

Development Management Sub-Committee Report

Wednesday 6 December 2023

**Application for Planning Permission
land 80 metres west and east of Saltire Street, Edinburgh.**

Proposal: Proposed Phase 4 residential development at Waterfront Avenue with associated infrastructure and landscape (scheme 3).

**Item – Committee Hearing
Application Number – 22/06290/FUL
Ward – B04 - Forth**

Reasons for Referral to Committee

NPF4 designates Edinburgh Waterfront as a National Development in which this site sits. It states that this national development supports the regeneration of strategic sites along the Forth Waterfront in Edinburgh and is a strategic asset that contributes to the city's character and sense of place and includes significant opportunities for a wide range of future developments.

The application is referred to the Development Management Sub-Committee as the site is within the National development Area and requires the planning application to be considered by a pre-determination hearing.

Recommendation

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

Summary

Overall, the development is in accordance with the development plan. The proposals will deliver a sustainable and well-designed residential scheme that will contribute to climate mitigation and adaptation and the restoration and enhancement of biodiversity. The design draws on the character of the surrounding area to create a strong sense of place and is consistent with the six qualities of successful places as set out in NPF4. There will be no adverse impact on the amenity of existing and future residents. Flood and drainage proposals are acceptable. Transport generation, car and cycle parking proposals are acceptable. Infrastructure requirements can be dealt with via a suitable legal agreement.

Subject to recommended conditions and informatives, the proposal is acceptable and complies with National Planning Framework 4 and the aims of the 2016 Edinburgh Local Development Plan, as well as the Council's non-statutory Edinburgh Design Guidance. The proposals meet the general aims of The Granton Waterfront Development Framework. There are no material considerations that outweigh this conclusion.

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Other material considerations support the presumption to grant planning permission.

SECTION A – Application Background

Site description

The site is a mainly vacant piece of land on the north side of Waterfront Avenue and south side of West Shore Road with an area of approximately 2.45 hectares. The site includes land relating to both phases three and four of a mainly residential development of four phases. There are existing access roads/ hardstanding areas and car parking to the north east of the site. There is an existing enclosed car parking area which is to the south of the site, accessed from Waterfront Avenue. There are a number of trees both within the site and along the north and west boundaries. The land slopes down to the north where levels drop significantly at the northern edge of the site. There is an existing gabion wall, with a level difference of approximately 2- 2.7m to the north-east of the site.

The application site is the fourth phase of a larger development. There are existing residential properties to the south of the site (phases one and two), with Saltire Square beyond. The first phase comprises four storey apartment blocks and an eleven storey tower building and was completed in 2006. Phase two is a mix of three to four storey townhouses and two seven storey apartment buildings. Upper Strand Walk runs to the east/ south east of the site. This connects pedestrians and cyclists to West Shore Road to the north and to the southwest past the National Museum Collection Facility to West Granton Road. The affordable housing element of phase three (33 homes) has been completed. The remaining area covered by the phase three permission is included in this application alongside phase four.

To the north are existing commercial/ industrial properties, vacant land and heavily treed areas. Directly to the west are heavily treed areas which extend down to parts of West Shore Road. To the south of the site fronting Waterfront Avenue is an area of car parking and a small play area, together with pathways and landscaping.

Beyond the site to the west and separated from the site by a strip of land is Granton Castle Walled Garden, Caroline Park and Royston House. There are a number of listed buildings within this site: Caroline Park House and offices which are category A listed (Listed building reference: LB28040 listed 01/01/2003), boundary walls, walled garden and dovecot which are category B listed (Listed building ref: LB28139 updated 11/01/2016) and gatepiers to West Shore Road which are category B listed (Listed building ref: LB28041 updated 11/01/2016). The site surrounding these buildings is designated as open space in the Local Development Plan.

To the west beyond the site is the Granton Gas Holder, which has permission for its restoration and associated public realm works, is B listed (ref: 45793, listed 10 November 1998). Further to the east along Waterfront Avenue is the former Madelvic works, office production block and generating block. These are category B listed (ref: LB45654, listed 16th September 1998).

Proposal

The application is for 211 homes, including 53 affordable homes. The housing is arranged across seven blocks and comprises a mix of one, two and three bedroom homes with a mix of apartments and colonies. The ground levels within the site will be altered to accommodate the development as well as cap parts of the site.

Block A is six storey, comprising forty five units, 28 of which are affordable;
Block B is six storey, comprising eleven units which are affordable;
Block C comprise nine three storey colonies; these provide two bedroomed ground floor units and an upper floor unit with three bedrooms over two floors accessed by an external stair;
Block D are four and five storey with 45 units, fourteen of which are affordable;
Block E is five storey with 19 flats;
Block F is four and five storey with 42 flats, and
And block G is five storey with forty flats. This block will have a landscaped deck.

25% of the residential units will be affordable. The accommodation comprises 4 x one bedroomed units, 149 x two bedroomed units and 58 three bedroomed units.

Materials proposed to the housing are buff multi facing brick, grey multi facing brick feature panels, grey concrete roof tiles (to colonies), dark grey double glazed windows (material to be confirmed), dark grey common entrance door sets, and dark grey painted metalwork Juliet railings. PV panels are proposed to the front roof of block C.

Flats will have shared gardens with hedging used for boundary treatments. Private gardens are provided for 31 flats. Hedging will be used to define the boundaries of gardens to the rear of flats, some front gardens, and at the existing site entrance point on Waterfront Avenue. To the rear of private gardens and between each, 1.8m timber fencing will be used.

The western boundary proposes landscaped open space which will incorporate swales. New supplementary tree planting is also proposed within the council owned tree belt to the west of the application site. A SUDS feature is proposed to the north of the site in between blocks F and G. A new crib wall is proposed along the northern site boundary. Areas for natural play are proposed within the site.

Vehicular access will be direct from the northern end of Saltire Street and Waterfront Avenue at the southwest corner of the site. The main access route from Waterfront Avenue will provide an adoptable turning-head to the north. Four hundred and ninety cycle spaces will be provided and 53 car parking spaces, 12 EV charging spaces and 6 disabled spaces.

Scheme 1

The first scheme proposed 220 residential units of between three and six stories in height. Seventy two car parking spaces were proposed, including six disabled parking spaces and twelve with EV charging. A proposed cycle route along the western boundary of the site was included. Cycle storage was in external stores. Solar panels and gas boilers were proposed. Materials included metal cladding to the upper levels of the proposed flatted blocks.

Scheme 2

Revised drawings were submitted which comprised 220 units, including 44 affordable. Fifty car parking spaces were proposed including six disabled parking spaces and twelve with EV charging points. Block A was increased from 6 to 7 storeys in height, Block D / E was reduced from 6 to 4 storeys in height, Block G was increased from 6 to 7 storeys in height, Block E was reduced in length to the eastern boundary and Block F was reduced in length to the western boundary.

Supporting Information

The applicant has submitted the following supporting information in relation to the application. These can be viewed on the Planning and Building Standards online portal:

- Planning Statement;
- Design and Access Statement;
- Statement of Community Benefit;
- Daylighting report;
- Townscape assessment;
- Noise Impact Assessment;
- Site investigation report;
- Arboricultural assessment;
- Archaeological written scheme of investigation;
- Pre application consultation report;
- Air Quality report;
- Preliminary ecological assessment;
- Sustainability form and
- Transport assessment.

Relevant Site History

17/02477/FUL
Land 80 Metres West and East Of
Saltire Street
Edinburgh

Proposed residential development and associated infrastructure (as amended).
Granted
14 March 2019

17/02477/VARY
Land 80 Metres West and East Of
Saltire Street
Edinburgh

Non Material Variation to application 17/02477/VARY for: (1) Increase in length of 0.7m at Block A towards Tower. (2) Changes to Block A fenestration on gable elevations. (3) Changes to distribution of cladding materials at Block A. (4) Alteration of heights on profile of parapet Block A. (5) Addition of steel balustrade on external steps to plant room. (6) Articulated brick wall added to at recessed entrance on elevation 1 and metal cladding added to entrance on elevation 2. (7) Change to design of deck access balustrade. (8) Addition of infrastructure to allow for 4 no. Electric vehicle charging spaces.

VARIED
30 December 2019

19/03245/FUL
Land 80 Metres West and East Of
Saltire Street
Edinburgh

Application under Section 42 of the Planning Act for the removal of condition 2 of planning consent ref; 17/02477/FUL (noise protection measures) from the approved decision notice.

Granted
26 August 2020

15/02726/PAN
Land 80 Metres West and East Of
Saltire Street
Edinburgh

Housing application for phased development of around 300 new units.
Approved
18 June 2015

Other Relevant Site History

24th April 2002 - Outline planning permission granted for a mixed use development on land between West Granton Road and West Shore Road/ West Harbour Road, east of Caroline Park Avenue and on land to the north west of the junction between Caroline Park Avenue and West Granton Road (Application ref: 01/02109/OUT)

14th April 2004 - Approval of reserved matters obtained for residential and commercial development comprising 130 flatted units, associated roads and temporary car parking on land at Waterfront Avenue. This relates to phase 1 of the overall development (application reference: 03/03665/REM)

24th March 2004 - Approval of reserved matters for a residential and commercial development in relation to height, massing, number, and parking (application reference: 03/04608/REM)

30th March 2017 - planning permission granted for 100 residential units, comprising three to four storey townhouses and two seven storey apartment buildings at land 40 metres west of 14 Kingsburgh Crescent. This relates to phase 2 of the overall development. (application reference: 16/00155/FUL).

Other planning history:

Granton Waterfront Development Framework approved February 2020.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Environmental Protection

Flood Planning

Communities and Families

CEC Economic development

City Archaeology

Historic Environment Scotland

Transport Planning

CEC Flood Prevention

Police Scotland

Health and Safety Executive

CEC Waste Services

SEPA

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

Publicity and Public Engagement

Date of Neighbour Notification: 29 August 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 1 September 2023 17 March 2023 13 January 2023

Site Notices Date(s): 29 August 2023 14 March 2023 10 January 2023

Number of Contributors: 56

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s), this report will first consider the proposals in terms of Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

- Is there a strong presumption against granting planning permission due to the development harming the listed building or its setting?
- 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 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 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 in the Historic Environment: Setting

Historic Environment Scotland's Guidance Note on Managing Change in the Historic Environment: Setting states that setting can be important to the way in which historic structures or places are understood, appreciated, and experienced. It can often be integral to a historic asset's cultural significance. Setting often extends beyond the property boundary or 'curtilage' of an individual historic asset into a broader landscape context. Both tangible and less tangible elements can be important in understanding the setting. Less tangible elements may include function, sensory perceptions or the historical, artistic, literary and scenic associations of places or landscapes.

The development could impact on the setting of a number of listed buildings within close proximity to the site. These include the Granton Gasholder, Caroline Park House and Gardens, gatepiers to West Shore Road, and the Madelvic Car factory further east along Waterfront Avenue.

The applicant has provided a number of viewpoints from the surrounding area which demonstrates that the impact of the proposals on the setting of listed buildings would be acceptable.

Viewpoints indicate that when viewing the proposal along Waterfront Avenue in a west direction, elements of the Granton Gasholder can still be viewed. The setting of Madelvic House and the gatepiers to West Shore Road would not be affected to any adverse degree.

Close to the west of the site, Caroline Park House is one of Edinburgh's more significant houses of the late seventeenth century. Historic Environment Scotland (HES) consider that the immediate setting of the house to the north, east and south is largely confined to garden ground. Boundaries are largely defined by trees, which has been reinforced more recently to the south and includes modern gatepiers. The walled garden sits to the northwest. HES confirm they have no issue with impacts from the public viewpoints demonstrated in the submitted Townscape Assessment (and visualisation). They state that their key interest is if there are any impacts on the listed house from within the garden grounds and consider that the house's southern (entrance) elevation is architecturally the more significant frontage. They state that the viewpoint provided from within the house grounds 'indicates that the development would have some visibility during winter months through the trees. An existing new residential building can also be seen in this view. While the proposed development would have further visual impacts, from the visualisation provided the impacts on the house and its setting are likely to be more minor in nature.' Overall, HES are satisfied that this evidence helps to support the conclusion of the Townscape Assessment that development would not have an 'overbearing or intrusive effect.' Also, the proposals include additional tree planting to the western edge of the application site to further soften this edge and provide additional screening.

HES raise no objection to the proposal and are satisfied that there would be no adverse impact on the setting of the southern front elevation of the category A listed house.

Conclusion in relation to the listed building

The proposal will not detract from the special architectural and historic interest of the nearby listed buildings nor harm their setting and conforms with section 59 of the Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997.

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.

NPF4 defines Edinburgh Waterfront as a National Development. This National Development supports the regeneration of strategic sites along the Forth Waterfront in Edinburgh. 'The waterfront is a strategic asset that contributes to the city's character and sense of place and includes significant opportunities for a wide range of future developments. Development will include high quality mixed use proposals that optimise the use of the strategic asset for residential, community, commercial and industrial purposes, including support for off-shore energy related to port uses. Further cruise activity should take into account the need to manage impacts on transport infrastructure.'

The relevant policies to be considered are:

NPF4 climate and nature crisis policies 1, 2 and 3
NPF4 policy 4 natural places
NPF4 forestry, woodland and trees policy 6
NPF4 historic assets and places policy 7
NPF4 brownfield, vacant and derelict land policy 9
NPF4 zero waste policy 12
NPF4 sustainable transport policy 13
NPF4 design, quality and place policy 14
NPF4 local living and 20 minute neighbourhoods policy 15
NPF4 quality homes policy 16
NPF4 infrastructure first policy 18
NPF4 heating and cooling policy 19
NPF4 blue and green infrastructure policy 20
NPF4 flood risk policy 22 and
NPF4 health and safety policy 23.

LDP Environment policy Env 12, Env 21, Env 22
LDP Delivering the strategy policy Del 1 and Del 3
LDP Housing and Community Facilities policy Hou 1, Hou 2, Hou 3, Hou 4, Hou 6, Hou 10
LDP Design policy Des1, 2, 3, 4, 5, 7, 8, and 11
LDP Transport policy Tra 2, Tra 3, Tra 4, and Tra 8.

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering NPF4 policy 7. The Edinburgh Urban Design Guidance, the LDP Action Programme 2023 and the finalised 'Developer contributions and infrastructure delivery supplementary guidance' August 2018 are material considerations when considering delivery, housing and transport policies.

The approved Granton Waterfront Development Framework (February 2020) is also a material planning consideration in the determination of this planning application.

a) The principle of the development is acceptable in this location

The proposal lies within the urban area in the adopted Local Development Plan (LDP). The site lies within Edinburgh Waterfront: Central Development Area (EW 2b) for a housing led mixed use development. LDP policy Del 3 (Edinburgh Waterfront) states that planning permission will be granted for development which will contribute towards the creation of new urban quarters at Leith Waterfront and Granton Waterfront. 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.

The Granton Waterfront Development Framework locates this site within the area of The Link (sub area 'Places for People'); cultural landscape and making space reconnecting neighbourhoods. Mixed use developments incorporating residential flatted development are included in the proposed topography. The general guidance is to link existing routes and sites to maximise connections and views to the city and waterfront and infilling gap sites, highlighting existing assets and creating new active street frontages. The site is shown for housing within the Framework.

The proposed residential use is in accordance with LDP policies Hou 1 and Del 3, and meets the aims in terms of use of the GWDF. The proposed development of the site for residential purposes complements the existing residential development in the area. In addition, the original outline planning permission in principle for a mixed use development, including residential, for the wider area and included this site. Previous detailed planning permissions for residential development have been granted at the site. A residential use has been accepted at the site.

NPF4 policy 9 (Brownfield, vacant and derelict land) states that development proposals that will result in the sustainable reuse of brownfield land including vacant and derelict land and buildings will be supported. The proposed development achieves this by redevelopment of a well-connected urban brownfield site. The policy also sets out that in determining whether the reuse is sustainable, the biodiversity value of brownfield land which has naturalised should be taken into account. This is discussed in more detail below.

The proposal complies with the NPF 4 policy objectives to support sustainable re-use of brownfield, vacant and derelict land. The principle of the proposed development is in line with LDP objectives and is supported by the Granton Waterfront Development Framework. In principle, the proposal is acceptable.

Impact on setting of nearby listed buildings, and archaeological remains

NPF4 policy 7 (Historic Assets and Places) aims to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places. Under part 7c it states that 'Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.'

The non statutory 'Listed buildings and Conservation Area' guidance is a material consideration that is relevant when considering NPF4 policy 7. In addition, the Granton Development Framework requires that 'new development should ensure that existing heritage features are linked and integrated into the wider network of open spaces and new routes. The streetscape should establish views to and protect the setting of existing assets.'

In terms of archaeology, the site lies along the edge of a former raised beach, within the limits of the early 18th century designed landscape associated with Caroline Park House and to the east of the site of the medieval Granton Castle, an area of archaeological potential. NPF4 policy 7o states that 'Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impact.'

City Archaeology have no objections to the application subject to a condition that a suitable programme of archaeological works is undertaken prior to development to record and fully excavate any significant archaeological deposits that may survive.

The historic assets within the area have been assessed against the relevant legislation, guidance and NPF4 policies. As set out in section a) above, the proposed development would not have any adverse impact on the setting of nearby listed buildings. The proposals comply with NPF4 policy 7c and 7o and the Guidance on Listed Buildings and Conservation Areas.

Design, Scale and Layout

NPF4 policies in relation to Sustainable Places and Liveable Places, including those in relation to 20-minute neighbourhoods, climate change and biodiversity, blue and green infrastructure, and sustainable transport, will be important cross-cutting policy considerations. The proposed development is within an established mainly residential area of the city and is within reasonable walking distance of facilities such as shops and public transport.

Policies 14, 15 and 16 of NPF4 support development that delivers quality places, spaces and environments that can further contribute to achieving 20-minute neighbourhood principles. The delivery of good quality homes in the right location is supported.

LDP Policies Des 1 - Des 4, and Des 7-8 set a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area with the need for a high quality of design which is appropriate in terms of height, scale and form, layout, and materials. The design of any future application will be considered against these policies.

The LDP sets out, amongst other matters, that development at Edinburgh Waterfront should create distinctive, high density urban quarters.

The design will contribute to a pleasant and distinctive place to live in terms of respecting local and wider building heights, forms and materials, and creating visual interest with the proposed materials and detailing, and the creation of green outdoor amenity space.

The proposal demonstrates a variety of the NPF 4 six qualities for successful places which are outlined in policy 14. The policy seeks to encourage and promote well designed development through a design led approach to development. This is supported through the policies in the Local Development Plan. The policy aims to ensure that development proposals will be designed to improve the quality of an area regardless of scale. The site is within an urban area and is located close to existing local amenities. The proposal would contribute to local placemaking by increasing the density of development on the site and providing new homes within an attractive landscaped setting on a vacant brownfield site. The area is experiencing an ongoing increase in the density of development in the local area, which aims to meet the design principles set out within the Granton Waterfront Development Framework.

NPF4 Policy 15 requires development to contribute to local living including, where relevant, 20 minute neighbourhoods. There are a number of facilities available for use by future occupiers within the local area. These include existing public parks such as Forth Quarter Park and Granton Crescent Park, Granton Primary School, the local medical centre, shops and supermarkets. There are regular bus services on Waterfront Avenue which will also enable access into the city centre and to surrounding attractions which lie within a 20-minutes of the site.

NPF4 policy 16 sets out a number of criteria for new housing developments; these include providing a Statement of Community Benefit and improving affordability and choice by being adaptable to changing and diverse needs. A Statement of Community Benefit is included with the application. This sets out a number of benefits to the area including provision of active frontages creating a safer environment, creation of employment opportunities, opportunities for work experience/ talks to schools and gardening club, affordable housing provision and creating an improved attractive environment. The proposal meets the aim of NPF4 policy 16.

LDP Policy Hou 2 (Housing Mix) emphasises the importance of providing a wide range of house sizes and types on development sites. The proposals provide a good mix of accommodation of different sizes in compliance with this policy. A range of one, two and three bedroom units are proposed. Fifty eight (27%) contain three bedrooms, which exceeds the requirements of the Edinburgh Design Guidance.

The Edinburgh Design Guidance includes recommended internal floor areas for flat sizes. All the units meet or exceed the space standards set out in the Guidance (EDG). The flat types and mix of sizes of the affordable flats is proportionate to that of the private flats.

The Edinburgh Design Guidance states that single aspect dwellings should not make up more than 50% of the overall dwelling numbers. The proposed development satisfies this aspect of the Guidance.

The proposals include a landscaped edge to the west boundary with additional planting with buildings set back into the site; this respects the setting of the nearby A listed Caroline Park House and demonstrates compliance with LDP policy 3 (Development Design - incorporating and enhancing existing and potential features).

Policy Des 2 (Co-ordinated Development) states that planning permission will be granted for development which will not compromise: a) the effective development of adjacent land; or b) the comprehensive development and regeneration of a wider area as provided for in a master plan, strategy or development brief approved by the Council. The Edinburgh Design Guidance confirms that the pattern of development in an area will help to define appropriate distances between buildings and consequential privacy distances. In assessing this, the Council will look at each case individually and assess the practicalities of achieving privacy against the need for development. The proposal will not prejudice development of adjoining sites; to the west the building blocks are off set some distance from the boundary and are separated from Caroline Park House by a landscaped woodland belt. The proposals will coordinate with existing residential development to the east. The land to the north drops down steeply and is allocated as open space within the LDP. Block G lies relatively close to the north east site boundary but will not prejudice future development at adjacent sites. See further details on this in relation to privacy distances. The proposal complies with LDP policy Des 2.

LDP Policy Des 7 (Layout design) sets out a number of design principles for new developments. The proposal follows the illustrative layout contained within the GWDF with primary block structures fronting Waterfront Avenue. In accordance with Des 7 the proposals present a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces, services and SUDS features. The proposal forms a strong street frontage onto Waterfront Avenue. Pedestrian and cycle connections are direct and are overlooked and enable connections to existing routes to the local area. The proposals make provision for a secondary frontage onto the new internal streets to the west and north of the site. The location of the blocks ensures that spaces will be overlooked. A number of ground floor flats have front door access, which will aid in providing activity to the streets. Car parking has been kept to a minimum and is provided on-street within landscaped areas meaning it does not dominate the proposals. The proposal complies with LDP policy Des 7.

LDP Policy Des 8 (public realm and landscape design) supports development where all external spaces and features have been designed as an integral part of the scheme as a whole. The landscape design enables separation from the listed building to the west and makes provision for additional tree planting along the western part of the site. SUDS feature enhances the open space area to the north of the site, and SUDS features are integrated into the overall landscape design to the benefit of occupiers of the site and biodiversity interests. Areas for natural play are provided within the site. The proposals comply with LDP policy Des 8.

LDP Policy Hou 4 (Housing Density) states that the Council will seek an appropriate density on sites giving regard to the characteristics of the surrounding area, the need to create an attractive residential environment, accessibility and need to encouraging local services. The GWDF states that the proposed density and massing of development should ensure Granton has an urban feel, pleasant streets, well-lit back courts and people centred spaces. The density of the proposal is 86 dwellings per hectare. This is an appropriate density for The Link area and the density and massing will create an attractive urban feel.

LDP policy Des 4 (Development design- impact on setting) sets out that proposals should demonstrate that they will have a positive impact on their surroundings, including the character of the wider townscape and landscape and impact on existing views. The Edinburgh Design Guidance (EDG) seeks to ensure that new developments will have a positive impact on their surroundings through height and form, scale and proportions, site layouts and materials utilised. The proposal follows the illustrative layout contained within the GWDF. The Framework sets out that heights covering the site are to be developed with project partners but indicatively 3-5 (domestic height) storey blocks (4-storey average) with some 6 storey at key locations.

The proposed heights ranging from three storey colonies to six storey flatted blocks. The proposed six storey blocks A and B front Waterfront Avenue at the entrance to the site, providing a strong street frontage and in this location are acceptable. The proposed development fits in with the heights of the overall character of the area; the six storey block at the site entrance provides a strong visual marker at a key location. The majority of the other blocks are four and five storey, with the exception of the three storey townhouses; the lower elements are located further into the site away from Waterfront Avenue. The applicant has demonstrated through visualisations and townscape analysis that the impact on the surroundings is positive in terms of height.

The GWDF sets out that a palette of robust, natural materials, which are appropriate for the waterfront conditions, should be developed. The material palette should provide coherency across character areas but allow for variety to be incorporated in terms of colour, tone, texture and mixed materials. The elevational design is contemporary with simple use of differing coloured brick. Balconies provide interest. The choice of external materials and detailed architectural features of the buildings are appropriate to the site's townscape and reflect the character and qualities of the surrounding area. The proposal meets the requirements of LDP policy Des 4, NPF4 policy 14 and the aims of the Granton Waterfront Development Framework. Subject to a condition which requires details to be submitted and agreed, materials are acceptable.

LDP Policy Des 5 (Development Design - Amenity) sets out that planning permission will be granted for development where it is demonstrated that refuse and recycling facilities have been sensitively integrated into the design. There have been ongoing discussions between Waste Services and the applicant. A Waste Management Strategy has been agreed for the site.

- Overall, the design, scale and layout are acceptable. The proposals are of a good quality, distinctive and appropriate design contributing to a sense of place in accordance with LDP policy Des 1. The design and layout of the proposals comply with the Policy Des 2 (Co-ordinated Development), Policy Des 7 (Layout Design) and meet the development principles set out in the LDP for the site. The height and materials proposed are acceptable for the locality in line with Policy

Des 4 (Development Design - Impact on Setting). The proposals comply with NPF4 policy 14 (Design, Quality and Place), NPF4 policy 15 (Local living and 20 minute neighbourhood), and meet design principles set out in NPF4. The proposal also generally accord with the aims of the Granton Waterfront Development Framework. The proposals contribute to the sustainable regeneration of the Granton Waterfront area. They are consistent with the six qualities of place set out in NPF4 bringing an area of derelict brownfield land back into a productive use, with enhancements to create an attractive landscaped setting.

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. The proposed development contributes to the spatial principles of 'Compact Urban Growth' and 'Local Living' through the use of a previously developed site for sustainable, energy-efficient housing within an existing community.

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. NPF4 Policy 9 (brownfield derelict and vacant land) intends to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land. The site is well located with respect to local services, businesses and transport links. It will be constructed from sustainable construction materials, and it is proposed to be connected to a district heating system. The site is not at risk of flooding, and it will result in the efficient use of a brownfield site. The proposed development accords with Policy NPF4 policy 2.

NPF4 policy 12 (zero waste) The proposal complies with this policy as it will make effective reuse of a brownfield site and be built using appropriate materials. The applicant has confirmed that it is proposal will have full district heating throughout connecting to the Phase 2 district heating system, and a fabric first approach to insulation targets. Provision is to be made for electric car charging for all properties. In relation to NPF4 policy 12, the proposals are acceptable.

NPF4 policy 14b) Supports the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions. the connection to the existing district heating network and the fabric first approach to the external envelope, and incorporation of PV panels on block C contribute to sustainability requirements.

Policy 19f (Heating and cooling) supports development proposals for buildings that will be occupied by people which are designed to promote sustainable temperature management, for example natural or passive solutions. The proposal will be constructed to the most recent building regulations including requirements in terms of energy and insulation. The applicant has undertaken the required Part A of the Council's S1 Sustainability Assessment, and this complies with the essential requirements, subject to confirmation of the proposed window/ door materials.

In terms of climate change, mitigation and adaptation, the proposals are acceptable.

Biodiversity and trees

NPF4 policy 3 (Biodiversity) seeks proposals for new development to include appropriate measures to conserve, restore and enhance biodiversity in accordance with national and local guidance.

NPF4 policy 4 (Natural places) sets out that development which results in an unacceptable impact on the environment will not be supported. The ecological appraisal found that there will not be adverse effects on protected species with appropriate mitigation.

There is a mixture of self-seeded trees and shrubs on the site. The site is not subject to an ecological designation. There are two international sites, the Firth of Forth SPA, and the Outer Firth of Forth and St Andrews Bay Complex SPA within 2.5km of the Site. The SSSI Site 'Firth of Firth' lies approximately 60m away from site. The application is accompanied by a Preliminary Ecological Appraisal and Arboricultural Impact Assessment (AIA). The assessment found that the proposals will not have a damaging effect on the Firth of Forth SPA which is located further north of the site in accordance with LDP Policy Env 13 (Sites of International Importance) and it will not have an adverse impact on the protected species in accordance with LDP Policy Env 16 (Species Protection).

The habitats on site were found to be quite limited. Most of the area has been disturbed over the years and is on made soil and vegetation growth is therefore patchy. The ground flora was not considered particularly diverse, with areas of nettle and bare ground and few woodland species. Possible badger burrows are all currently derelict and look to have been unused for several years. The proposal will improve biodiversity at the site by introducing green spaces, hedge and shrub planting, tree planting, and SuDS (including rain gardens). This will enhance habitat and biodiversity opportunities, with pollinator rich grass edges, flowering meadow planting and shrub planting, providing a natural habitat for existing and new wildlife species. A mix of native trees will be introduced including orchard/fruit trees and multi-stemmed species, and a variety of hedge, shrub and perennial planting is proposed to provide structure to the public and private realms and to provide green infrastructure and shelter for wildlife.

The proposed development will enhance the biodiversity qualities of the site through proposed landscaping, including tree planting, communal green space and the introduction of open spaces to the north of the site. It will provide biodiversity measures such as swales, SUDS basins and rain gardens to encourage native species. A condition is proposed to include bat, bird and swift boxes within the site. The proposal meets the requirement of NPF4 policies 3 and 4.

In terms of biodiversity the proposal is acceptable.

NPF4 policy 6 (Forestry, woodland and trees) states that development proposals that enhance, expand and improve woodland and tree cover will be supported and LDP policy Env 12 (Trees) states that development will not be permitted if likely to have a damaging impact on a tree protected by a tree preservation order or on any other tree worthy of retention.

There are a number of trees which are located both in and around the site. These are not covered by a Tree Preservation Order (TPO) and the site is not within a conservation area. A tree survey, tree retention and protection plan and tree removal plan have been submitted with the application. The survey indicates a total 234 individual trees, and six groups of trees (G1-G6) were surveyed and mapped; these include a large number of trees outwith the site on land to the west between the site and the grounds of Caroline Park House. The survey found there are large groups of self-seeded mixed deciduous trees; these form patches of different age groups throughout the western aspect of the site, constituting a mixed woodland. To the northern aspect of the site, self-seeded groups form patches surrounding the site. Overall, the trees are considered to be of low category, no high arboricultural value, although they are considered to contribute to the landscape.

The majority of trees on site will require removal to facilitate the proposed development. The revised proposals include some planting to the west/ north of the site to provide a soft landscaped entrance and setting. The new tree planting throughout the site will compensate for loss of existing trees and create an attractive landscaped setting for the proposed new development. A condition for a full landscape plan is proposed to finalise full details of proposed planting within the site.

The tree survey highlighted trees within the woodland belt to the west of the site to be in poor condition; additional planting is recommended to enhance screening. This land is outwith the ownership and control of the applicant; it is not within the red line of the application site boundary and a condition or legal agreement to ensure planting by the applicant within this area is not appropriate. An informative is recommended for discussions between the landowner (CEC) and the applicant to liaise about potential additional planting.

In summary, the proposals would create an attractive landscaped environment as well as increasing biodiversity. This complies with NPF4 policy 6 (Forestry, woodland and trees).

The proposals are acceptable in relation to tree loss and proposed new planting.

The development will therefore support and encourage local biodiversity and will have no adverse impact on protected species or significant trees, in accordance with NPF4 Policy 3, NPF4 policy 6 and LDP Policies Env 12 and Env 16.

Flood risk and drainage

NPF4 policy 22 and LDP policy Env 21 relate to flood risk and water management. The SEPA online flood maps indicate that the site will not be subject to pluvial, surface water or coastal flooding. The proposal will comply with policy 22c as it has been demonstrated that it will not increase the risk of surface water flooding to others, or itself be at risk. SEPA and CEC Flood Planning have no objections to the proposed development in relation to potential flood risk.

Policy Env 21 of the LDP seeks to ensure that development does not result in an increased flood risk for sites or surrounding areas. Blue/green infrastructure proposals form part of the landscape and drainage strategy for the site. This includes a combination of rain gardens, swales and a detention basin to the north which provide treatment of surface water as well as enhancing amenity and biodiversity adding to the quality of green spaces within the site. The operation and maintenance of the SUDs features will be the responsibility of the operator, a condition is recommended to ensure their ongoing maintenance.

No green or blue roofs are proposed; however, the proposed SUDs measures are acceptable and meet the aims of NPF4 policy 22 and LDP policy Env 21.

Amenity and Health

LDP policy Hou 3 (Private Greenspace in Housing Development) states that planning permission will be granted for development that makes adequate provision for green space to meet the needs of future residents. The policy requires 10m² per flat (excluding private gardens) of open space provision with a minimum of 20% of the site area being useable greenspace. The overall open space for the site (excluding private gardens) equates to approximately 30% of the overall site area which exceeds the minimum requirement.

As per the Edinburgh Design Guidance, the majority of ground floor flats are generally provided with private gardens of a minimum depth of 3m; some are just below this standard. However, there is available good access to shared amenity space within the site, these ground floor properties also have private rear or side gardens which range from 3m to 4m in depth; these private gardens are defined by low level brick walling and hedging, accessed via french doors from within each property which would provide an acceptable level of amenity in accordance with the Guidance.

There is an existing small childrens play park in front of the site along Waterfront Avenue and areas of natural play are provided within the site for use by future residents. In terms of LDP policy Hou 3 the proposals are acceptable.

LDP policy Des 5 states that planning permission will be granted for development where the amenity of neighbouring developments is not adversely affected. Part a) requires proposals to ensure the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

A Daylighting, Sunlight Report has been submitted with the application.

Sunlight to amenity spaces

The report concludes that on March 21st, 96% of the proposed amenity areas situated within the development site will receive at least 2 hours of sunlight for each individual proposed amenity space and over their total combined area. The impact of the proposal on sunlight to amenity of existing homes is that the levels received to these spaces are similar as the existing situation for all the periods on the 21st of March.

Daylight to existing homes

Impact on daylight to existing neighbouring homes was assessed using the Vertical Sky component (VSC) and Average Daylight factor (ADF). The assessment tests if the VSC results are greater than 27% or not less than 0.8 times the value of the existing situation. The VSC assessment showed any impact to the neighbouring properties with regards to daylight. When compared to the existing situation of the 48 points tested, 77% (37 points) have a proposed VSC value greater than 27% or not less than 0.8 times their former value compared to the existing situation. Ten of the eleven remaining points tested have a VSC value between 15 and 27%. Windows effected were some positioned in properties along Saltire Street on the western corners of the existing block which face the site. Where the VSC criteria are not met, the Edinburgh Design Guidance (EDG) stipulates that the internal daylight assessment should be conducted using the Average Daylight Factor (ADF) internal daylight assessment. This additional assessment was carried out for the neighbouring properties and all ten points tested satisfy the minimum recommendations noted within the Edinburgh Design Guidance. The results of the report note that all spaces exceeded the minimum recommendations for daylight.

In terms of daylighting to existing homes, the proposals are acceptable.

Daylight assessment for future homes

The proposal was considered in terms of daylighting for future homes using the No Skyline Assessment. The results show that the majority of apartments tested within the development will have good levels of daylight throughout the apartments. The No Skyline shows that the light will penetrate to good depths within each apartment and the internal daylight tests demonstrate that the majority of rooms tested achieve above the recommended daylight levels.

Privacy

Some windows in the proposed block to the north west of the site are positioned close to the site boundary; approximately 4.5 metres at the closest point. However, the adjacent land is designated as greenspace in the LDP and is heavily planted with a woodland belt. There would be no adverse impact on neighbouring property in terms of privacy in this location. Proposed block G to the north east would be approximately 6.5 metres to the application site boundary. This is currently undeveloped land with some tree coverage. The location of Block G is as per the previous consent for the site (17/02477/FUL) and is 6.4m from the site boundary. In addition, new residential development in the adjacent site to the north would, if following the block form structure contained within the Framework be at an acceptable distance in terms of privacy.

Distances between window openings of existing and the proposed new blocks are acceptable.

In terms of privacy, the proposals are acceptable.

Air quality and noise

An Air quality Impact Assessment (AQIA) was included in the application submission. The greatest increase in scheme road traffic is predicted on Waterfront Broadway to the north of West Granton Road. The AQIA concludes that the predicted change in NO₂, PM_{2.5} and PM₁₀ as a consequence of the proposed development is of negligible significance at all sensitive receptors considered in the study area. Environmental Protection consider that the provision of 12 EV charging points is not deemed adequate in terms of air quality, and they seek a car free development.

The site has good access to public transport, cycling and walking links, the level of car parking with 53 spaces for 211 residential units is not considered to create an adverse decrease in air quality in the local area. In addition, a good level of cycle parking is proposed.

The application is supported with information relating to air quality which meet the requirements of LDP policy Env 22 and NPF4 policy 23.

There is a concrete batching plant to the north of the site which has potential to create dust to future residents. The existing tree coverage to the north of the site provides some mitigation from this when in leaf, but less so in Winter. The site is suitable in principle for residential development, there are other residential developments in close proximity to the site, and the area is part of wider proposals to develop the Granton Waterfront area including more residential uses. In terms of potential dust, the proposal is acceptable.

The application includes a Noise Impact Assessment (NIA) in support of the proposals which recommends glazing and ventilation requirements to ensure that elevated traffic noise levels in the area are suitably mitigated and acceptable internal noise levels will be achieved. It considers potential noise from existing industrial/ commercial uses mainly to the north of the site including a bus tour operator, which uses the site directly north of the proposed development (adjacent to Forest Craft) to park their fleet.

The NIA advises that daytime industrial activities are predicted to potentially exceed BS 8233:2014 internal daytime criterion in the nearest proposed dwellings by a marginal 1 dB with windows partially open for ventilation. The report goes on to advise that an internal noise level of LAeq 36 dB to be a negligible exceedance and thereby provide an acceptable residential amenity. Environmental Protection raise concerns about potential noise from these activities. However, the site is acceptable for residential use in principle and is part of wider proposals to regenerate this area. It is recommended that a condition is applied to mitigate against any potential noise issues.

In terms of noise and air quality, the proposals are acceptable and potential noise can be dealt with by condition.

Contaminated land

The Land Risk Contamination Assessment accompanying the application has been reviewed by Environmental Protection. They state that the risk assessment will be required to inform an options appraisal for likely remediation where this would be necessary for the suitability/safety of the proposal.

They advise that a planning condition be added to require a satisfactory standard of completion of the land contamination risk assessment followed by a remediation strategy to address unacceptable risks. A condition is proposed to this effect.

Transport issues:

NPF4 Policy 13 aims to encourage sustainable travel and LDP Policies Tra 2 - Tra 4 sets out the requirements for private car and cycle parking. The Edinburgh Design Guidance (EDG) sets out the maximum number of car parking spaces for new development and sets out the cycle and motorbike parking requirements.

The proposed development includes twelve electric vehicle charging points. There will be links to existing active travel links including the cycle pedestrian route along Waterfront Avenue, and the 'Diagonal' to the south east. The proposal also includes a potential future pedestrian/ cycle link to connect to the proposed active travel route to the north of the site. There are bus stops in close vicinity to the site, and the future tram stop is proposed at Saltire Square.

Temporary car parking on land at Waterfront Avenue (application reference: 03/03665/REM) was approved as part of phase 1 of the overall development. The application for phase 3 (17/02477/FUL) set out that private parking provision for the entire development site (phases 1-4) has to be taken into consideration. A shortfall of parking was provided in Phase 1 and the demand for parking from this phase is currently provided in a temporary compound within this site for Phase 4. When phase 4 is to be developed this site will no longer be available to provide parking for Phase 1. Phase 3 was designed to provide a proportion of the replacement parking for Phase 1 and the remainder of the replacement parking will be provided in Phase 4. In summary, the proposal for 126 car parking spaces under the application for phase 3 (17/02477/FUL) provided 89 spaces for phase 3, and 37 spaces to be decanted from the temporary car park on the site of phase 4 to serve the shortfall in phase 1. A Transport Assessment has been submitted with the application. It finds that the impact of the development in relation to transport issues is acceptable. The proposal would not increase reliance on the private car; a limited number of private car parking spaces are proposed. The site makes provision for use of more active travel uses, including being close to bus routes in and out of the city centre, increased use of cycles, and the future tram route and stop will be close to the site on Waterfront Avenue.

In terms of proposed cycle parking, the amount of parking is acceptable. Of the 490 cycle spaces to be provided, 166 are Sheffield stands (34%), 224 are two-tier (44%) and 100 are non-standard (20%).

Transport raise no objections to the application subject to conditions and informatives.

The proposal complies with NPF4 Policy 13 and LDP policies Tra 2, Tra 3 and Tra 4.

Infrastructure

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) requires that development proposals contribute towards infrastructure provision where relevant and necessary to mitigate any negative additional impact of development. The finalised Developer Contributions and Infrastructure Delivery Supplementary Guidance August 2018 sets out the Council's approach for contributions.

NPF4 policy 18 (Infrastructure first) sets out that development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported.

The planning approval 17/02477/FUL, of which part of the site forms part of this current planning application required a total financial contribution of £406,257.00. However, it was argued based on viability grounds, that an overall total contribution of £76,496 at Q4 2017 values would be secured by s75 legal agreement resulting in an infrastructure funding gap of £329,761. Under the 2017 planning application approval, 33 of the 89 units have been completed; the current planning application would therefore result in a reduction in the number of units for the remainder/ undeveloped part of the 2017 site, from 56 to 40. The contributions required under this current application are set out below:

Affordable Housing:

LDP Policy Hou 6 (Affordable Housing) states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed. NPF4 Policy 16 supports development proposals for new homes where they make provision for affordable homes to meet an identified need. Proposals for market homes

will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes.

This development is the fourth phase of a development which has progressed over recent years. The total number of homes built in phases one to three is 265. The total affordable housing provided for phases one to three meets the 25% requirement overall.

The 211 homes to be delivered under this planning application would require an affordable housing element of 53. The proposed development meets this requirement, providing 53 homes with 70% social and 30% mid market rent. It therefore complies with LDP policy Hou 6. This can be secured by s75 legal agreement.

Education:

The site is within Sub area CB-1 of the 'Craigroyston/ Broughton Education contribution zone'. Communities and Families have advised that the education infrastructure actions identified in the 2018 Supplementary Guidance are not appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed. A 21-class primary school with a 192 nursery will be required to support the latest housing output assumptions for Granton Waterfront. Additional classes at the catchment denominational primary school and additional secondary school places at the catchment denominational and non-denominational secondary schools will also be required.

In November 2022, the Finance and Resources Committee (Sustainable Capital Budget Strategy 2022-33) accepted the recommendation that the Council can no longer underwrite capital projects for education infrastructure to support LDP learning estate projects. It is therefore necessary the Council secures the full contributions

required from housing developments to deliver new education infrastructure. The Finance and Resource Committee accepted an increase of 30% for construction project costs as a reasonable uplift on costs. The costs to deliver education infrastructure have been increased accordingly which has also increased the contributions sought from developers.

The levels of contribution for this contribution zone as outlined in the finalised Supplementary Guidance was £3,555 (infrastructure and land) per flat, based on an estimated number of 207 flats with more than one bedroom, and this would result in a total financial contribution of £735,885. The cumulative impact of this development has not been previously assessed and the finalised Supplementary Guidance states a cumulative assessment will be carried out having regard to school roll projections and an assumption about potential developments within the area at the time of the assessment and if appropriate revised actions will be applied. Should development arise as anticipated then any shortfall in providing for pupils would have to be addressed by the Council as contributions cannot be sought from development that has already occurred. If development does not arise in the way anticipated, Section 75 agreements make provision for this and in any case the developer can apply to have the planning obligation modified if a case arises.

It is recommended that developer contributions for educational infrastructure should be sought on the basis of the consultation response from Communities and Families which are as follows:

For Primary school infrastructure new 21-class primary school one PS Class (St David's RC PS) and two PS Classes (Holy Cross RC PS) require £7,588 per flat. Secondary infrastructure requires additional secondary school places (Broughton/ Craigroyston High Schools and St Augustine's/ St Thomas of Aquin's RC High Schools) require a contribution of £4,914 per flat. This results in a total of £12,502 per flat for primary and secondary school infrastructure. A land infrastructure requirement of £30 per flat is required for the new primary school site, resulting in a requirement of £6,210.

The total requirement for education contributions is £2,594,124.

Healthcare:

The site is within the Granton Waterfront Contribution Zone in the Finalised Supplementary Guidance. This identifies a cost of £945 per dwelling towards a new practice.

Transport:

LDP policy Tra 8 (Transport infrastructure) states that development proposals relating to major housing or other development sites, and which would generate a significant amount of traffic, shall demonstrate through an appropriate transport assessment and proposed mitigation, and how this relates to the provision of transport infrastructure. The approach to the delivery of the required transport infrastructure is set out in Policy Del 1 (Developer Contributions and Infrastructure Delivery), which states that further detail will be provided by Supplementary Guidance which will be prepared.

The principle of securing appropriate contributions towards the improvement of transport infrastructure is consistent with Local Development Plan policy where necessary and relevant.

LDP transport action TR-NWLOC-6 extends from the north boundary of the site. It has a total base capital cost of £91,875 and potentially links the site to the surrounding area. It is also within the Granton Waterfront Development Framework as a proposed secondary active travel route. Financial contributions should be sort for provision of this route (part A) of £22,050.

There is an optional payment towards the car club.

Subject to the above matters being secured through a s75 legal agreement the proposals are acceptable in relation to Policies Del 1 (Developer Contributions and Infrastructure Delivery) and Hou 6 (Affordable Housing).

Conclusion in relation to the Development Plan

Overall, the proposal complies with the Development Plan and is acceptable in principle. The proposal will preserve the setting and historic interest of nearby listed buildings. The proposals are acceptable in principle and are of an acceptable design. They do not result in an unacceptable impact to neighbouring amenity, are acceptable in relation to drainage and flooding, biodiversity, impact on trees, archaeology and do not raise concerns regarding transport matters. The proposals therefore comply with the overall objectives of the Development Plan.

The proposals will reflect the overall aims of the Granton Waterfront Development Framework.

c) 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 summary of the representations is provided below:

material considerations

Scheme 1:

Twenty seven objections, three general comments and one letter in support received.

Scheme 2:

Sixteen objections received and two general comments.

Scheme 3:

Fourteen objections received.

Material considerations

Objection comments:

- Inadequate information submitted. Contrary to circular 3/2013. Cross sections are needed which show the development in relation to neighbouring buildings/ land. Existing site levels and proposed floor levels needed. These have been provided;
- Greater mix of housing needed;
- Density too high and over development;
- Does not comply with Granton Framework;
- Buildings proposed too close to existing;
- Height of blocks will impact on skyline; should be no more than 4 stories;
- Adverse impact on wildlife and nature, biodiversity including deer;
- Loss of Privacy; balconies should be removed;
- Loss of Sunlight;
- Loss of Daylight;
- Insufficient waste storage in the area;
- Roads are dangerous/ heavy traffic/congestion. Car parked along pavement etc;
- Concern about emergency vehicle access, turning etc;
- Need a cafe or small shop;
- Damage to/ lack of infrastructure and community. Will there be more parks? Green spaces? Schools?;
- Too many apartments. Development needs more mixed housing with less storeys/ height. More townhouses etc;
- Insufficient parking; the site currently has about 100 car parking spaces; this loss will worsen parking in the area;
- More parking with electric charging. Underground parking should be incorporated;
- Plans have changed from public consultation significantly;
- Loss of trees; insufficient tree planting;
- Proposed pathways should be rationalised;
- Does not fit in with character;
- Light pollution;
- More cycle parking needed;
- Bin store directly opposite our property. Smell, visual etc;

- Traffic noise increase;
- Limited access to public transport;
- No lifts in social housing blocks;
- Loss of green space;
- New play area is needed in the area;
- Security concerns/ crime. Fence removed;
- Developer should pay financial contribution to existing residents in area;
- Existing playpark needs updating;
- More Car club spaces needed;
- Not enough services for 20 minute neighbourhood;
- Lack of GP surgeries; and
- NPF4 - insufficient details on solar panels, heat and electricity.

Support comments:

Comments are made in relation to more information being needed on cycle parking, solar panels, heating proposals etc. Cyclists should be given priority.

General comments:

- Blocks sunlight;
- Cycle stores on perimeter open to theft;
- Existing landscaping and trees along Upper Strand Walk should be kept;
- More information needed on cycle parking, solar panels, heating etc.;
- Junction at Waterfront Avenue crosses cycle route. This should be cycle/ pedestrian priority. Raised table etc and signage should be installed;
- Loss of existing car park. Increase in parking need/ insufficient parking;
- Access to cycle store should be achieved without having to dismount bike.
- Standard of recent built housing in area is poor.

non-material considerations

- Noise from construction work and dust. Adverse impact on health;
- Views blocked;
- Problems with vermin and
- Devaluation of property.

These points have been assessed in section b) of this report.

Airport safety

Edinburgh Airport Safeguarding requires a condition for submission of and implementation of a Bird Safety management Plan on roof details and PV installation to protect the safety interests of operations at Edinburgh Airport.

Conclusion in relation to identified material considerations

There are no equalities or human rights issues and the material considerations do not raise any matters which would result in recommending the application for refusal. Therefore, the application should be granted.

Overall conclusion

Overall, the development is in accordance with the development plan. The proposals will deliver a sustainable and well-designed residential scheme that will contribute to climate mitigation and adaptation and the restoration and enhancement of biodiversity. The design draws on the character of the surrounding area to create a strong sense of place and is consistent with the six qualities of successful places as set out in NPF4. There will be no adverse impact on the amenity of existing and future residents. Flood and drainage proposals are acceptable. Transport generation, car and cycle parking proposals are acceptable. Infrastructure requirements can be dealt with via a suitable legal agreement.

Subject to recommended conditions and informatives, the proposal is acceptable and complies with National Planning Framework 4 and the aims of the 2016 Edinburgh Local Development Plan, as well as the Council's non-statutory Edinburgh Design Guidance. The proposals meet the general aims of The Granton Waterfront Development Framework. There are no material considerations that outweigh this conclusion.

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Other material considerations support the presumption to grant planning permission.

The Council has an interest in the land to which this planning application relates; the proposal is not a significant departure from the Development Plan and referral to Scottish Ministers is therefore not required.

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. 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.
3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
 4. 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 before work is commenced on site; Note: samples of the materials may be required. Proposed window and door material should be timber or other sustainable material as agreed with the Planning Authority.
 5. Prior to commencement of works, a tree protection plan shall be provided and agreed in writing by the Planning Authority. Trees to be retained 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. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:
 - management of any flat/shallow pitched/green roofs on buildings or solar panel structures within the development site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 3 'Wildlife Hazards.' The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.
 7. A fully detailed landscape plan, including details of tree planting to west of the site, all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. Details of number, type and position of bird and bat boxes shall be included.
 8. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
 9. A Landscape and Habitat Management Plan, including details of a maintenance plan for the proposed blue/ green infrastructure shall be submitted for the approval of the Head of Planning prior to occupation of the first building. The details of the maintenance plan shall include the funding arrangements for long-term delivery and upkeep of green/blue infrastructure, and the party or parties responsible for these.

10. No development shall take place until a scheme for protecting the residential development hereby approved from noise from traffic has been submitted to and approved in writing by the Planning Authority.
11. Prior to commencement of development full details of the proposed cycle/ pedestrian link to the north of the site to provide a connection to Edinburgh LDP action TR-SA-NWLOC-6, shall be submitted to and approved by the Head of Planning. The approved details shall be implemented prior to occupation of the buildings and retained at all times unless agreed in writing by the Head of Planning.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. In order to retain and/or protect important elements of the existing character and amenity of the site.
4. In order to enable the planning authority to consider this/these matter/s in detail.
5. To safeguard the health and condition of trees
6. It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.
7. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
8. In order to ensure that the approved landscaping works are properly established on site.
9. To enable the Head of planning to consider these matters and detail and ensure their long term maintenance.
10. In order to protect the amenity of the occupiers of the development.
11. To ensure the link to the active travel route is implemented as approved.

Informatives

It should be noted that:

1. Planning permission shall not be issued until a suitable legal agreement has been concluded to secure the following:

Affordable Housing: 25% of the residential units to be of an agreed affordable tenure. The affordable housing within this development is intended to be delivered as 70% social and 30% mid market rent. If there is a change to the intended tenure prior to the formation of the legal agreement the housing shall be delivered in accordance with the Council's affordable housing policy and guidance.

Transport: The sum of £22,050 towards the provision of Edinburgh Local Plan Action Programme TR-SA-NWLOC-6 Path A.

Education: The sum of £2,587,914 (index linked based on an increase in the BCIS Forecast All-in Tender Price Index from Q4 2022 to the date of payment); and £6,210 for land (not indexed) (£ per unit - flats with two or more bedrooms only) towards education infrastructure for Sub-Area CB-1 of the Craigroyston/Broughton Education Contribution Zone.

Healthcare: The site is within the Granton Waterfront Contribution Zone in the Finalised Supplementary Guidance. This identifies a cost of £945 per dwelling towards a new practice.

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. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4.
 1. The applicant should consider the provision of 2 car club vehicles in the area. Contributions would be required;
 2. 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 roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. For the avoidance of doubt, the layout and adoptable areas shown on the submitted adoption plan are not agreed at this stage as a number of design matters require amendment (see Note below);
 3. The applicant should note that doors must not open outwards on to footways or carriageways;
 4. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;
 5. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;
 6. The applicant should consider developing a Travel Plan including provision of public transport travel passes, a Welcome Pack, a high-quality map of the

neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

7. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

8. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property.

5. The applicant is advised to undertake discussions with the landowner of the woodland belt directly to the west of the site with the aim of carrying out potential tree work and planting.

Background Reading/External References

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

Further Information - Local Development Plan

Date Registered: 4 January 2023

Drawing Numbers/Scheme

1,2,3D,4B,5E,6B,7D,8-9C,10C,11E,12C,13D-15D,16C,17B-18B,19A,20C,21A,22A,25C,27B-30B,31A-33A,34B,37B-38B,39-42,44B,45-51

Scheme 3

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Karen Robertson, Senior planning officer
E-mail: karen.robertson@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: Environmental Protection

COMMENT: Environmental Protection does not support the application. There is the potential for air quality impacts linked to the development and noise and dust both have the potential to impact upon the development.

Should Planning choose to support the application then it is recommended that conditions be applied to address contaminated land, inclusion of traffic noise mitigation measures and electric vehicle charging points.

DATE: 11 July 2023

NAME: Flood Planning

COMMENT: No objection; the proposal can proceed to determination.

DATE: 13 September 2023

NAME: Communities and Families

COMMENT: No objection subject to a legal agreement to secure costs for educational infrastructure.

DATE: 15 November 2023

NAME: CEC Economic development

COMMENT: It is estimated that the proposed development would support a net increase of approximately 32 FTE jobs and £0.815 million of GVA per annum (2020 prices).

DATE: 14 March 2023

NAME: City Archaeology

COMMENT: It is recommended therefore that a suitable programme of archaeological works is undertaken prior to development to record and fully excavate any significant archaeological deposits that may survive.

DATE: 13 March 2023

NAME: Historic Environment Scotland

COMMENT: No objections are raised. We recommend further information is provided on the likely impacts of development within the grounds of Caroline Park to enable a full assessment.

DATE:

NAME: Transport Planning

COMMENT: No objections subject to conditions and informatives.

DATE: 20 November 2023

NAME: CEC Flood Prevention

COMMENT: The proposals are acceptable and can proceed to determination.

DATE: 13 September 2023

NAME: Police Scotland

COMMENT: We welcome discussions in relation to secured by design.

DATE: 28 March 2023

NAME: Health and Safety Executive
COMMENT: No objections
DATE: 8 September 2023

NAME: CEC Waste Services
COMMENT: A waste strategy has been agreed at this stage.
DATE: 11 October 2023

NAME: SEPA
COMMENT: No objection on flood risk grounds.
DATE: 21 September 2023

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

Location Plan



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