

# Development Management Sub Committee

Wednesday 20 November 2019

**Application for Planning Permission 19/01963/FUL  
At Land 30 Metres West Of 60, Glenbrook Road, Balerno.  
Change of Use from derelict farm steading to erection of 6x  
glamping pods and associated works inc. concrete bases,  
footpaths, refurbished barn and landscaping (as amended).**

**Item number**

**Report number**

**Wards**

B02 - Pentland Hills

## Summary

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The proposal complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it preserves the setting of the adjacent listed building.

The proposal is an acceptable green belt use in principle. However, the design, form and layout of the proposed glamping pods would result in the introduction of incongruous features into a predominantly rural location and would have an adverse impact on the rural character of the surrounding area and the special character of the Pentlands Special Landscape Area. In addition, the proposal would result in the introduction of a use which is likely to have a materially detrimental effect on the living conditions of nearby residents. The proposal is contrary to policies Env 10, Env 11 and Hou 7 of the adopted Edinburgh Local Development Plan (LDP) and the Council's Guidance for Development in the Green Belt and Countryside.

## Links

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[Policies and guidance for this application](#)

LDPP, LDES03, LEN03, LEN09, LEN10, LEN11, LEN21, LHOU07, LTRA02, LTRA03, LRS06, NSG, NSGCGB,

# Report

## **Application for Planning Permission 19/01963/FUL At Land 30 Metres West Of 60, Glenbrook Road, Balerno. Change of Use from derelict farm steading to erection of 6x glamping pods and associated works inc. concrete bases, footpaths, refurbished barn and landscaping (as amended).**

### **Recommendations**

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1.1 It is recommended that this application be Refused for the reasons below.

### **Background**

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#### **2.1 Site description**

The site is a farm site consisting of an area of grassland and a barn, covering an area of 0.26 hectares, and located on the northern side of Glenbrook Road. The site is bordered by open fields to its north and west, and by converted former farm buildings which are now in use as residential properties to its east. The surrounding area is predominantly rural consisting of open farmland. Bankhead House is situated directly to the south east of the site and is a category B listed building (listing reference: LB26829, listing date: 26/10/1994).

The site is designated as being within the Green Belt and Pentland Hills Special Landscape Area in the LDP.

#### **2.2 Site History**

14 February 2006 - Planning permission refused for the erection of four new dwellinghouses on the site (application reference: 05/03979/FUL).

30 January 2018 - Planning permission in principle refused for the erection of five residential units. Refusal subsequently upheld at appeal to the Local Review Body (LRB) (application reference: 17/02258/PPP).

### **Main report**

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#### **3.1 Description of The Proposal**

The proposal seeks planning permission for the installation of six hexagonal timber glamping pods on the site. The pods will encompass timber walls and roofs with a bitumen shingle covering and have a footprint of 23 square metres each. Each pod will measure 3.9 metres at their highest point and be sited on concrete bases. It is proposed to utilise the existing barn to provide six car parking spaces. A curved landscaping bund will be situated directly to the east of the pods.

## Scheme One

The original proposal was amended to alter the proposed location of the pods on the site, change the application address, introduce a landscaped bund to the east of the pods and incorporate additional supporting documentation.

### Supporting Documents

The applicant has submitted the following supporting documents which are available to view via planning and building standards online services.

- Planning Statement;
- Pod Specification;
- Materials Examples and
- On Site Management Plan.

### **3.2 Determining Issues**

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority 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.

Do the proposals comply with the development plan?

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

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

### **3.3 Assessment**

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

- a) The principle of the development is acceptable in the Green Belt;
- b) The proposal raises any issues in respect of the impact on the setting of a listed building;
- c) The proposal will detract from the landscape quality and/or rural character of the area, and will have a significant adverse impact on the special character of the Pentlands Special Landscape Area;
- d) The proposal will have an adverse impact on the amenity of neighbouring residents;
- e) The proposal raises any issues in respect of parking and road safety;
- f) The proposal raises any issues regarding flood prevention;

- g) The proposal raises any issues in respect of drainage, archaeology or aerodrome safeguarding and
- h) Any issues raised by objectors have been addressed.

a) Principle of the Proposal

Policy Env 10 of the adopted Edinburgh Local Development Plan (LDP) outlines the criteria by which development in the green belt and countryside will be permitted, provided that such development does not detract from the landscape quality and/or rural character of the area. Criteria a) of this policy states that development for the purposes of countryside recreation may be considered to form an acceptable countryside development. In addition, policy Env 11 states that permission will not be granted for development which would have a significant adverse impact on the special character or qualities of a Special Landscape Area.

The proposal would see the site operating in a manner similar to a touring caravan site or campsite, with the pods providing short term holiday accommodation in a rural location. The proposed use of the site for glamping pods can therefore be considered to be an appropriate countryside recreation use. The applicant has advised in their supporting documentation that the proposal would allow for the creation of three new part time positions. The proposed use is acceptable in principle subject to compliance with other policies of the LDP.

b) Setting of a Listed Building

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.*

Historic Environment Scotland's document 'Managing change in the Historic Environment - Setting' states;

*'Setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced.*

The document states that where development is proposed it is important to:

- Identify the historic assets that might be affected;
- Define the setting of each historic asset; and
- Assess the impact of any new development on this.

HEPS Policy HEP4 ensures that any changes to specific assets protects the historic environment and should be enhanced where possible.

LDP Policy Env 3 states that development within the curtilage or affecting the setting of a listed building will only be permitted if not detrimental to the appearance or character of the building or its setting.

The proposed development is separated from Bankhead House and its immediate garden by several steading buildings and is a sufficient distance away to ensure that it would have no impact on the setting of the premises. With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the proposals preserve

the adjacent listed buildings and their settings including any special architectural or historic interest they possess. The proposal complies with LDP policy Env 3.

c) Landscape quality and/or rural character of the area, special character of the Pentlands Special Landscape Area

Policy Env 10 also requires that new development does not detract from the landscape quality and/or rural character of the area. Notwithstanding the principle of the development being considered acceptable, the proposal would result development which would have a significant adverse impact on the rural character of the area. The site and the adjacent stone built farm steadings form a defined cluster of development situated within open countryside which retains a strong and distinctive rural character providing a link to the historic use of the site as a farm. The site contributes the change in character from built development to open countryside. The site is predominantly bordered by open fields separated by defined mature tree lines and hedgerows, further contributing to the distinct rural character of the surrounding area.

The site is screened from wider view to a limited extent when approaching from the south and west. However, the extent of such screening depends on whether the mature trees bordering the southern boundary of the site are in bloom. During autumn and winter in particular, the site is widely visible on both approaches. The design and height of the pods, which will be permanent structures, is such that they will therefore form notable features within the landscape which will significantly disrupt the established rural character of both the site and the surrounding area. The use of timber and bitumen roof shingles as the predominant external materials will also contrast sharply with the appearance of the steading buildings which are largely characterised by stone or rendered exterior walls and slate roofs.

The Statement of Importance for the Pentland Hills Special Landscape Area (SLA) highlights that the west of the SLA is characterised by a regular layout of 18th - 19th century fields, enclosed by drystone dykes, hedgerows, tree lines and shelterbelt planting; and that the well managed agricultural landscape and reservoirs, backed by the hill range are of high scenic value and offer a sense of isolation.

As stated above, the proposal would result in the construction of an incongruous development which would significantly disrupt the established rural character of the surrounding area. The site has a managed rural and agricultural appearance and contributes to the special character and qualities of the SLA. The proposal would have a significant adverse impact on the special character and qualities of the SLA and is contrary to LDP policy Env 11.

The proposal would detract from the landscape quality and rural character of the area and would have a significant adverse impact on the special character and qualities of the SLA. The proposal is contrary to LDP policies Env 10 and Env 11.

#### d) Amenity of Neighbouring Residents

The site is bordered to its east by several residential properties which are situated within the former steading buildings.

The site is intended to be used by individuals who are on holiday. Individuals on holiday may often behave in a different manner to permanent residents of a residential premises and are more likely to utilise the areas outside the pods during the spring and summer months for long periods of time playing, eating, drinking and talking. The potential therefore exists for the proposal to cause noise disruption to neighbouring residents on a regular basis.

The original scheme was revised to move the pods further to the west of the site and introduce a landscaped bund between the pods and the neighbouring properties. Details of an onsite management were also provided. Environmental Protection has examined the proposal and are of the opinion that, even having regards to the onsite management plan and proposed bund, the proposal still has the potential to have a detrimental impact on the amenity of neighbouring residents. Environmental Protection therefore raised an objection to the proposal.

The pods will not affect the level of daylight which is received by the neighbouring steading properties or result in an increase in the level of overshadowing to these properties. The windows on the Pods are positioned so as to avoid any direct window to window views into the steading buildings and will all be sited further than 18 metres from the residential properties. The proposal does not raise any issues in respect of privacy, overshadowing or loss of daylight.

The proposal would have a materially detrimental impact on the living conditions of neighbouring residents and is contrary to LDP policy Hou 7.

#### e) Parking and Road Safety

The Edinburgh Design Guidance does not contain any set vehicle or cycle parking standards for campsites. The proposal includes provision for six car parking spaces, for prospective guests, which will be situated within the barn. No cycle parking will be provided on the site.

The Roads Authority was consulted on the proposal and raised no objection either on the grounds of parking or road safety. The proposal does not raise any issues in respect of these matters and complies with LDP policy Tra 2.

#### f) Flood Prevention

Flood Prevention were consulted on the proposal and raised no objection. The proposal will not be at risk of flooding or increase the flood risk to the surrounding area and complies with LDP policy Env 21.

## g) Additional Material Matters

### Archaeology

The city archaeologist has examined the proposal and advised that the site is located in an area of archaeological potential. Therefore, in the event that any proposal is granted permission, it is recommended that a condition is attached requiring an archaeological survey to be undertaken before development is commenced. The proposal complies with LDP policy Env 9.

### Sewage and Drainage Provision

SEPA, Scottish Water and the Council's Flood Prevention Department have examined the proposed sewage and drainage arrangements for the site. Neither consultee has any objection to the proposed arrangements nor the proposal does not raise any issues in respect of sewage and drainage provision. The proposal complies with LDP policy RS 6.

### Aerodrome Safeguarding

Edinburgh Airport was consulted on the proposal and raised no objection. The proposal does not raise any issues in respect of aerodrome safeguarding.

## h) Matters Raised in Representations

### **Objection Comments**

### **Material Considerations**

- Proposal is contrary to Scottish Planning Policy - There is no specific policy within Scottish Planning Policy which regulates the erection of glamping pods.
- Proposal is not an acceptable green belt use in principle - addressed in section 3.3 (a).
- Proposal will have an adverse impact on the setting of a listed building - addressed in section 3.3 (b).
- Proposal will have an adverse impact on the rural character and appearance of the surrounding area and the quality of the special landscape area - addressed in sections 3.3 (c).
- Proposal will have an adverse impact on the amenity of neighbouring residents by means of anti-social behaviour, privacy/overlooking and loss of daylight; and the proposal does not contain any details of how the site will be managed - addressed in section 3.3 (d).



- Proposal will have an adverse impact on parking and road safety and is not sustainable due to being car dependent and inaccessible to pedestrians- addressed in section 3.3 (e).
- Proposed sewage arrangements are not detailed on the approved drawings - addressed in section 3.3 (h).
- Proposal raises issues in respect of equalities and human rights - addressed within the 'Equalities and Human Rights' section of the report on handling.

### **Non-Material Considerations**

- The numbers of neighbouring houses have been omitted from the submitted plans - The documents are sufficient to comply with the requirements of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.
- The applicant has used an example of a similar scheme from another local authority in their supporting statement - The above order does not prohibit the use of examples of similar schemes from other local authorities being included in the supporting information for a planning application.
- Proposal will have an impact on local schools and doctors - The proposal is not for residential housing.
- Proposal will create issues regarding waste disposal from the site - The City of Edinburgh Council no longer provides waste provision for commercial operators. It will be the responsibility of the applicant to arrange for the storage and collection of waste with a private contractor.
- Proposal will have to utilise the mains sewer which is paid for by the occupants of the neighbouring residential properties - Scottish Water has outlined their requirements for sewage storage and disposal from the site in their consultation response. It will be the responsibility of the applicant to comply with Scottish Water's statutory and regulatory requirements.
- The proposed pods may be too close to oil tanks on the site contrary to Oil and Renewable Heating Technology (OFTEC) regulations - Matters relating to the proximity of the proposed pods to existing oil tanks on the site are not within the remit of the planning authority.
- Proposal will change the designation of the site in the LDP from Greenbelt A grant of planning permission for development on this site will not constitute an alteration or amendment to the current LDP.
- Proposal involves development which will have an adverse impact on a site which is recorded in the Inventory of Gardens and Designed Landscapes - The site is situated within the City of Edinburgh Council's survey of Gardens and Designed Landscapes undertaken in October

2008 '264 Balerno Villas. However, it is not recorded in the National Inventory of Gardens and Designed Landscapes and is not subject to any formal designation in the LDP which would require an assessment under policy Env 7.

- Proposal will result in loss of trees - No trees are earmarked for removal on the submitted plans.
- Proposal raises issues in respect of personal security and may increase the risk of theft.

### **Support Comments**

### **Material Considerations**

- Proposal will create employment in the local economy and boost tourism - addressed in section 3.3 (a).
- Proposal represents an improvement on the appearance of the existing site and will have a positive impact on the character and appearance of the surrounding area - addressed in sections 3.3 (a) and (c).
- Proposal does not raise any issues in respect of road safety - addressed in section 3.3 (e).

### **Non-Material Considerations**

- Proposal will create temporary employment during construction work - Matters relating to the construction process of a proposed development are not material to the determination of an application.
- The existing barn building on the site is structurally unsafe.
- The proposal will not create pressure on existing schools and medical facilities - The proposal is not for residential housing, Consequently, it is not identified within the Council's Supplementary Guidance for Developer Contributions and Infrastructure Delivery as being a form of development for which would require to make a financial contribution to either education capacity, or primary healthcare infrastructure capacity.
- Trees should be planted as part of any consent.

### **Community Council Comments**

Balerno Community Council submitted a letter objecting to the proposal on the following grounds:

- Proposal is not an acceptable green belt use in principle - addressed in section 3.3 (a).

- Proposal will have an adverse impact on the setting of a listed building - addressed in section 3.3 (b).
- Proposal will have an adverse impact on the rural character and appearance of the surrounding area and the quality of the special landscape area - addressed in sections 3.3 (c).
- Proposal will have an adverse impact on the amenity of neighbouring residents by means of anti-social behaviour, privacy/overlooking and loss of daylight; and the proposal does not contain any details of how the site will be managed - addressed in section 3.3 (d).

### Conclusion

The proposal is an acceptable green belt use in principle. However, the design, form and layout of the proposed glamping pods would result in the introduction of incongruous features into a predominantly rural location and would have an adverse impact on the rural character of the surrounding area and the special character of the Pentlands Special Landscape Area. In addition, the proposal would result in the introduction of a use which is likely to have a materially detrimental effect on the living conditions of nearby residents. The proposal is contrary to policies Env 10, Env 11 and Hou 7 of the adopted Edinburgh Local Development Plan (LDP) and the Council's Guidance for Development in the Green Belt and Countryside.

It is recommended that this application be Refused for the reasons below.

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

#### **Reason for Refusal: -**

1. The proposal is contrary to policy Env 10 of the adopted Edinburgh Local Development Plan as it would detract from the rural character and appearance of the surrounding area.
2. The proposal is contrary to policy Env 11 of the adopted Edinburgh Local Development Plan as it would have a significant adverse impact on the special character of the Pentland Hills Special Landscape Area.
3. The proposal is contrary to policy Hou 7 of the adopted Edinburgh Local Development Plan as it would have a materially detrimental impact on the living conditions of neighbouring residents.

## **Financial impact**

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

There are no financial implications to the Council.

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

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

## **Equalities impact**

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

Two objectors have identified that a child living in close proximity to the application site suffers from a life limiting disability which has the potential to be impacted by anti-social behaviour and vehicle movements associated with the proposal. The recommendation of the planning authority is that planning permission be refused for this proposal for the reasons stated in the main report.

## **Sustainability impact**

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

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

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

84 letters of objection, 74 letters of support and one neutral comment were received in respect of the proposal.

Balerno Community submitted a letter of objection to the proposal on June 7 2019.

A full summary of the matters raised in these representations can be found in section 3.3 (f) of the main report.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

## **Statutory Development**

### **Plan Provision**

The site is designated as being within the Green Belt and Pentland Hills Special Landscape Area in the LDP.

### **Date registered**

17 May 2019

### **Drawing numbers/Scheme**

01 - 02, 03A, 04A, 05,

Scheme 2

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

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

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

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

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy Env 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

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

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy RS 6 (Water and Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

### **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

# Appendix 1

## **Application for Planning Permission 19/01963/FUL At Land 30 Metres West Of 60, Glenbrook Road, Balerno Change of Use from derelict farm steading to erection of 6x glamping pods and associated works inc. concrete bases, footpaths, refurbished barn and landscaping (as amended).**

### **Consultations**

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#### City Archaeologist

*The site occurs across the northern site of the historic Bankhead Farm Steading, situated c 1 mile due west of Balerno. Although much of the current farm-steading was built during the period of agricultural improvement of the 18th and early-19th centuries, a farm on this site is first shown on Laurie's Map of the Lothians dated to 1766. The proposed development site is occupied by a mid-20th century metal framed barn.*

*This application must be considered under the terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy, CEC's Edinburgh Local Development Plan (2016) Policies ENV 8 & ENV 9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

*As stated the site forms part of the historic Glenbrook Farm dating back to at least the mid-18th century. As such the site should be regarded as occurring within an area of archaeological interest with the potential for containing important remains regarding the early development of this historic farm. Ground breaking activities undertaken as part of this development (e.g. construction, landscaping and service works) therefore are likely to have an archaeological impact, though one which is considered to be low-moderate. Nevertheless, it is considered essential that a programme of archaeological works is undertaken prior to/during development in order that any significant archaeological remains are fully excavated and recorded where preservation in situ is not possible.*

*Further, it is welcomed that the mid-20th century barn will be refurbished and retained. However, it is recommended that a basic archaeological historic building survey is undertaken (photographic and written survey plus annotated plan) prior to its refurbishment as part of the overall archaeological programme of works. This is in order to provide a permanent record of this farm building.*

*It is recommended that the following condition is attached to this consent to ensure that a programme of archaeological works is undertaken prior to construction.*



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

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

### Edinburgh Airport

*The proposed development has been fully examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria.*

*We therefore have no objection to this proposal.*

### Environmental Protection

*Environmental Protection does not support this application and recommends that it is refused.*

*The application site is in a rural location approximately 400m from the edge of Balerno village. The site comprises a hardstanding, a derelict barn building, sheep pen and scrub land. The site is bound by fencing to the north/ west, mature trees to the north-east, a residential building to the east and a steading conversion to residential use to the south-east. Glenbrook Road is located to the south.*

*The principal concern relates to noise from users of the glamping pods, primarily in the evening/night. This type of holiday accommodation encourages users to sit outside and will invariably mean noise from talking and laughing etc.*

*The scheme has been revised with the glamping pods moved slightly further away from neighbouring residential accommodation. A landscaped bund has also been introduced. An onsite management statement was also provided in support of the application.*

*It is considered that the relocation of the glamping pods will have a limited effect on noise levels experienced by neighbours, due to the close proximity and change in distance. Bunds can be used to act as a noise barrier. However, for a noise barrier to have any effect, the line of sight between the noise source and the receiver must be broken. No information has been provided on the height of the bund, and there is no reference in the management statement to a noise barrier. It appears its purpose is for visual amenity rather than noise mitigation.*

*The management arrangements proposed do not provide sufficient comfort that noise issues won't arise due to the nature of this type of accommodation where users may spend long periods outside rather than inside the accommodation.*

*Due to the rural location, it is a very quiet area. There will be only sporadic noise from passing traffic. The surrounding land is used for agriculture purposes; currently sheep farming. Therefore, due to the close location to residential accommodation, it is considered that noise from the glamping pod users will significantly affect the amenity of existing neighbours. Therefore, Environmental Protection cannot support this application.*

### Flood Prevention

*Thanks for the consultation request. I've had a look at the documents on the portal and have the following comments.*

*The proposed private drain shown in purple leading to the watercourse from the septic tank and the surface water network is outwith the red line application boundary. It is assumed that this would be classed as permitted development and that the applicant is either the land owner or has approval from the land owner for the land where this pipe crosses.*

*Flood prevention has no further comments on this applicant and are content that it should proceed to determination.*

### Roads Authority

*No objections to the application subject to the following being included as conditions or informatives as appropriate:*

- 1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, 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;*
- 2. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;*
- 3. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;*
- 4. Secure and covered cycle parking should be considered for this development, including spaces for non-standard bikes;*

### Scottish Water

*Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:*

## *Water*

*o There is currently sufficient capacity in the Marchbank Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.*

*o The nearest public water main is approx. 350m from the proposed site.*

## *Foul*

*o There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.*

*o The nearest public sewer main is approx. 350m from the proposed site.*

*The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.*

## *Surface Water*

*For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.*

*There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.*

*In order to avoid costs and delays where a surface water discharge to our combined sewer system is proposed, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.*

## *General notes:*

*o Scottish Water asset plans can be obtained from our appointed asset plan providers:*

*Site Investigation Services (UK) Ltd*

*Tel: 0333 123 1223*

*Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)*

*[www.sisplan.co.uk](http://www.sisplan.co.uk)*

*o Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.*

*o If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.*

*o Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.*

*o The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.*

*Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/Business-and-Developers/Connecting-to-Our-Network>*

#### *Next Steps:*

##### *o Single Property/Less than 10 dwellings*

*For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre- Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.*

##### *o 10 or more domestic dwellings:*

*For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.*

*Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.*

##### *o Non Domestic/Commercial Property:*

*Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers.*

*All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)*

*o Trade Effluent Discharge from Non Dom Property:*

*Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants. If you are in any doubt as to whether or not the discharge from your premises is likely*

*to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/ourservices/compliance/trade-effluent/trade-effluent-documents/trade-effluent-noticeform-h>*

*Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.*

*For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.*

*The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com) If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk)*

SEPA

*Thank you for your consultation email which SEPA received on 4 October 2019.*

*Advice for the planning authority*

*We have no objection to this planning application.*

*We note the proposal for a private waste water sewage discharge as part of this development. This will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) as amended. We prefer all the technical*

information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising.

At the CAR authorisation stage it should be noted that we may at least seek a feasibility statement for connecting (or not in this instance) to the nearby public sewer.

The applicant should note the additional advice provided below.

#### Detailed advice for the applicant

1.1 Authorisation for the private sewage discharge will be required under CAR to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

1.2 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website.

continued??

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If you have any queries relating to this letter, please contact me by telephone on 0131 273 7333 or e-mail at [planning.se@sepa.org.uk](mailto:planning.se@sepa.org.uk).

## Location Plan

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**END**