leith flood defence to not be obstructed during construction to allow for maintenance and operation of the flood defences. An appropriately worded informative has been included.

In considering the acceptability of the proposal on flood risk grounds, the comments provided by SEPA as part of their consultation response are noted. However, the applicant has noted and considered constructive feedback provided by the Council Flood Planning team, notably from detailed engagement via pre-app stage through to submitting a detailed proposal for the site, with provision of sufficient mitigation measures per the design solution to safeguard against future flood risk events. On balance it is considered that the proposal can be deemed acceptable regarding flood risk.

As SEPA has objected to the application, if the Council is minded-to-grant planning permission, it must notify the application to Scottish Ministers prior to determination of the application.

#### Developer Contributions

No contributions have been identified.

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

The proposed development broadly complies with the provisions of NPF4 and the LDP and there is not considered to be any significant issues of conflict.

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

The following material planning considerations have been identified:

#### Emerging policy context

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

## Equalities and human rights

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

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

## Public representations

A total of five representations have been received. These include four objections and a single comment in support as summarised below:

Objection-

### *material considerations*

- Overdevelopment of site
- Loss of amenity
- Impact on biodiversity of watercourse
- Increased risk of flooding
- Visual amenity and overbearing impact

These comments have been addressed in section B of this report.

### *non-material considerations*

- Access and legal issues

Support-

### *material considerations*

- Visual improvement

These comments have been addressed in section B of this report.

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

The material considerations support the presumption to grant planning permission.

## **Overall conclusion**

The proposed development is within the urban area where residential development is acceptable in principle. The site can contribute to local living and the 20 minute neighbourhood principle whilst delivering a sustainable development on a brownfield site. Therefore, it is considered that proposals comply with the Development Plan policies of NPF4 and the LDP. The design is high quality and will complement the character of the surrounding area. A satisfactory living environment for future occupiers will be achieved and no unreasonable impact on neighbour's amenity will occur.

The application requires the Scottish Ministers to be notified prior to determination due to the outstanding objection from SEPA.

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

The recommendation is subject to the following;

### **Conditions**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. Prior to the commencement of the development a detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority; Note: samples of the materials may be required.
3. Prior to the commencement of the development, full details of all hard and soft Surface, Boundary and Landscaping treatments, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. The soft landscaping must include native species. All hard and soft landscaping to be completed within six months of the occupation of the development hereby approved.
4. Prior to the commencement of the development details of fully enclosed accessible and secure cycle stores shall be submitted to and approved in writing by the Planning Authority. The cycle stores shall thereafter be implemented prior to the first use of the approved dwelling.
5. 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".
6. Prior to the commencement of the development details of a privacy screen on the west elevation of the balcony shall be submitted to and approved in writing by the Planning Authority. The privacy screen shall thereafter be implemented prior to the occupation of the approved dwelling.
7. Prior to the commencement of development, a site-specific habitat creation plan shall be submitted to and approved in writing by the Planning Authority. The plan shall detail measures for the residential unit incorporating two bat bricks at eaves height and two swift nest bricks at eaves height.

### **Reasons**

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

3. For the planning authority to consider this matter in detail.
4. In order to provide appropriately designed cycle storage for future residents.
5. In order to safeguard existing trees on site.
6. In the interest of amenity.
7. In the interest of enhancing environmental quality and of biodiversity.

### **Informatives**

It should be noted that:

1. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
2. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
3. During the construction of the development access to the Water of Leith Flood Defence Wall must remain free from obstruction to allow for maintenance and operation of the flood defences.

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

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

**Further Information - [Local Development Plan](#)**

**Date Registered: 28 November 2022**

### **Drawing Numbers/Scheme**

01A,02,03,04,06A, 07A

Scheme 2

**David Givan  
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## Appendix 1

### Summary of Consultation Responses

NAME: SEPA

COMMENT: SEPA object in principle to the application and recommend that planning permission be refused.

DATE: 17 January 2023

NAME: Infrastructure, Structural Services Flood Prevention

COMMENT: No objection to proposal subject to conditions.

DATE: 10 March 2023

NAME: Natural Environment

COMMENT: No objection to proposal.

DATE: 12 July 2023

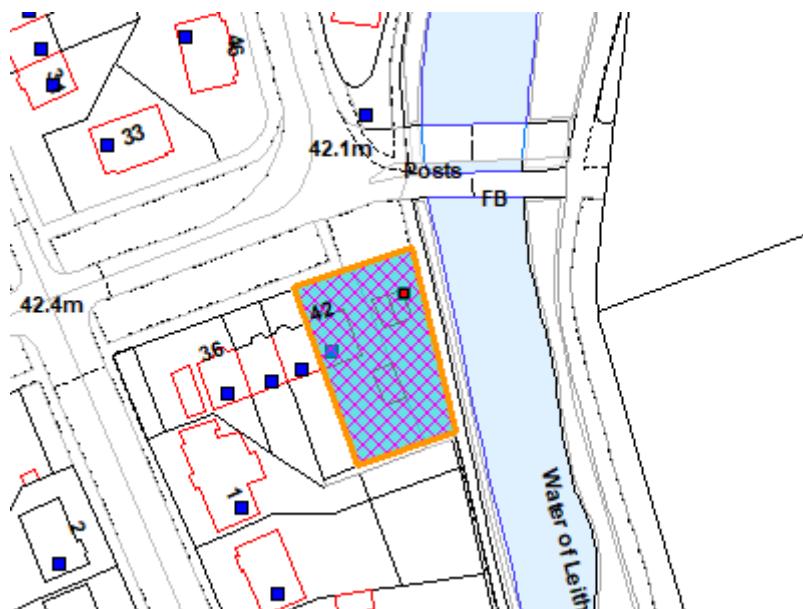
NAME: Children and Families

COMMENT: No education contribution requirement.

DATE: 18 July 2023

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

### Location Plan



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