

Development Management Sub-Committee Report

Wednesday 23 October 2024

**Application for Planning Permission
164A Woodhall Road, Edinburgh, EH13 0PJ**

Proposal: Erection of a building for residential accommodation and ancillary uses linked to an existing rural business including demolition of domestic open-sided outbuilding, landscaping, boundary treatment and parking.

**Item – Committee Decision
Application Number – 24/03325/FUL
Ward – B08 - Colinton/Fairmilehead**

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee because 33 material support comments have been received and it is recommended for refusal. 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 **Refused** subject to the details below.

Summary

The proposals do not comply with the National Planning Framework 4 (NPF 4) and Edinburgh Local Development Plan (LDP) as a whole.

The residential and ancillary use are contrary to Green Belt policy criteria and would fail to deliver sustainable urban growth. The site has a limited level and quality of interconnectivity to local services being located out with an accessible, well connected urban environment. Reliance on private car use is anticipated and residential use here would not support local living. The uses do not require the land resource of the Green Belt and are not essential in this location.

It would not detract from the landscape quality or rural character of the area, re-uses brownfield land and is appropriately designed. However, these benefits do not outweigh the overall conflict with NPF4 or the LDP.

Overall, the material considerations support the presumption against granting planning permission.

SECTION A – Application Background

Site Description

The site relates to a detached barn and surrounding land located to the south of Juniper Green and the Water of Leith. It is mainly brownfield including some hardstanding, also a tree some shrubbery and grassed area to the north.

It is located beside a small group of buildings. A cattery and stables (east), garages (south) with dwellings and farmhouse buildings beyond and a flatted building (west). A dense tree belt bordering the Water of Leith is located to the north.

Some historic buildings are located nearby with Woodhall House a category B listed buildings (LB ref: 28130, dated 19/12/1979) to the far east and its C listed lodge (LB ref: 28132, date added 19/12/1979) to the south-west.

The site is located in the Green Belt as identified in the LDP. The Juniper Green Conservation Area and Water of Leith Special Landscape Area is located to its north.

Description of the Proposal

Demolish the existing barn and construct a new, two-storey building for residential accommodation and ancillary use for a cattery. One tree (common lime) is proposed for removal.

The dwelling will of a modern design with large, glazed openings, a rectangular form, and a green flat roof. Materials will include rubble stone walls at ground floor and timber cladding on its first floor. Balcony spaces will be formed to the north and south at first floor. The latter will face onto a landscaped garden bordered by stone walls and planting.

Part of the ground floor will be used for a cattery including storage, office, training, accommodation, utility, and bathroom. The internal floorspace will be 226 m². The building is detailed as being built to Passivhaus standards.

Three car parking spaces are detailed to the buildings north accessed via the shared driveway from Woodhall Road.

An off-site planting plan has also been submitted for tree planting out with the application site boundary.

Supporting Information

- Bat Roost Survey
- Cover Letter
- Design and Access Statement
- Planning Statement
- Site Photographs
- Tree survey

Relevant Site History

23/03855/FUL
Land 30 Metres West Of 164A
Woodhall Road
Colinton
Edinburgh

Form new dwelling house on site of existing barn.
withdrawn
28 November 2023

20/01453/FUL
164A Woodhall Road
Edinburgh
EH13 0PJ
Change of Use for field from Residential / Commercial to Leisure; minor alterations including new external slapping.
Granted
3 June 2020

Other Relevant Site History

164 Woodhall Road:

1st April 2016 - Planning permission in principle reference 15/03977/PPP refused by Scottish Ministers (appeal reference PPA-230-2165) for new build residential apartments / houses. The reporter concluded that the proposed development would be contrary to the development plan and would not represent a development that contributes to sustainable development.

24th August 2015 - Planning permission in principle reference 15/02841/PPP withdrawn for new build residential apartments / houses and change of use from commercial to residential.

Pre-Application process

There is no pre-application process history.

Consultation Engagement

Archaeology

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

Publicity and Public Engagement

Date of Neighbour Notification: 15 July 2024

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable

Site Notices Date(s): Not Applicable

Number of Contributors: 33

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 or its setting?

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

- Managing Change in the Historic Environment: Setting

Woodhall House

The new dwelling would be discreetly located, setback from the principal elevation of this listed buildings in the vicinity. As a result of this location, its proportionally small two storey scale, footprint, and large separation distance of over 50 m it would not be read in the immediate context of this historic asset. In this respect, it will not harm the setting of this listed building.

Woodhall House Lodge

Similarly, the proportionally modest scale of the dwelling in tandem with the space retained to this lodge would prevent any impact on its setting.

Conclusion in relation to the listed building

Overall, the proposal is acceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) 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 Place Policies 1, 2, 3, 4, 7, 8, 9,
- NPF4 Liveable Place Policies 14, 15, 16, 17, 19, 22, 26
- LDP Developer contributions policy Del 1
- LDP Design policies Des 1, Des 3, Des 4, Des 5,
- LDP Environment policy Env 10, Env 12, Env 21, Env 22
- LDP Housing policy Hou 1, Hou 3, Hou 4,
- LDP Transport policy Tra 2, Tra 3,

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering NPF 4 Policy 7.

Listed Building

NPF 4 policy 7 c) (Historic assets and places) states development proposals affecting the setting of a listed building should preserve its character, special architectural or historic interest.

As outlined in section a), the proposal will not adversely affect the setting of any listed building therefore complies with NPF 4 policy 7 c).

Conservation Area

NPF 4 policy 7 d) (Historic assets and places) states development proposals should preserve or enhance the setting of the conservation area.

The wooded landscape is a positive part of the conservation areas' immediate setting as a green buffer around the Water of Leith.

The new dwelling would be spatially detached from this conservation area edge. Given this location, in tandem with the dwellings' small scale and footprint it would not materially impact on any wider views of this historic environment. Additionally, the tree loss would not materially impact on its wooded characteristics given the density of trees along the Water of Leith.

Overall, the proposal is not contrary to NPF 4 policy 7 d).

Principle

LDP policy Hou 1 (Housing Development) part 1 states priority will be given to the delivery of houses on allocated sites, designated areas for mix of uses or regeneration or other suitable sites in the urban area. Part 2 states green belt proposals maybe granted planning permission where there is an identified deficit in the housing land supply subject to certain criteria.

The site is not allocated or designated for any purpose set out in part 1 of this policy whilst there is no identified deficit in housing land supply. In regard to part 2, there is no deficit in the maintenance of the identified five-year housing land supply.

The development is therefore contrary to LDP policy Hou 1.

Green Belt

NPF4 policy 8 (Green Belts) part i) states in summary that development proposals within a designated green belt will only be supported where associated with this land resource (agricultural, forestry or woodland), a worker in primary industry, intensify an established use (e.g. extensions) or replace an existing home.

Part ii) outlines further requirements including why a Green Belt location is essential, how its purpose is not undermined, its compatibility (in terms of countryside, landscape character and design) and that there will be no significant long-term impacts on environmental quality.

LDP policy Env 10 also outline criteria where development may be permitted. To comply, development proposals must meet one of four criteria (a to d) and not detract from the areas' landscape quality or rural character.

Criteria a) relates to development where a countryside location is essential. Criteria b) relates to the change of use of an existing building, c) to development relating to an existing use or building(s) (extensions, ancillary development, or intensification) and d) to replacing a building where the use is unchanged.

The non-statutory Guidance for Development in the Countryside and Green Belt; also set out the circumstance where new houses may be justified. Exceptional planning reasons include reuse of brownfield land and gap sites within existing clusters of dwellings. It also states in regard to appropriate uses that a cattery may also be acceptable.

The development does not meet any purpose set out in criteria i) of NPF 4 policy 8 or LDP policy Env 10. The new residential dwelling does not intensify an established use or replace an existing home. The area used for a cattery is detailed as supporting an existing business through provision of manager and ancillary cattery accommodation on-site. However, these uses are not for agricultural, forestry or woodland purpose or required for a worker in a primary industry.

The existing cattery has also been longstanding, operational and detailed as successful. It has not been evidenced that the development in this green belt location is essential.

The floorspace detailed for cattery use would also be ancillary to the main residential use of the building. In this respect, there would be limited control under planning to ensure it is used for this ancillary purpose. Furthermore, as planning permission generally controls the land use and not future occupancy limited weight can be given to the intended occupancy of the building for the owner or manager.

The dwelling would occupy a discreet location partly screened by nearby buildings where its scale and footprint would appear proportionate to this context. Whilst of a modern design, its materials take some cues from more traditional farmhouse buildings nearby. Stone rubble walls, timber detailing and green roofs would help integrate the building with its rural landscape. In this respect, it would not detract from the landscape quality or rural character of the green belt.

An outcome of NPF 4 policy 8 is to direct development to the right locations where urban density is increased and unsustainable growth is prevented. Whilst the site has proximity to a walkway and cycleway providing access into Juniper Green this route is not continuously lit, varies in its gradient and quality. In this respect, it is likely car use will be the main mode of transport from the site. More broadly, the site is not located in an area where urban density should be increased, being located out with the LDPs' urban area near a small number of dwellings only. It is acknowledged the proposal is for one new dwelling only; however, the proposal is still contrary to the outcome of NPF 4 green belt policy 8 as new residential use here would result in a small-scale unsustainable growth. The proposal therefore has the potential to undermine the purpose of the green belt as it fails to deliver a compact, sustainable urban growth. It is therefore also contrary to criteria ii) of NPF 4 policy 8.

In regard to the non-statutory guidance, it is acknowledged the proposal would re-use brownfield land near other dwellings. However, the site is not a clearly defined gap site with wooded landscape to its north. Additionally, whilst cattery use may be acceptable in the green belt this forms a small, ancillary part to the residential use of the building. The degree of conformity with this part of guidance does not outweigh the conflict with principle Green Belt policies NPF 4 policy 8 and LDP policy Env 10.

Sustainable Homes

NPF 4 policy 9 (Brownfield, vacant and derelict land, and empty buildings) intent refers to encouraging reuse of brownfield, vacant or derelict land and empty buildings.

NPF 4 policy 15 (Local Living and 20-minute neighbourhoods) states development proposals will contribute to local living including where relevant, 20-minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to a range of services.

The policy intent is to encourage, promote and facilitate the 'place principle'. Create connected and compact neighbourhoods where daily needs are in reasonable distance through use of sustainable transport.

NPF 4 policy 16 (Quality Homes) part f) refers to proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances including where consistent with plan spatial strategy, local living and 20-minute neighbourhoods.

The proposal would deliver one new dwelling of a high-quality design on brownfield land. The proposals therefore partly accord with policy 9.

Furthermore, it is acknowledged that the National Cycle Route 75 is immediately north of the site and there is a walkway here providing access to Juniper Green. Via this route it would be an approximate 10-minute walk or 5-minute cycle to nearest local centre and public transport links.

However, as detailed above NPF 4 policy 15 refers to consideration being given to the existing settlement pattern and level and quality of interconnectivity of the proposed development with the surrounding area.

The route varies in quality through changes in gradient, lighting and surface. Therefore, its suitability to meet residents' daily needs by sustainable transport modes would still be limited and a general reliance on car use likely.

This level of accessibility is consistent with the site's location out with the defined urban area and residential use is nearby. The site being beside some existing homes which the proposal would add to. There would be a small associated economic benefit from new occupier's use of shops and services.

However, this area is out with a defined urban environment. There is no immediate local access to a range of amenities therefore new homes here do not support the policy considerations of local living. Furthermore, there is no identified local housing need.

The proposal therefore fails to contribute towards creating a connected neighbourhood, achieving compact growth, or encouraging sustainable rural homes in the 'right location'. It is inconsistent with the plan spatial strategy as new homes in this location are not supported in the LDP.

Overall, the proposal is therefore contrary to NPF 4 policy 15 and 16.

Ancillary Use

NPF 4 policy 26 b) (Business and industry) states development proposals for live-work units will be supported where the scale and nature of the business and building will be compatible with the surrounding area and there will be no unacceptable impacts on amenity of neighbouring uses.

The ancillary cattery floorspace is a small part of the residential dwelling which is intended to support an existing business for the same use. In this respect, the scale and nature of the business is compatible with the area. Amenity considerations are assessed elsewhere within the report.

Overall, the proposal complies with NPF 4 policy 26 b).

Climate Change Adaptation and Mitigation

NPF 4 policy 1 (Tackling the climate and nature crises) states when considering all development significant weight will be given to the global climate and nature crises.

NPF 4 policy 2 (Climate mitigation and adaptation) intent refers to development minimising emissions and adapting to current and future impact of climate change.

Ecology

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

NPF 4 policy 4 (Natural Places) intent refers to protecting, restoring, and enhancing natural assets making best use of nature-based solutions.

Part d) states development proposals that affect a local nature conservation site will only be supported where its quality or integrity is not significantly adversely affected, or these effects are outweighed.

Part f) states development proposals likely to have an adverse effect on protected species will only be supported where the proposal meet relevant statutory tests.

The submitted bat surveys did not identify bats in the outbuilding or tree proposed for removal. In this regard, bats are not a constraint to development. Precautionary measures identified regarding ecological supervision prior to any felling works would have been included as an informative to highlight these matters to the applicant. Mitigation for the tree loss in terms of biodiversity would have been provided from the dwellings' green roof, grassed areas and planting.

Additionally, sufficient separation distance will be retained from the new dwelling to the Local Nature Conservation Site to its north to avoid any adverse impacts on this designation.

Overall, the proposal provides appropriate measures to protect, restore and enhance biodiversity and does not conflict with NPF 4 policy 3 or 4.

As the off-site planting of trees along the Water of Leith is out with the site boundary and would be difficult to practically ensure compliance limited weight has been given to the potential ecological benefit this would bring within the scope of this planning application.

Trees

LDP policy Env 12 (Trees) states development will not be permitted with damaging impacts on trees worthy of retention unless necessary for good arboricultural reasons.

The proposal would involve removal of one lime tree (category C) and is likely to conflict with another specimen of the same species. Whilst trees in this category are described as being of low quality, this specimen appears to be in fair condition and is large on site (19 metres). In this regard it is of amenity value contributing to the areas landscape character. Its removal is not for good arboricultural reasons therefore would be contrary to LDP policy Env 12.

However, as the tree is not protected and is not prominent from public views its loss is not deemed to justify a reason for refusal. New trees are also proposed within the garden which could provide mitigation for its loss.

The off-site planting plan would be out with the application site boundary therefore would be difficult to practically enforce, monitor or require given the small scale of this development. Limited weight has therefore been attached to any potential merit this planting would bring.

Sustainability

NPF 4 policy 19 (Heating and Cooling) states development proposals for buildings that will be occupied will be supported where they are designed to promote sustainable temperature management for example by prioritising passive solutions.

The planning statement details the new dwelling will be built to Passivhaus standards. The design includes measures to maximise natural solar gain with large, glazed openings that are south facing.

The proposal therefore complies with NPF 4 policy 19. There are also separate sustainability standards that would be required through the building warrant process.

Special Landscape Area

NPF4 policy 4 d) states development proposals that affect a designated landscape area will only be supported where its qualities or integrities or not significantly adversely affected or the adverse effects are outweighed.

The site is located beside the Water of Leith - West Special Landscape Area (SLA).

An important part of the SLAs' quality and integrity is its dense, continuous belt of trees that borders the Water of Leith. The site is separated from this SLA and would not impact on its wooded character. Whilst tree removal is proposed, these specimens are out with this designation and their loss would not have an overall adverse effect on this adjacent SLA.

Overall, the proposal complies with NPF 4 policy 4 d).

Design, Quality and Place

NPF4 policy 14 supports development proposals that are designed to improve the quality of an area and are consistent with the six qualities of successful places. These qualities include a place being healthy, pleasant, connected, distinctive, sustainable, and adaptable.

LDP policy Des 1 (Design Quality and Context) refers to development creating or contributing to a sense of place based on positive characteristics of the surrounding area.

LDP policy Des 3 (Development Design) refers to development incorporating existing characteristics and features worthy of retention on site and surrounding area.

LDP policy Des 4 (Development Design - Impact on Setting) sets out criteria for development to have a positive impact on the character of the wider townscape and landscape.

The new dwelling would take cues from the local architecture through use of traditional stone walls and a long, narrow footprint similar to buildings nearby. Extensive use of modern timber clad walls and a green roof would appear distinctive yet in keeping with the sites rural, wooded context. As one tree of amenity value would be removed the proposal would not entirely retain features worthy of retention on-site. However, as a whole, the design concept is appropriate to its context therefore complies with LDP policy Des 1, 3 and 4.

In regard to the place qualities of policy 14, to a small extent the addition of one new dwelling with outlook from glazed openings would help the general safety of the area from some additional surveillance. This would help create a healthy place. In regard to adaptability, other uses for the buildings have not specifically been outlined however only the current proposal can be assessed under this planning application. The design incorporates sustainable elements as detailed in the climate change section. However, given the sites detached location out with an urban environment largely dependent on car use the proposal would not support delivery of a sustainable or connected place.

Overall, the proposal therefore does not fully comply with NPF 4 policy 14.

Amenity

LDP policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate that future occupiers will have acceptable levels of amenity.

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

The EDG states for two bedrooms dwellings should have a minimum floor space of 66 m².

Future Occupiers

The dwelling would have a good internal floor space in excess of the minimum space standards.

Adequate levels of outlook and light would be achieved internally from the size, orientation of windows and space retained to other buildings. Openings would mainly face onto the private garden, street and cattery therefore ensuring an appropriate degree of privacy for future occupiers.

The south-facing garden space of over 100 m² would provide good quality external amenity space.

Overall, an acceptable living environment would be achieved for future occupiers. The proposal complies with LDP policy Des 5 and Hou 3.

Neighbouring Occupiers

LDP policy Des 5 also requires development proposals to not have an adverse effect on the amenity of neighbouring developments in relation to noise, daylight, sunlight, privacy, or immediate outlook.

The space retained from the new dwelling to neighbouring properties in tandem with its proportionate scale would prevent any material impact on shade to garden spaces or daylight to windows.

Similarly, the orientation of new windows will avoid direct outlook onto neighbours' gardens or windows.

In regard to noise, residential use exists near the site therefore it is not anticipated one additional dwelling would give rise to any significant noise concerns. Similarly, the ancillary cattery space is small, and its nature is unlikely to raise concern.

Overall, the proposal complies with LDP policy Des 5.

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 3 of the Edinburgh Design Guidance Parking Standards where residential properties should have a maximum car parking provision of 1 space per dwelling. There are no specific standards for a cattery use.

Three car parking spaces are shown beside the new dwelling which exceeds the maximum car parking standards contrary to LDP policy Tra 2.

However, this arrangement is reasonably characteristic of the immediate area and there are currently large areas of hardstanding on-site as existing. This infringement of policy and guidance is not considered to justify a reason for refusal.

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 3 cycle spaces for dwellings with 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 parking has been specifically detailed on the plans. Should the proposal have been acceptable overall a condition would have been included for these details in accordance with LDP policy Tra 3.

Other Matters

Developer Contributions

LDP policy Del 1 (Developer Contributions and Infrastructure Delivery) states proposals will be required to contribute to infrastructure provision where relevant and necessary to mitigate any negative additional impact and where commensurate to the scale of the proposed development.

As outlined in the latest 'Developer Contributions and Infrastructure Delivery' guidance, the site is located within the Pentlands Contribution Zone where a new dwelling is expected to contribute £702 towards health care. The scale of development does not generate any education contribution.

This health care provision would have been sought via a suitable legal agreement in line with LDP policy Del 1 should the proposal have been acceptable overall.

Archaeology

NPF4 Policy 7 o) states that non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible.

The site is an area of historic and archaeological significance therefore the City Archaeologist recommends submission of a programme of archaeological work (excavation, analysis & reporting) in accordance with a written scheme of investigation.

Should the proposal have been acceptable overall, a condition requiring this would have been imposed to safeguard archaeological features on site in line with NPF 4 policy 7 o).

Contaminated Land

NPF 4 policy 9 (Brownfield, vacant / derelict land, and empty buildings) part c) states where land is known or suspected to be unstable or contaminated proposals will demonstrate the land can be made safe and suitable for the proposed new use.

LDP policy Env 22 (Pollution and Air, Water and Soil Quality) states, amongst other criteria, that permission will be granted where there will be no significant adverse effect on soil quality, ground stability and appropriate mitigation can be provided.

There is the potential that the site may have contaminated the ground through previous agricultural use.

Should the proposal have been acceptable overall, a condition would therefore have been recommended for submission of a site survey prior to commencement of works. This is in order to ensure the ground is safe and stable for residential use in accordance with NPF 4 policy 9 c) and LDP policy Env 22.

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.

As identified on SEPA online flood risk maps, the site has no specific flood risk.

Should the proposal have been acceptable overall, a condition would have been recommended for submission of a surface water management plan to ensure surface water could be managed appropriately on-site in line with NPF 4 policy 22 and LDP policy Env 21.

Scottish Water

The applicant would require separate consent from Scottish Water out with this planning application. Should the proposal have been acceptable overall an informative would have been applied in respect to this.

Waste Services

The applicant would require separate agreement with Waste Planning. Should the proposal have been acceptable overall an informative would have been applied in respect to this.

Conclusion in relation to the Development Plan

The proposals do not comply with the National Planning Framework 4 and Edinburgh Local Development Plan as a whole.

The residential development is contrary to Green Belt policy principles as it will fail to deliver sustainable and compact urban growth. It would be located out with an accessible, well connected urban environment. It is anticipated there would be a reliance on private car usage. The site is not located in a sustainable location and residential use here would not support local living.

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

The following material planning considerations have been identified:

Emerging policy context

On 5 April 2024, the Planning and Environmental Appeals Division published its report into the examination of the Proposed City Plan 2030 and supporting documents in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. On 27 June 2024, the Council accepted the recommendations and modifications required to the Proposed City Plan 2030.

On 10 September 2024 Scottish Ministers issued a Direction under section 20(5) of the Town and Country Planning Scotland Act 1997 that City of Edinburgh Council consider modifying the proposed City of Edinburgh Local Development Plan 2, City Plan 2030 as detailed within the annex to the direction. The required modifications are being reviewed and will be considered at a further meeting of the Planning Committee and then further Full Council.

At this time in the context of the consideration of this particular application limited weight can be given to the relevant policies of City Plan 2030 until the adoption of the plan.

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

- Biodiversity benefit: Addressed in section b) Climate Change Mitigation and Adaptation
- Reuse of a brownfield site / materials: Addressed in section b) Sustainable, rural homes.
- Sustainable development (energy efficient, passive haus): Addressed through section b) Climate Change Mitigation and Adaptation & Sustainable Homes
- Contributes to local living: Addressed in section b) Sustainable Homes
- High quality modern design: Addressed in section b) Design.
- Positive impact on water of Leith setting: Assessed through section b) Green Belt and Conservation Area
- Complies with policy: Addressed through the above report.

non-material considerations

-Local community benefits: This matter cannot quantifiably be assessed within the scope of this planning application.

Conclusion in relation to identified material considerations.

Overall, the material considerations support refusal of the planning application.

Overall conclusion

The proposals do not comply with the National Planning Framework 4 (NPF 4) and Edinburgh Local Development Plan (LDP) as a whole.

The residential and ancillary use are contrary to Green Belt policy criteria and would fail to deliver sustainable urban growth. The site has a limited level and quality of interconnectivity to local services being located out with an accessible, well connected urban environment. Reliance on private car use is anticipated and residential use here would not support local living. The uses do not require the land resource of the Green Belt and are not essential in this location.

It would not detract from the landscape quality or rural character of the area, re-uses brownfield land and is appropriately designed. However, these benefits do not outweigh the overall conflict with NPF4 or the LDP.

Overall, the material considerations support the presumption against granting planning permission.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

Reasons

Reason for Refusal: -

1. The proposed development is contrary to NPF 4 policy 8 (Green belt) as the residential and ancillary use do not meet the relevant criteria in this green belt location and will fail to deliver sustainable urban growth.
2. The proposed development is contrary to LDP policy Env 10 (Green belt & Countryside) as it does not meet criteria a) to d) for residential development in this green belt location.
3. The development is contrary to NPF 4 policy 15 (Local Living and 20-minute neighbourhoods) as it does not contribute towards local living as the residential use would not have good quality local access to range of sustainable modes of transport, local facilities, or services.

4. The proposed development is contrary to NPF 4 policy 16 (Quality Homes) part f) as the residential use would be located on land not allocated for housing in the LDP; inconsistent with the plan spatial strategy, local living and 20-minute neighbourhood principles.

Background Reading/External References

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

Further Information - Local Development Plan

Date Registered: 12 July 2024

Drawing Numbers/Scheme

01-02, 04-11, 18

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lewis McWilliam, Planning Officer
E-mail: lewis.mcwilliam@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: Archaeology

COMMENT: No objection subject to a programme of works required by condition.

DATE: 24 July 2024

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

Location Plan



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