

Development Management Sub Committee

Wednesday 4 December 2019

**Application for Planning Permission 19/02600/FUL
at Land East of Corbieshot, Corbieshot, Edinburgh
Residential development (53 dwellings), associated access
arrangements, roads, open space, landscaping and
infrastructure works (as amended).**

Item number

Report number

Wards

B17 - Portobello/Craigmillar

Summary

The development of 53 dwellings on the site will contribute to the city's housing needs in an accessible and sustainable location. The existing open space on site is of limited amenity and leisure value to the local community and the proposed development will help to deliver an improved quality of open space within part of the site. The proposed landscaping strategy for the site will have an acceptable impact on the existing habitat and biodiversity mix and will provide an enhanced species mix across the site. The existing core path through the site will be retained and improved. The proposed layout will provide a clear hierarchy of routes through the site and will improve pedestrian connections across the site from the wider area. An appropriate mix of housing types will be provided, including affordable housing. The proposal will provide an appropriate level of amenity to existing and future occupiers. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LEN09, LEN12, LEN15, LEN16, LEN18, LEN20, LEN21, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU10, LRS06, LTRA02, LTRA04, LTRA09, LEN22, NSG, NSOSS, NSGD02,

Report

Application for Planning Permission 19/02600/FUL at Land East of Corbieshot, Corbieshot, Edinburgh Residential development (53 dwellings), associated access arrangements, roads, open space, landscaping and infrastructure works (as amended).

Recommendations

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

Background

2.1 Site description

The site extends to approximately 1.7ha and is designated as open space in the adopted Edinburgh Local Development Plan 2016 (LDP).

The site is in the Jewel area of east Edinburgh. The site is positioned on the edge of a wider residential area which extends to the west. Further residential development is located in close proximity to the site to the north and south. Land to the east and south east of the site has a commercial character, comprising the Asda superstore at The Jewel, and Fort Kinnaird Retail Park. Magdalene Glen, an area of open parkland, is located to the immediate north of the site on the north side of The Jewel.

The site boundary includes part of The Jewel road along the north of the site. The eastern boundary of the site is formed by a bund which separates the site from the adjacent Asda supermarket and its adjacent car park. There is planted tree cover along the bund, which opens out towards the south eastern edge of the site where an access ramp and set of steps are provided, linking into the supermarket car park to the east. A car wash and petrol filling station are located within the car park area to the immediate east of the site boundary.

The western site boundary is formed by existing residential properties at Corbieshot, which back onto the site and are separated by rear garden boundary fences. The southern site boundary is formed by an existing metal fence which forms the boundary of the railway line to the south.

The site is currently open space and is occupied by unmaintained grassland and varied scrub cover. A pedestrian/ cycle path runs north to south along the eastern edge of the site and is identified as a core path within the city (Core Path CEC 5 - Innocent Railway Kinnaird Park). There is an additional informal desire line through the centre of the site which connects the core path with the residential area at Corbieshot to the west.

The existing landscape on site is heavily overgrown, and access into the site away from the existing paths is currently limited due to the extent of vegetation. The Council's

Open Space Audit (2016) identifies the site (ref Nat 19 - Niddrie Junction West) as "other semi-natural greenspace" and categorises the quality of open space as 'low'.

The site slopes down gradually from south to north, with some minor topographic variances across the site. There is an elevation of approximately 30m AOD at The Jewel to the north, rising to approximately 45m AOD at the site boundary adjacent to the railway line to the south.

Trees on site comprise a limited mix of species and are generally young to semi-mature self-seeded species. There is planted screening of trees along the eastern edge of the site which provides visual separation between the site and the adjacent ASDA car park.

2.2 Site History

- 2 December 2018 - Proposal of Application Notice submitted for a residential development including associated access roads, landscaping and infrastructure works (application reference 18/10006/PAN).

Main report

3.1 Description of the Proposal

The application is for full planning permission for the development of 53 residential dwellings, associated access arrangements, road, open space, landscaping and infrastructure works.

The dwellings comprise a mix of one to four bedroom properties in a range of detached, semi-detached, terraced and cottage flat homes. Thirteen affordable homes (25% of houses) are included in this mix and will be located in the south of the site. The affordable housing will include a mix of one to three bedroom properties. Four affordable homes will be three-bed properties, equalling 31% of the affordable provision. Affordable housing will be delivered in partnership with a registered social landlord.

All dwellings are two storeys in height and will be provided with private garden space. Level access will be provided to all homes.

The houses will be finished with white roughcast render with a buff coloured facing brick base course. Roofs will be concrete tiles in a dark grey colour. Window and doors will be dark grey on front elevations and white to the rear and sides. Fascias and soffits will be white, and rainwater goods will be black. The same external materials will be used for private and affordable homes, providing a tenure blind development.

The boundary treatments include a mix of hedges, masonry walls and timber fencing. Where houses and flats front onto public areas, the boundaries are treated with hedges and walls. There are no timber fences to the public realm.

Vehicular access to the site will be taken from The Jewel to the north of the site. This will require the location of the existing bus gate on The Jewel to be amended slightly to allow for the site access to operate satisfactorily and achieve appropriate visibility

levels. A main access road will run from north to south through the site which will form a loop around the southern part of the site with two secondary roads providing access to housing in the west of the site. Shared surface principles will be implemented across secondary access routes.

The existing footpath, part of CEC Core Path CEC5 (Innocent Railway) which runs south from The Jewel to the north will be retained within the development with associated upgrade and improvement works undertaken. Informal pedestrian access from the site into Corbieshot to the west will be retained and improved. All access routes, including the existing core path, will be well overlooked by new housing. The proposed layout provides a clear hierarchy of access routes across the site.

Car parking will be provided at a rate of one parking space per home plus an additional provision of 14 visitor parking bays. This will include disabled provision, electric vehicle charging provision and city car club spaces. The majority of parking provision will be in private driveways with some on street bay parking also provided.

Cycle parking will be accommodated within private garden grounds which will have capacity to meet the requirement for two cycle parking spaces per property.

All new houses are located within 400m of regular public transport links and local amenities.

A landscaping scheme has been submitted in support of the application and provides a range of landscape proposals. This includes improvements to the existing landscape structure and footpath corridor to the east of the site, a 4m wide landscape corridor along the south of the site, a SUDs area, an informal seating area in the centre of the site and a linear play trail located adjacent to the existing footpath in the east of the site. New tree planting and landscaping features within the streetscape are proposed across the site. The total area of open space (excluding private gardens) provided across the site will be approximately 0.67 ha (40% of the overall site area).

The proposed Sustainable Urban Drainage system will comprise an over ground SUDs basin located in the north east of the site. This will be landscaped to provide good visual amenity and biodiversity opportunities.

Supporting documents

The following documents have been submitted in support of this application;

- Air Quality Assessment;
- Design & Access Statement;
- Surface Water Management Plan;
- Landscape Appraisal;
- Noise Impact Assessment;
- Preliminary Ecological Appraisal;
- Planning Statement;
- Site Investigation Report / Mining Report;
- S1 Sustainability Statement;
- Transport Statement;
- Tree Report;

- Open Space, Landscape and Natural Heritage Appraisal and
- Sunlight assessment.

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.

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 this location;
- b) the design, scale, layout and materials are acceptable;
- c) the proposed landscape arrangements are appropriate;
- d) access arrangements are acceptable in terms of road safety and public transport accessibility;
- e) the flooding and drainage arrangements are acceptable;
- f) the proposal is detrimental to the amenity of neighbours or occupiers of the new development;
- g) the proposal meets the sustainable standards in the Edinburgh Design Guidance;
- h) infrastructure and affordable housing;
- i) material representations or community council comments raise issues to be addressed;
- j) the proposals have any equalities or human rights impacts and
- k) there are any other material considerations

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

Proposed Residential Use

The application site is located within the Urban Area of the Edinburgh Local Development Plan and is currently identified as an area of open space in the Edinburgh Open Space Audit (2016). Within the Urban Area, a range of uses including residential are supported where they accord with other policies in the plan. Criterion (d) in part 2 of Policy Hou 1 of the LDP gives priority to the delivery of housing at sites in the Urban Area, subject to compatibility with other policies in the LDP.

With regards to the intended residential use, development of the site will provide 53 dwellings, which will contribute to the overall shortfall of housing supply within the city.

Thirteen of these will be affordable homes (25%). The site is surrounded by a mixed hinterland of residential properties, open space and retail uses and is sustainably located, within close proximity of local retail provision at the Asda supermarket at The Jewel (100m east of the site) and retail and leisure provision at Fort Kinnaird (400m south east of the site). There are several frequent bus routes serving the local area, which provide excellent public transport accessibility to and from the site. The site provides a highly accessible location, where housing development would be a compatible use within the wider urban context.

It is considered therefore that the site does meet the requirements of policy HOU1, subject to compatibility with other LDP policies.

Loss of Open Space

As the site contains an area of designated open space, the provisions of policy Env 18 Open Space Protection are applicable. Policy Env 18 notes that proposals involving the loss of open space will not be permitted unless certain criteria can be met. These are noted as follows;

- a) The consideration of the impact on the quality or character of the local environment;*
- b) That the open space is a small part of a larger area or of limited amenity or leisure value and there is a significant over-provision of open space serving the immediate area; (and)*
- c) The loss would not be detrimental to the wider network including its continuity or biodiversity value (and either);*
- d) There would be a local benefit or either alternative provision being made or improvement to an existing open space, or;*
- e) The development is for a community purpose and the benefits to the local community outweigh the loss.*

These criteria are assessed below;

- a) The consideration of the impact on the quality or character of the local environment;*

The development will allow pedestrian access to continue across the site using the core path route. A green corridor will be retained alongside the core path route, which will allow the semi-natural characteristics of this route to be largely retained. It is acknowledged that the introduction of housing overlooking the western edge of the footpath will change the character of the footpath to some degree, by removing the extent of open space on the western edge and green nature of this edge. This will result in a change in the character of the footpath, by introducing a more visibly urban character to its western edge.

The proposed site layout has been designed to ensure that new properties will front onto the footpath, which will create a positive interface between properties and the footpath. Therefore, whilst the existing more enclosed nature of the footpath would be lost to the west, the footpath would benefit from improved overlooking and natural surveillance from properties, which is beneficial to the safety of the path and appropriate given the urban context of the site.

The proposed residential development is therefore considered to be compatible with the character of the surrounding area and will have no detrimental impact on the overall quality or character of the local area. It meets the provisions of part (a) of policy ENV18 in this regard.

b) That the open space is a small part of a larger area or of limited amenity or leisure value and there is a significant over-provision of open space serving the immediate area; (and)

The existing open space on the site is identified in the Edinburgh Open Space Audit 2016 (site reference NAT 18) and is classified as "other semi-natural greenspace" which describes a range of character types of open space including woodland, open water and open semi-natural environments. The open space is rated as low quality in the audit. The site is currently overgrown and is largely inaccessible to members of the public due to the extent of unmanaged scrub cover. The usable space on site is largely confined to the footpath in the east of the site. The condition of the land is such that it does not offer an area of high amenity value to the wider community, and is known locally for problems with dumping waste and anti-social behaviour. It is currently of limited value to the local community.

The Edinburgh Open Space Standard 2021 sets the following standards for open space access;

- *Large Green Space standard - all homes to be within 800m walking distance of an accessible large greenspace of at least 2 hectares.*
- *Local Green Space standard - all homes to be within 400m walking distance of a "good" quality accessible greenspace of at least 500 sq m.*
- *Play Access Standard - a play space of "good" play value within at least 800m walking distance or; a play space of "very good" play value within 1200m walking distance or; a play space of "excellent" play value within 2000m direct distance.*

The North East Locality Open Space Action Plan assesses the provision of open space across the locality area. The locality area covers a large part of the city, extending from Leith in the north to Edmonstone in the south. The headline figures of this assessment identify a shortfall in provision in large, local and play areas of open space across the North East locality as a whole. However, the immediate local area around the site (i.e. the area to which the distance standards set out in the Open Space Standard 2021 criteria above would apply) shows a different position. The contribution that the open space on the site makes to meet the open space access standards is assessed as follows.

Large Green Space standard

The existing open space provision on the site is less than 2 hectares, therefore it does not currently contribute to the Large Green Space standard. The site has therefore not been assessed against this standard.

It is noted however that improvements to open space provision have been undertaken in this part of the locality during the period between the last two open space audits (2010 - 2016). During this time, improvements have been made at The Jewel Park and Hunters Hall Park, which are located 400m and 800m respectively from the site. These improvements mean that almost all houses within the 800m catchment identified in the Open Space Standard currently have access to a Large Green Space. New housing proposed as part of this application would also meet the Large Green Space Standard.

Local Green Space standard

The area of existing open space being considered in this application is categorised as a local green space. In order to assess the impact of the loss of this open space for housing, the Edinburgh Open Space Standard 2021 has been applied to housing in the immediate local area that is currently served by it i.e. housing within a 400m walking distance of the site.

A local green space is required to be a minimum of 500 sq m. The retained open space on site will amount to 0.67ha. This remaining provision will continue to exceed the amount of open space provided on the site. Therefore, there will be no impact on the number of dwellings in the local area that currently meet the standard.

Furthermore, the proposed development will enhance the provision of open space that is provided on site, through improved maintenance and management of the landscape.

On balance, it is considered that whilst there will be a reduction on the amount of local green space available on this site, the improvement in the quality of the local green space, and the fact that all existing and new residents will have increased access to it through a proper maintenance approach will result in an overall improvement to the local green space provision.

Play Access Standard

The existing open space on the site does not include any play equipment, and therefore makes no contribution to the play access provision at present. The North East Locality Open Space Action Plan identifies a shortfall in play access provision in this area of the locality, showing a cluster of housing to the immediate south of the site, and a further area of housing to the west of the site which does not currently meet the standard. Both areas are located within 800m of the site.

The proposed provision of play would contribute to meeting this shortfall, and benefit existing and new residents in the immediate area. The applicant is committed to providing a range of high quality play facilities on the site. A condition will be added to this consent to agree the exact specification of play equipment with a view to achieving a play area which meets the "good" play value standard.

c) The loss would not be detrimental to the wider network including its continuity or biodiversity value (and either);

A biodiversity appraisal for the site has been submitted in support of this application. The report identifies that the removal of an area of open space has the potential to impact on habitat for a range of species including bats, otters, badgers, hedgehogs and birds.

The proposed layout has been designed to allow for a green corridor to be provided along the eastern edge of the site. This corridor provides a continuous green connection between Magdalene Glen to the north and the railway corridor to the south of the site. A SUDs area is located in the northern part of this corridor, which provides new opportunities for the existing biodiversity mix within the site to diversify further. The landscape strategy for the green corridor proposes additional under storey planting to the existing landscaping along this edge which improves opportunities for biodiversity along this area.

The site layout has been amended during the assessment period to include a 4m green buffer running from west to east along the southern boundary of the site. This will sit adjacent to the existing railway corridor, which provides a further green corridor out with the site boundary. This green corridor will be planted with a range of small tree species, which provide an appropriate mix of species native to the local area. These will allow a continuous green connection between the green corridor at the east of the site and the adjacent woodland to the immediate west of the site.

Within the housing layout, the landscape strategy has been improved during the assessment process to include an increased proportion of planting, introduce hedging as boundary treatments and increase the number of proposed new trees. An additional area of green space has been added in the centre of the site to provide a seating area. A range of small trees, shrubs and planting is proposed which will provide a good mix of native species across the site.

Throughout the development, site plots are proposed to include small fruit-producing trees to encourage bird and insects, and decorative shrub planting and hedging to increase these opportunities. Native hedgerows, wildflower meadow grassland, dense areas of shrubs are included in the landscape, which will support species and habitat diversity on site. The proposed landscaping on site will be maintained as part of an ongoing landscape strategy which will encourage natural colonisation and include varied mowing regimes to further encourage biodiversity.

A tree survey has been undertaken for the site which identifies 122 trees on the site. The proposals will remove 46 individual trees, as well as three groups of smaller trees/shrubs. The trees for removal are identified as being predominantly young, semi-mature and self-seeded trees. Seventy-six existing trees on the site will be retained, and an additional 85 trees are proposed as part of the landscape strategy. The replacement trees will be more appropriate native species which will provide an overall greater variety in age and structural diversity across the site than currently exists. The loss of trees on the site is considered to be acceptable in this case, given their replacement with an increased number and improved variety of trees.

It is considered that the proposed landscape strategy will support a continuous green connection through the site and provide connections with the wider landscape network. The species mix for the site will be improved through the implementation of a landscape strategy which focuses on supporting the retained areas of the existing habitat and introducing a range of additional native species that have been selected for the site. The introduction of a wetland area around the SUDs pond provides opportunities for new species to naturalise within the site. The applicant has agreed to the inclusion of swift bricks within the housing development and an informative will be added to any consent to this effect. On balance, it is considered that the proposed strategy provides an appropriate level of biodiversity value and would not be of detriment to the wider green network.

d) There would be a local benefit or either alternative provision being made or improvement to an existing open space, or;

The existing open space on site is currently underused by the local community and was identified in the pre-application consultation process as being a concern to a number of local residents, due to the existing appearance of the site and ongoing incidences of dumping and anti-social behaviour on the site. The proposed development will remove the opportunity for this behaviour to continue, by providing new housing which will revitalise the site, and provide overlooking for public spaces.

The development will allow for natural surveillance of the core path through the site, which will make this route safer and encourage increased use of the path. In addition, the existing desire line which runs from Corbieshot across the site to the core path will be formalised as part of the site layout, which allows for improved access and permeability across the site for existing and new residents.

The existing open space is rated at "poor" within the Council's Open Space Audit (2016). The proposed development will allow for the areas of retained open space to be significantly improved in terms of their species mix and ongoing maintenance in the future. In addition, the proposal will introduce new play equipment into the retained area of open space, which will further improve the quality of the space and provide a local benefit to existing and new residents. On this basis, it is considered that the development meets the requirement of Policy ENV 18 in this regard.

e) The development is for a community purpose and the benefits to the local community outweigh the loss.

It is not required to assess the proposals against part (e) as noted above as it is considered that the provisions of part (d) of the policy has been met above.

In assessing this proposal against the provisions of policy ENV 18, the loss of this area of open space has to be balanced against the proposal to provide new housing in a sustainable location within the city and the proposed improvements to the remaining open space.

The loss of open space will not impact adversely on the existing Open Space Standard for access to Local Green Space, as a significant area of open space will be retained on the site. The existing open space is not currently well used and is known as a location for antisocial behaviour. The proposed open space will be overlooked by new housing, maintained and will not provide the same opportunity for antisocial behaviour. Green connections will be maintained across the site to surrounding areas of open space. In addition, new play facilities will be provided which will contribute to addressing the existing shortfall in provision in the local area.

Accordingly, the proposal is deemed to meet the requirements of Policy ENV18 and is acceptable in this location subject to compliance with other detailed provisions of the development plan.

The design, scale, layout and materials are acceptable;

(i) Context

In assessing the scale, layout and design of the proposals, LDP policies Des 1 (Design Quality and Context) to Des 8 (Public Realm and Landscape Design) provide a robust framework along with the Edinburgh Design Guidance.

Policy Des 1 (Design Quality and Context) requires that proposals will create or contribute towards a sense of place, drawing on positive characteristics of the surrounding area. The surrounding built environment is largely characterised by a mix of detached and semi-detached properties to the west, large scale retail uses to the east and south east, rail line to the south and the Magdalene Glen open space to the north.

Development on the site will be visible from the north and west and will sit adjacent to the existing residential area at Corbieshot. This context is appropriate for additional residential development and the proposal is not considered to have a negative impact on the overall character of the area. Views into the site from the core path will change, as much of the existing open space will be removed. Given the existing poor condition of this open space, and proposed improvements to the quality of open space that will be provided on site, it is considered that the development will have an overall positive impact on the context of the footpath, and its attractiveness to pedestrians and cyclists. This will be beneficial in encouraging active travel across the site.

The proposed layout complies with LDP policies Des 4 (Impact on Setting) and Des 5 (Amenity) by providing an appropriate network of streets and open spaces which are well overlooked by residential properties. The positioning of houses has been considered to ensure that properties on key corners include gable windows which will help to activate these corners. In addition, those houses located on the end of terrace blocks have been orientated to face the street frontage to improve overlooking of these routes and provide greater interest within the site layout and to ensure that the core path is well overlooked.

Gable windows have been provided in dwellings located at key corners within the development which provides additional activation of frontages. Several properties have been positioned to ensure that they provide a frontage to the adjacent footpath. This provides the opportunity for natural surveillance over the footpath, public areas and the play areas to the east of the site.

A strategy of boundary treatments has been proposed which provides good definition between public and private spaces, as required by Policy Des 5 (Amenity). It provides a legible environment which connects new housing to the existing street network effectively, in accordance with Policy Des 7 (Layout Design) and formalises existing desire lines across the site to improve pedestrian movement.

The retention of a green corridor along the eastern edge of the site will form an appropriate transitional area between the site and the adjacent retail area. The green corridor will also play an important role in maintaining a green connection through the site from north to south which will allow for continuity in the landscape character between the existing open space at Magdalene Glen to the north and the retained woodland area to the south west of the site, and railway corridor which run to the south of the site.

It is recognised that the loss of part of the site as open space which change the character of the site however the proposed replacement housing on part of the site will sit within a well landscaped environment which is considered to be appropriate in relation to the surrounding residential character. The proposed layout is therefore considered to be acceptable.

(ii) Density, design, height and materials

Policy Des 4 (Impact on Setting) requires that proposals respond positively to the surroundings in relation to height and form, scale, proportions, positioning and materials.

A total of 53 houses are proposed for the site, which equates to a density of 31 units per hectare. All housing will be two storeys in height. Proposed site levels and sections have been assessed and are satisfactory.

The proposed mix of the development housing is appropriate in relation to its setting in the local and wider environment. Twelve house types are proposed ranging from one-bedroom cottage flat to four-bedroom detached houses. The mix of flats and houses sizes provides an appropriate range of properties which will attract a mixed range of occupiers and contribute positively to the LDP's sustainability objectives.

The affordable housing provision (thirteen dwellings) includes a mix of one, two and three bedroom properties. Four of these dwellings will include three bedrooms. The unit sizes meet the standards set out in the Edinburgh Design Guidance and are acceptable. The Council's Affordable Housing officers support the mix of affordable housing proposed within the scheme and have no objection to this application.

The proposed palette of materials including white render, buff brick, grey concrete roof tiles and grey/ black detailing in the windows and other external treatments on the houses is appropriate for this location and is acceptable. The final specification of materials will require to be determined via a condition attached to the permission.

The heights of the proposed units reflect heights both in terms of the existing residential development and the residential development currently under construction in the site to the west.

The proposed mix of materials is appropriate for this location and will provide a reasonable fit with the adjacent residential development.

The proposed layout, design, heights and materials are acceptable.

c) The proposed landscape arrangements are appropriate:

Overall landscape strategy

A landscape strategy has been submitted in support of the application. This has been amended during the assessment process to increase the quantity of planting provided within the site, and to improve the mix of species proposed. In addition, the scheme has been amended to include a 4m landscape strip along the southern edge of the site and a small area of central open space.

The majority of the open space proposed within the site lies along the eastern edge, forming a green corridor along the edges of the existing footpath. This provides a linear green space which includes improvements to the existing landscaping character through the addition of understorey planting to improve the habitat connections and new tree planting on the embankment to the east to create a more continuous canopy connecting with the SUDs basin in the north of the site. The SUDs basin will be planted with an appropriate seed mix of grasses and wildflowers which will create further habitat opportunities.

The enhancements to the landscape structure along the existing core path corridor along with improvements to the quality of the path through improved lighting and natural surveillance will have a positive impact on the quality of the path by improving its landscape diversity and safety for pedestrians and cyclists.

The landscape strip along the southern edge of the site will sit between the rear boundaries of houses and the existing railway line. This will be planted with a mixture of hedgerow planting and small trees. It will provide a range of habitats at both low and high levels which will allow for a green connection to establish from east to west across the site between the north to south green corridor and the existing woodland area to the immediate south west of the site. This will provide an acceptable level of green continuity across the site and into the surrounding habitat areas of the woodland and railway corridor to the south and Magdalene Glen to the north.

A central seating area has been added to the landscape strategy during the application assessment period to improve green connections from the woodland corridor to the east of the site into the housing area itself. Within the site plots, the landscape layout provides for individual small trees and a quantity of shrubs and hedges planting to ensure that the green connections across the site stretch into the streets themselves. A mix of mowed and meadow grass is proposed across the site which will provide further opportunity for biodiversity enhancement.

The mix of planting species selected has been prepared specifically for this site in order to best promote the habitat objectives set out within the supporting ecology study, and to ensure that the loss of open space across the site as a whole is compensated with the implementation of a high quality landscape strategy which will improve the overall mix of native species and allow for biodiversity opportunities across the site to continue.

The proposal will result in the loss of 46 trees on the site, which are self-seeded and mainly young trees. The landscape strategy proposes that 85 new trees will be planted which are of an appropriate native species mix suitable for this location. The loss of trees from the site is acceptable in this context.

An informative is recommended requiring that tree protection measures must be undertaken in proximity to existing trees retained on site.

Private open space

Each property has been provided with private gardens to the rear which provide them with adequate private amenity space. In addition, there is significant provision of open space of an improved quality from that existing on site at present which will provide an additional resource and amenity to residents.

Play equipment

A trim trail concept is proposed for the two play areas on the site which includes a mix of equipment set out in a linear form which will sit adjacent to the core path running through the site. This will provide play opportunities for children covering a range of ages and will assist in addressing the existing shortfall in play equipment in the local area identified within the North East Locality Open Space Action Plan. Seating areas are provided beside each of the trim trail areas.

Summary

The proposed landscape strategy will help to create a distinctive and pleasant space to live. The landscape strategy has been developed to increase the level of native species on the site, and to allow continued habitat and biodiversity connections to be provided across the site. The proposed landscape strategy is acceptable, and a condition is recommended to ensure the implementation of the landscaping at appropriate stages of the development and continued maintenance following completion of the scheme.

d) Access, road safety and parking arrangements

Transport impacts

Policy Tra 1 of the LDP aims to reduce travel demand and encourages accessibility to major development by modes alternative to the car. A Transport Statement has been submitted in support of the application which concludes that the traffic estimated to be generated by the proposed development will have no noticeable effect on the operation of the surrounding road network. The site is located immediately adjacent to The Jewel, which provides a frequent bus service. Brunstane rail station is located approximately 400m to the north east of the site. The site is therefore well located for public transport accessibility. The Roads Authority has raised no objections to the application in this regard.

Access

Vehicular access to the site will be taken via the Jewel, to the immediate north of the site. The new access road will be overlooked by new housing to the west. The proposed access layout will require the existing bus stop and associated infrastructure on The Jewel to be relocated, but this will remain in close proximity to the existing location and will not impact adversely. A condition will be added to the permission to ensure that these works are approved by the local authority and completed prior to the occupation of dwellings on the site. A Quality Audit will also require to be undertaken prior to the grant of Road Construction Consent.

The street network provides a clear hierarchy of routes across the site. Areas of shared surface will be provided in parts. An existing desire line which runs from Corbieshot across the site to the footpath in the east will be formalised through the formation of the new road network and will allow for improved access from the existing residential area at Corbieshot to the core path and connections eastwards to the Asda supermarket.

The existing pedestrian footpath through the site (Core Path CEC5) will be retained, with minor realignments in part. The provision of housing on the site will facilitate the improvement of the footpath by improving the quality of landscaping along its edge and increasing natural surveillance of the path from overlooking housing to the west. This will encourage use of the footpath and create a safer and more welcoming route for pedestrians and cyclists.

The proposed access arrangements for the site are acceptable.

Parking

The development layout shows one parking space per home plus an additional provision of 14 visitor parking bays, four of which will also be designed to accommodate disabled users, and two of which will be provided for City Car Club spaces. This falls within the maximum parking standards set out within the Edinburgh Design Guidance. In areas of communal parking electric vehicle charging provision will be provided in line with Edinburgh Design Guidance (i.e. one charging point per six spaces).

Cycle parking provision for the scheme meets the requirements of the Edinburgh Design Guidance (two cycle spaces per property) and can be accommodated within individual garden grounds of each property.

The car and cycle parking strategy for the development is acceptable.

There are no Transport objections to the proposal subject to the recommended informatives. The proposal complies with Local Development Plan Transport policies and is acceptable.

e) The flooding and drainage arrangements are acceptable:

LDP policy Env 21 aims to ensure that the development will not result in an increase in flood risk for the site being developed or elsewhere.

The application is supported by a Flood Risk Assessment and a Surface Water Management Plan. Flood Prevention has reviewed the proposals and has confirmed that it is satisfied with the scheme and its associated flooding self-certification report. There are no other flooding issues of concern and the proposal complies with LDP policy Env 21.

f) The proposal is detrimental to the amenity of neighbours or occupiers of the new development:

Policy Des 5 (Amenity) relates to the amenity of existing and future occupiers and seeks to ensure that new development does not result in detrimental impacts on local existing and proposed amenity of residents including daylight, sunlight, overshadowing, privacy and noise.

Existing residents

There are existing residents located on the Corbieshot development, to the west of the site boundary. New development is located an acceptable distance from existing properties and provides a reasonable level of privacy between existing and new homes. There are two rows of terraced properties (plots 9 to 17) which are positioned more closely to the existing site boundary and adjacent properties at Corbieshot, however the gable ends of these blocks will face onto the existing properties and will not impact on the privacy of existing properties.

An assessment of sunlight to those existing properties on Corbieshot sitting closest to the above noted terraces (plots 9 to 17) has been submitted by the applicant. This identifies that the garden grounds of five properties at Corbieshot will receive a reduced amount of sunlight between 9am and 11am as assessed on the spring equinox. There will be no change to the sunlight received by these properties for the rest of the day. This impact is considered to be relatively minor and is acceptable.

Future residents

Privacy

The layout allows for a reasonable distance to be provided between habitable rooms in buildings whilst achieving an appropriate density of development and is acceptable.

Open Space

The total green space proposed on the site is approximately 40% of the total site area (excluding private garden grounds). This exceeds the requirements of policy Hou 3 (Green Space in New Developments) and is acceptable. Private garden grounds are provided for all houses. The provision of open space on the site includes a good mix of landscape species and character areas and provides good amenity value to properties.

Sunlight to garden grounds

The Council's Edinburgh Design Guidance recommends that half of new gardens spaces should be capable of receiving at least three hours sunlight during the spring equinox.

A sun path analysis has been provided for the proposed development which illustrates that all south, west and east facing gardens (39 properties) will receive over three hours of direct sunlight exposure during the spring equinox. Fourteen properties have north facing rear gardens. The analysis demonstrates that one of these properties will receive over three hours of direct sunlight exposure to rear garden grounds during the sun equinox. A further four of these properties will receive sunlight to their front garden areas during this time. Therefore, nine properties will have a shortfall in the recommended sunlight exposure to garden grounds.

The assessment notes that these properties with a shortfall will receive over eleven hours of sunlight during the summer months. Given the relatively small number of properties that are affected, and the overall provision of open space across the site as a whole, this shortfall in sunlight amenity is considered to be acceptable in this instance.

Accommodation Space Standards

All properties meet the minimum space standards for accommodation set out within the Edinburgh Urban Design Guidance and are acceptable.

Noise

The applicant has submitted a supporting noise impact assessment which includes detailed surveys on the development site, measuring noise from rail, traffic, supermarket operations, petrol filling station and car valeting facilities located in close proximity to the site. The results of the noise impact assessment highlight that the noise levels from these sources will not adversely impact the proposed residential units if developed out in accordance with the submitted plans. Environmental Protection has

reviewed this assessment and is satisfied that there will be no adverse impacts on new residents on the site from these sources. This is acceptable.

Waste arrangements

Refuse and recycling facilities will be provided within rear garden grounds for houses. A swept path analysis has been completed and Waste Services is satisfied within the proposed waste management strategy. The proposed waste management strategy is acceptable.

g) The proposal meets the sustainable standards in the Edinburgh Design Guidance;

The applicant has submitted a sustainability statement in support of the application. The application is classed as a major development and has been assessed against Part B of the standards.

The points achieved against the essential criteria are set out in the table below:

Essential Criteria	Available	Achieved
Section 1: Energy Needs	20	20
Section 2: Water conservation	10	10
Section 3: Surface water run off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	30
Total points	80	80

The proposal meets the essential criteria in terms of energy needs and satisfies policy Des 6 of the Local Development Plan.

h) Affordable housing and infrastructure

Affordable Housing

Thirteen affordable houses are proposed on site which equates to 25% of the total housing provision, meeting the requirements of policy Hou 6 Affordable Housing in the LDP. These will be a mix of one, two and three bedroom homes. The affordable housing provision will be tenure blind. The Council's Affordable Housing officers are satisfied with the proposed affordable housing provision for the site.

Education

Residential development is required to contribute towards the cost of the required education infrastructure to ensure that the cumulative impact of development can be mitigated. The site falls within the within Sub-Area C-2 of the 'Castlebrae Education Contribution Zone'. The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.

Contributions are required towards education actions in the Castlebrae Education Contribution Zone. The level of education infrastructure has been taken from the finalised Supplementary Planning Guidance Action Programme (January 2019) which equates to £320,264. A legal agreement is recommended to secure the required contribution.

Transport

A number of transport contributions are also identified as informatives attached to this application. These include provision for footway works, waiting/ loading works, implementation of a 20mph limit and provision of two city car club vehicles. The transport contributions in this regard equal £18,500.

i) Material representations or community council comments raise issues to be addressed;

No comments have been received for this application.

j) The proposals have any equalities or human rights impacts; and

The application has been assessed and is not found to have any impacts on equalities or human rights. All homes will be provided with level access entrances and the development will be required to meet with current building standards.

k) there are any other material considerations.

Coal Authority

Coal Authority records identify that the application site falls within the defined Development High Risk Area and is specifically noted as being in an area where unrecorded coal mining at shallow depth may be present.

The applicant has submitted a Coal Mining Risk Assessment Report which concludes that the application site is potentially at risk from mineral instability. Site investigations have identified indicative shallow mine workings within the site. Remedial measures will therefore require to be undertaken prior to the development of the application site. A condition is proposed for the application to ensure that these measures are undertaken to the satisfaction of the Coal Authority. The Coal Authority has no objection to the application on the basis that this condition is imposed and the requirements of it are met in full.

Environmental Protection

Site Investigation

The applicant has submitted an initial Site Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition be attached to any consent to ensure that the contaminated land is fully addressed.

Air Quality

The site is well positioned in relation to the existing public transport network and provides good opportunities for travel on foot and by cycle. A range of sustainability measures are integrated into the development. Given the provision of private parking within the development, Environmental Protection has advised of the requirement to install electric vehicle charging points in accordance with the Edinburgh Design Standards and install low NOX boilers to the residential properties. The applicant has agreed to these requirements in principle and a condition and informative will be added to the consent to this effect.

Archaeology

With regards to archaeology, the site is regarded as occurring within an area of archaeological potential, therefore it is essential that an archaeological mitigation strategy is undertaken in this area prior to development. Therefore, following the advice of the city archaeologist, a condition is recommended to ensure that a programme of archaeological works is carried out prior to the commencement of development.

Conclusion

The development of 53 dwellings on the site will contribute to the city's housing needs in an accessible and sustainable location. The existing open space on site is of limited amenity and leisure value to the local community and the proposed development will help to deliver an improved quality of open space within part of the site. The proposed landscaping strategy for the site will have an acceptable impact on the existing habitat and biodiversity mix and will provide an enhanced species mix across the site. The existing core path through the site will be retained and improved. The proposed layout will provide a clear hierarchy of routes through the site and will improve pedestrian connections across the site from the wider area. An appropriate mix of housing types will be provided, including affordable housing. The proposal will provide an appropriate level of amenity to existing and future occupiers. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

- b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
2. All private driveways shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be installed and operational in full prior to the development being occupied.
 3. Prior to the commencement of works on site, information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations) shall be submitted for approval. Further to this, the remediation measures shall be implemented.
 4. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, recording and analysis, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
 5. The approved landscaping scheme shall be fully implemented within six months of the occupation of the residential properties.
 6. An ongoing programme of landscape maintenance shall be delivered for a ten year period following implementation of the approved landscaping works.
 7. 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.
 8. A full detailed specification, including trade names where appropriate, of all the proposed external play equipment shall be submitted to and approved in writing before work is commenced in site.
 9. Detailed plans will be submitted for approval by the road's authority for the relocation of the existing bus gate and bus stops on the Jewel prior to the commencement of development on site.
 10. The revised position of the existing bus gate and bus stops on The Jewel will be implemented prior to occupation of the first dwelling house on site.

Reasons: -

1. In order to ensure that the site is suitable for redevelopment.

2. In order to ensure that adequate provision for electric vehicle charging is provided on site.
3. In order to ensure that the site is suitable for redevelopment.
4. In order to safeguard the interests of archaeological heritage.
5. In order to ensure that the approved landscaping works are properly established on site.
6. In order to ensure that the approved landscaping works are properly maintained on site.
7. In order to enable the planning authority to consider this/ these matter/s in detail.
8. In order to enable the planning authority to consider this/ these matter/s in detail.
9. In order to enable the planning authority to consider this/ these matter/s in detail.
10. In order to enable the planning authority to consider this/ these matter/s in detail.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement relating to education, healthcare, affordable housing and transport has been concluded and signed. The legal agreement shall include the following:

2. Education: A financial contribution is required to Communities and Families to ensure that the cumulative impact of the development can be mitigated. A contribution of £320,264 is required towards actions in the Castlebrae Education Contribution Zone (Sub-Area C-2).

3. Affordable Housing: 25% of the total number of residential units shall be developed for affordable housing provision.

4. Transport: (a) A financial contribution of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;

(b). A contribution of £2,000 to progress a suitable order to introduce waiting and loading restrictions and parking spaces as necessary;

(c). Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed; and

(d). In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £12,500 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;

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

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

3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

5. a) 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. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that the proposed junction design includes the safe relocation of the existing bus stop and associated infrastructure at no cost to the Council. The applicant is also recommended to contact the Council's waste management team to agree details of refuse collection;

b) A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent. For the avoidance of doubt, the proposed layout is not approved at this stage as a number of detailed matters require redesign, including the provision of on-street parking spaces and cycle / pedestrian links to neighbouring areas;

c) 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;

d) 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;

e) 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;

f) 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;

g) 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;

h) The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.

6. Development is required to comply with the mitigation recommendations set out in the Preliminary Ecological Appraisal.

7. Swift bricks should be incorporated into the building. Proposed locations should be approved by the planning authority.

8. The applicant is encouraged to provide details of tree-pits in both hard and soft landscape areas to control quality of implementation of new trees.

9. Tree guards or other suitable protection are recommended for trees in public open spaces to protect them from vandalism.

10. Any off-street residential hard standing should be porous to comply with Guidance for Householders (CEC, February 2019).

11. For the avoidance of doubt window materials must be recycled UPVC, timber or aluminium.

12. Low NOX boilers shall be installed in each of the residential properties in the development.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

Pre-Application Process

The application was subject to pre-application advice.

A Proposal of Application Notice was submitted and registered on 03 December 2018 (18/10006/FUL) and presented to the Development Management Sub-Committee on 9th January 2019.

A public exhibition event was held on 10th January 2019 at the Hays Business Centre, Craigmillar. This was publicised locally prior to the event using posters, leaflets and an advertisement in the Edinburgh Evening News. Full details can be found in the Pre-Application Consultation report, which sets out the findings from the community engagement. This is available to view on the Planning and Building Standards Online services.

Public summary of representations and Community Council comments

Neighbour notification was undertaken on 7 June 2019. No comments were received from members of the public regarding the application. No comments were made by Craigmillar Community Council.

Background reading/external references

- 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 located in the urban area of the adopted Edinburgh Local Development Plan. The site is allocated as an area of open space (Niddrie Junction West).

Date registered

31 May 2019

Drawing numbers/Scheme

01,02B,03C,04B,05B,06A,07A,08-26,27A,28-31,32A,33-42,
,

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Julie Ross, Planning Officer
E-mail:julie.ross@edinburgh.gov.uk Tel: 0131 529 4468

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

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 Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

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 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

LDP Policy Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

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

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

LDP Policy Hou 10 (Community Facilities) requires housing developments to provide the necessary provision of health and other community facilities and protects against valuable health or community facilities.

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

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 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

LDP Policy Tra 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

Relevant Non-Statutory Guidelines

The Open Space Strategy and the audit and action plans which support it are used to interpret local plan policies on the loss of open space and the provision or improvement of open space through new development.

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Appendix 1

Application for Planning Permission 19/02600/FUL at Land East of Corbieshot, Corbieshot, Edinburgh. Residential development (53 dwellings), associated access arrangements, roads, open space, landscaping and infrastructure works (as amended).

Consultations

The Coal Authority

Residential development (54 dwellings), associated access arrangements, roads, open space, landscaping and infrastructure works; Land east of, Corbieshot, Edinburgh

Thank you for your consultation letter of 20 June 2019 seeking the views of The Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: Material Consideration

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore, within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. Specifically, our records indicate likely unrecorded coal mining at shallow depth beneath the application site.

The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site and has used this information to inform the Coal Mining Risk Assessment Report (Mason Evans, February 2019) which accompanies this planning application.

Following a review of coal mining information, it was concluded that the application site was potentially at risk from mineral instability. Therefore, the applicant undertook intrusive site investigations to determine the presence or otherwise of shallow coal mine workings. Nine boreholes were sunk within the application site boundary to a depth of 30m bgl. These boreholes encountered evidence indicative of shallow mine workings. The report recommends that remedial measures, comprising of drilling and grouting, will be required prior to the development of the application site.

The Coal Authority concurs with the conclusions and recommendations of the Coal Mining Risk Assessment Report (Mason Evans, February 2019) which accompanies this planning application. The exact form and extent of remedial measures need to be agreed with the Permitting Section of The Coal Authority as part of the applicant's permit application. These remedial measures should be prepared and conducted by a suitably competent person. In addition, it would be prudent if consideration was also afforded to the risk posed by mine gas to the application site and proposed development.

The Coal Authority Recommendation to the LPA;

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site remedial works prior to commencement of development. This is to ensure the safety and stability of the proposed development.

A condition should therefore require prior to the commencement of development:

- The submission of a scheme of remedial works for approval; and*
- Implementation of those remedial works.*

The Coal Authority therefore has no objection to the proposed development subject to the imposition of a condition or conditions to secure the above.

Please do not hesitate to contact me if you would like to discuss this matter further.

Transportation Planning

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

1. The applicant will be required to:

- a. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*
- b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
- c. Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;*
- d. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £12,500 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area.*

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. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that the proposed junction design includes the safe relocation of the existing bus stop and associated infrastructure at no cost to the Council. The applicant is also recommended to contact the Council's waste management team to agree details of refuse collection.

3. A Quality Audit, as set out in *Designing Streets*, to be submitted prior to the grant of Road Construction Consent. For the avoidance of doubt, the proposed layout is not approved at this stage as a number of detailed matters require redesign, including the provision of on-street parking spaces and cycle / pedestrian links to neighbouring areas.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.

Note:

Car parking provision is 1 space per unit plus 14 on-street spaces, including 4 disabled spaces, 2 car club spaces and 8 electric vehicle spaces.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for residential development (54 dwellings), associated access arrangements, roads, open space, landscaping and infrastructure works

The site occurs on the Lothian coastal plain to the west of the historic Estate of Brunstane and mining village of Newcraighall. This area is known as an area associated prehistoric occupation and with historic mining thought to date back to the 12th/13th century. The scale of this pre-industrial mining is only just coming to light due to recent (2014-16) excavations carried out by GUARD during housing development being carried out to the north and SE of the village and by Geophysical surveys by CFA to the North of Brunstane House. Both sites were shown to contain extensive areas of previously unknown late/post-medieval mine workings alongside more modern 19th and 20th century remains. The 1st Edition OS map records mine shafts close to this site which not only indicates the site's potential for 19th century industrial archaeology but potential for earlier mining

Accordingly, this site has been identified as occurring within an area of archaeological potential. 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 and also CEC's Edinburgh Local Development Plan (2016) Policies ENV8 & ENV9. 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.

The proposed area has remained undeveloped and may therefore contain significant remains associated with the area's pre-industrial (pre-19th century) mining heritage as well potentially earlier prehistory remains. Accordingly, it is essential that a programme of archaeological works is undertaken prior to development in order to fully excavate and recording any surviving archaeological remains, including those relating to the site's mining heritage.

This will require a phased archaeological programme of works, the initial phase being an archaeological evaluation up to a maximum of 10% of the site undertaken prior to the submission of subsequent AMC and or FUL applications. The results of which will determine the scope of mitigation strategies required to ensure the protection and/or the excavation and recording of any surviving archaeological remains during the subsequent phases of development. This will also include analysis of any mine remediation works carried out to determine depth and extent of such workings.

It is recommended that the following condition is attached in order fully record these important industrial buildings but also any associated buried remains as follows;

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

The work must 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.

Environmental Assessment

Response 1 (26 August 2019)

The proposal is for residential development in an area that is currently vacant ground. The application site is located west of the supermarket car park (car wash, recycling and petrol station), east of private housing on Corbieshot, south of The Jewel and north of the railway line.

Environmental Protection had advised the applicant during the pre-planning stage that supporting information will be required in the form of a noise impact assessment, air quality screening report and site investigation initial assessment.

The applicant has submitted a Site Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed

The applicant has also submitted a supporting noise impact assessment and an air quality screening assessment. Environmental Protection has reviewed these documents and accept their findings.

The noise impact assessment has involved carrying out detailed noise surveys on the development site. They have gathered noise measurement from rail, traffic, supermarket operations, petrol filling station and car valet services. The results of the noise impact assessment highlight that the noise levels from these sources will not adversely impact the proposed residential units if developed out in accordance with the submitted plans.

With regards local air quality impacts the applicant has highlighted in the Design and Access Statement that sustainability has been an inherit part of the design process. Furthermore, the site is well situated in relation to the existing transport network. A series of footpaths, footways and usable cycle links exist in the surrounding area offering connections with the wider network. The site is well-located for access to public transport services with local bus routes.

The applicant was advised during the pre-planning stage to keep the car parking numbers down to a minimum. The plans show that conventional front driveway parking is proposed therefore the applicant must ensure that as a minimum they install electric vehicle charging points in accordance with the Edinburgh Design Standards and install low NOX boiler to the residential properties. Due to the layout of the parking and considering the total numbers of parking spaces Environmental Protection would want the applicant commit to providing 100% of the driveways serving each property with an electric vehicle charging point. A standard 13-amp external charger (three-pin socket) serving all the drive ways should be provided. An option to upgrade this to a 32-amp 7Kw charger with type 2 socket should be provided to tenants with capacity provided in each switchboard. This should be conditioned.

Therefore, Environmental Protection cannot fully support this application.

1. Prior to the commencement of construction works on site:

a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development and

b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

2. All private driveways shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be installed and operational in full prior to the development being occupied.

Response 2 (28 October 2019)

The proposal is for residential development in an area that is currently vacant ground. The application site is located west of the supermarket car park (car wash, recycling and petrol station), east of private housing on Corbieshot, south of The Jewel and north of the railway line.

Environmental Protection had advised the applicant during the pre-planning stage that supporting information will be required in the form of a noise impact assessment, air quality screening report and site investigation initial assessment.

The applicant has submitted a Site Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed

The applicant has also submitted a supporting noise impact assessment and an air quality screening assessment. Environmental Protection has reviewed these documents and accept their findings.

The noise impact assessment has involved carrying out detailed noise surveys on the development site. They have gathered noise measurement from rail, traffic, supermarket operations, petrol filling station and car valet services. The results of the noise impact assessment highlight that the noise levels from these sources will not adversely impact the proposed residential units if developed out in accordance with the submitted plans.

With regards local air quality impacts the applicant has highlighted in the Design and Access Statement that sustainability has been an inherent part of the design process. Furthermore, the site is well-situated in relation to the existing transport network. A series of footpaths, footways and usable cycle links exist in the surrounding area offering connections with the wider network. The site is well-located for access to public transport services with local bus routes.

The applicant was advised during the pre-planning stage to keep the car parking numbers down to a minimum. The plans show that conventional front driveway parking is proposed therefore the applicant must ensure that as a minimum they install electric vehicle charging points in accordance with the Edinburgh Design Standards and install low NOX boiler to the residential properties. The applicant has committed to providing 100% of the driveways serving each property with an electric vehicle charging point. The applicant is agreeable to this and have already allowed for the services infrastructure serving the site (power) to be upsized to accommodate private EV charging points to every plot. A standard 13-amp external charger (three-pin socket) serving all the drive ways should be provided. An option to upgrade this to a 32-amp 7Kw charger with type 2 socket should be provided to tenants with capacity provided in each switchboard. This should be conditioned.

As the applicant has provided further detail and commitment with regards EV charging and gas boiler Environmental Protection now offer no objection subject to the following conditions.

1. Prior to the commencement of construction works on site:

a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

2. All private driveways shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be installed and operational in full prior to the development being occupied.

Communities and Families

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal August 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2019).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the finalised Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (August 2018).

Assessment and Contribution Requirements

Assessment based on:

50 Houses

4 one bed flats have been excluded from the assessment.

This site falls within Sub-Area C-2 of the 'Castlebrae Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme. The site was not accounted for in the Council's Education Appraisal.

The established 'per house' and 'per flat' contribution figures for this area within the finalised supplementary guidance are £2,280 (as at Q4 2017) per flat and £12,107 per house (as at Q4 2017).

These figures include a contribution towards the delivery of additional primary school capacity as well as additional secondary school capacity. The primary school actions associated with Sub-Area C-2 relate to Castleview Primary School.

The site is within the catchment area of Niddrie Mill Primary School and St Francis' RC Primary School. No new housing sites were anticipated within the Niddrie Mill Primary School catchment area when the Council's LDP Education Appraisal and Supplementary

Guidance were prepared. Using the pupil generation rates set out in the Council's Supplementary Guidance, the development would be expected to generate 13 non-denominational primary school pupils and 2 denominational primary school pupils.

Although there is much new housing development happening within the local area, current school roll projections indicate that there will be capacity at Niddrie Mill Primary School to accommodate the 13 additional primary school pupils expected to be generated by his development. The impact of the development on St Francis' Primary School is not anticipated to be significant. There are no current plans to extend Niddrie Mill Primary School or St Francis' RC Primary School and the delivery of a new classroom would not be added to the Council's LDP Action Programme because of this development.

Therefore, the Planning service may decide that if this proposal was known about at the time that the current SG was prepared it is unlikely that a requirement for a primary school contribution from the development would have been established. In these circumstances, the Planning service may determine that a contribution towards the secondary school action within the area is all that is required - Additional secondary school capacity. A contribution based solely on the secondary school action should be based on £980 (as at Q4 2017) per flat and £6,536 per house (as at Q4 2017). In these circumstances, the total contribution for 50 houses would be:

Total infrastructure contribution:

£326,800

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Affordable Housing

1. Introduction

I refer to the consultation request from the Planning Department about this planning application.

Housing Management and Development assess housing requirements by tenure to support the city's Affordable Housing Policy (AHP).

- The AHP makes the provision of affordable housing a planning condition. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*
- This is consistent with Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan.*

2. Affordable Housing Provision

This application is for a development consisting of 54 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (13) homes of an approved affordable tenure.

The applicant has stated that the affordable housing will account for 13 (25%) of the new homes and has had discussions with an RSL to provide onsite affordable housing. However, the initial design of the three bedroom homes did not meet RSL design standards. Following discussion with the RSL and the Council, the developers revised the design of the three bedrooms homes and these are now acceptable to the RSL.

The applicant has agreed to provide the following;

Four- one bedroom cottage flats

Five - two bedroom houses

Four - three bedroom house.

13 homes for social rent in total.

This is welcomed by the department. The affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and should also meet the requirements of the Housing Association Design Guides. An equitable and fair share of parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided.

The affordable homes are situated within close proximity (within 400 metres) of regular public transport links and are located next to local amenities.

3. Summary

The applicant has made a commitment to provide 25% on site affordable housing and this is welcomed by the department. These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed sustainable community.

We would be happy to assist with any queries on the affordable housing requirement for this application.

Craigmillar Community Council

No response received

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

There is currently sufficient capacity in the Glencorse 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.

Foul

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.

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.

Infrastructure within boundary

According to our records, the development proposals impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly at service.relocation@scottishwater.co.uk. The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

Scottish Water Disclaimer

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

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:

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

www.sisplan.co.uk

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.

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.

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.

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-OurNetwork>

Next Steps:

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 PreDevelopment 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.

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.

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

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 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

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

Flood Planning

Response 1 (19.06.19)

Thank you for the consultation request. I have reviewed the information online and have the following comments for the applicant:

1. The applicant has not completed a self-certification checklist or declaration for this application covering the design of the surface water network. The checklist should be completed to provide a summary of the information submitted in support of the application. As this development is classed as a major development under Planning definition then an independent consultant is required to check the design and submission. They must then sign the required declaration for inclusion with the application prior to issue to CEC Flood Prevention.

2. Could the applicant please provide clarification on the condition and the capacity of the existing surface water outfall and confirm permission to discharge to it.

Response 2 (20.11.19)

Thank you for sending through the Certificate B1 from Kaya for the SWMP, this is accepted.

We still require Certificate A1 (page 2/3 attached) completed and signed by InDev as mentioned in my last email. Following appropriate completion and receipt of this we will be happy for this to proceed to determination.

Response 3 (20.11.19)

This certificate is accepted and Flood Prevention have no further comments prior to determination for this application.

Waste Planning

Response 1 (07.08.19)

I have been asked to provide my comments as a consultee to this application on behalf of the Waste and Cleansing Services.

I have provided below some general information in relation to this development, but the detailed arrangements need to be agreed with myself at later stage. The architects or developers should liaise directly with me, via email at Sean.Hanlon@edinburgh.gov.uk

Compliance with Waste Strategy (Domestic Waste Only)

The provision of a full recycling service is mandatory in Scotland, so developers must make provision for the full range of bins (either individual containers for each property, or communal bins for multiple properties). These must be stored off street at all times, except on the day of collection (in the case of individual bins).

The waste collection teams will require safe and efficient access to these from the earliest occupation, and therefore cognisance must be taken of my comments below in relation to operational viability. Should these drawings substantially change, please let me know.

The planning application drawings and documents do not show any suitable bin presentation points nor any storage space within the curtilage of the properties. We require the bin presentation point to be within 10m of the vehicle. We also require a swept path analysis showing the 12m refuse collection vehicle, driving up to the bins, and turning without any overhang.

Developers may either source their own bins in line with our requirements, or can arrange for us to do so and recharge the cost - this will probably be most convenient for them.

Waste Management Responsibilities

The Waste and Cleansing Services will be responsible for managing the waste from households and any Council premises only. I am assuming this would include this development.

Regarding any commercial aspect, it would be the responsibility of any third party commercial organisations using the site to source their own trade waste uplifts. Architects should however note the requirement for trade waste producers to comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling. This means there would need to be storage space off street for segregated waste streams arising from commercial activities. This would have to be separate from the residential bin storage area.

Any appointed waste collection contractors, appointed to manage commercial waste, could be expected to have similar requirements to the Council in terms of their need to be able to safely access waste for collection.

Operational Viability

Developers need to ensure that services are accessible so that our collection crews can provide the service in a safe and efficient manner, taking account of turning circles, length and width of vehicles, distance bins must be pulled, surfaces, slopes and so on.

Obviously sufficient capacity must also be provided to allow successful collection of each segregated waste stream. Initial information on the requirements for waste services is available in the Architect and Developers Instructions, which can be provided for reference.

I would recommend further contact with me to ensure adequate provision of segregated household waste bins include all of the above and suitable access for the refuse collectors is arranged.

Response 2 (30.10.19)

We would not accept this swept path as it appears to show the overhang of the vehicle leaving the road area and we specify that this must be contained within the road area (see snip below). There also doesn't seem to be a clear indication of the waste stream they would like to incorporate for this development (individual and/or any communal) although the majority of houses seem to be individual (confirmation needed) and this would be our preference.

We like to avoid mixing both individual and communal collections where possible due to the difference in frequency of collections (Communal weekly, individual fortnightly).

Response 3 (06.11.19)

There's a bit overlapping a pavement highlighted below (pic 1).

(Pic 2) the possible collection point, I would like this confirmed if there isn't a SPA to enter this location.

Also (Pic 3), it's been brought to my attention the "bus only" part of this road.

It would make it easier if collections could have access through this area when doing the Corbieshot area. Is this something you would/could deal with?

Response 4 (15.11.19)

Apologies for the late response, I didn't expect this to be adjusted just to help us with routing and appreciate the issues this would raise. Access is not a problem from the other side and I am just waiting on the S,P,A conforming at the overlapping points highlighted.

Response 5 (15.11.19)

Please forget earlier email, I have the revised S,P,A and it is now conforming.

Point 2 about the designated collection point has been addressed, we would like this signed as a presentation point and residents reminded to return bins after collection to their property.

As this is individual collections we would have no further input or issues with the proposal.

SEPA

Thank you for your consultation which SEPA received on 06 November 2019.

Advice for the planning authority

We have no objection to this planning application, but please note the advice provided below.

1. Flood Risk

1.1 We have no objection on flood risk, on the basis that the City of Edinburgh Council is satisfied that the SUDS on site are appropriate.

2. Proximity to SEPA Regulated Sites.

2.1 The only site regulated by SEPA is the petrol station at the adjacent supermarket. This is regulated by means of Pollution Prevention and Control and we do not consider it will have impacts on the proposed development.

3. Surface Water

3.1 The discharge of surface water will be authorised by way of CAR General Binding Rules.

3.2 Consideration has been given to the use of SUDS at the construction phase. All SUDS should be designed in accordance with the CIRIA manual. It has been mentioned that the SIA approach has been used to select SUDS. Consideration should also be given to designing SUDS, particularly the detention basin, to provide habitat value.

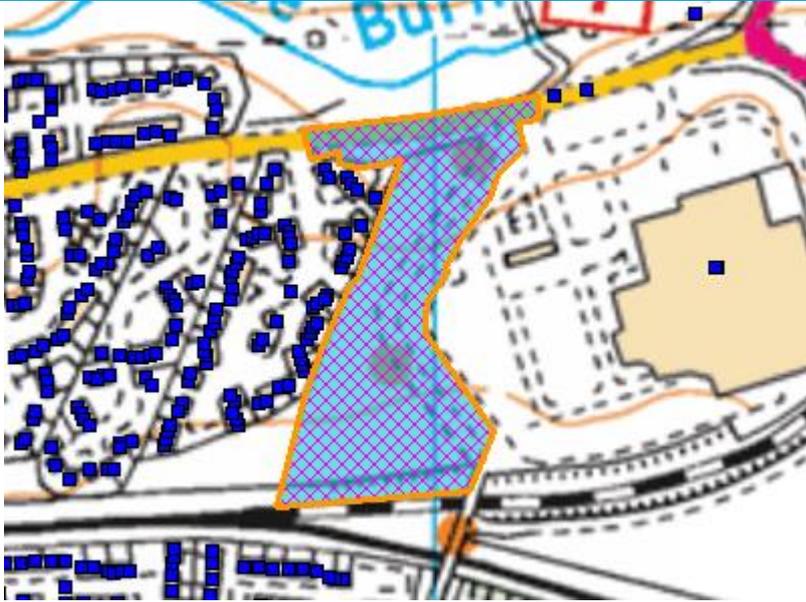
Regulatory advice for the applicant

4. Regulatory requirements

4.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in the local SEPA office at:

*Silvan House, SEPA 3rd Floor, 231 Corstorphine Road, Edinburgh EH12 7AT.
Tel: 0131 449 7296*

Location Plan



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