

Development Management Sub Committee

Wednesday 4 December 2019

Application for Planning Permission 18/04267/FUL at 437 Gorgie Road, Edinburgh, EH11 2RT. Demolition of existing Public House and construction of 11 residential flats with gardens (as amended).

Item number

Report number

Wards

B09 - Fountainbridge/Craiglockhart

Summary

The proposal is acceptable in principle, and is of an appropriate scale and design which will enhance the character and appearance of the surrounding area. The proposal will create a satisfactory living environment for prospective occupants, will not have an adverse impact on the amenity of neighbouring residents and does not raise any issues in respect of vehicle and cycle parking, flood prevention, species protection, archaeological significance, waste and recycling provision or infrastructure contributions. The proposal complies with policies Del 1, Hou 1, Hou 2, Hou 3, Hou 4, Hou 10, Des 1, Des 4, Des 5, Env 9, Env 16, Env 21, Tra 2 and Tra 3 of the adopted Edinburgh Local Development Plan (LDP), the Edinburgh Design Guidance (EDG) and the Council's Supplementary Guidance for Developer Contributions and Infrastructure Delivery.

Links

[Policies and guidance for this application](#)

LDPP, LHOU01, LHOU03, LHOU04, LHOU10, LDES01, LDES05, LTRA02, LTRA03, LEN09, LEN16, LEN21, LDES04, LHOU02, NSG, NSGD02, NSGD02,

Report

Application for Planning Permission 18/04267/FUL at 437 Gorgie Road, Edinburgh, EH11 2RT. Demolition of existing Public House and construction of 11 residential flats with gardens (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 comprises Luckies public house which is situated on the southern side of Gorgie Road. The site has a total area of 0.065 hectares and consists of the main public house building, a rear courtyard and a section of grass situated between the gable of the main building and the western boundary of the site. The site lies adjacent to a three-way junction between Gorgie Road, Balgreen Road and Hutchison Crossway. The surrounding area has a mixed residential and commercial character. The area to the south and west is characterised by four-in-a-block flatted properties and detached dwelling houses, with the area to the east characterised by three and four storey flatted buildings and various commercial properties. Saughton Public Park is situated directly to the north west of the site.

2.2 Site History

12 December 2001 - Planning permission granted for the erection of an extension and the formation of three bedroom flat in the roof space (application reference: 01/02225/FUL).

17 August 2017 - Planning permission granted for the demolition of the existing public house and the construction of 11 flats (as amended) (application reference: 16/06024/FUL).

Main report

3.1 Description of the Proposal

The proposal seeks planning permission for the demolition of the existing public house and the construction of a contemporary style four-storey flatted building with associated bin storage, cycle parking and green space. The new development encompasses two distinct built elements, a sloping roof element with a predominantly buff brick exterior sited adjacent to the northern boundary of the site, and a flat roofed element with a timber exterior. The buff brick building will measure 12 metres at eaves level and 14.7 metres at its highest point. The flat roofed building will measure 11.6 metres at its highest point. The development will have an overall footprint of 320 square metres.

A total of 11 flats will be located within the building which will encompass the following layout:-

Ground Floor Level

- One two-bedroom flat with a floor area of 83 square metres and one three bedroom flat with a floor area of 105 square metres;
- Bin storage facility;
- Plant machinery room;
- Bike storage facility with provision to store 20 bicycles; and,
- Outdoor bike storage facility with provision for 9 bicycles.

The first floor, second floor and third floor levels will each encompass two 2 bedroom flats with floor areas of 82 square metres and a three bedroom flat with a floor area of 109 square metres.

Scheme One

The original scheme was amended to change the predominant external material from red brick to buff brick, alter the window fenestration and balcony depths on the southern elevation, increase cycle parking provision and the size of the bin store opening, and replace hard standing at the rear of the site with green space.

Supporting Documents

The applicant has submitted the following supporting documents which are available to view on Planning and Building Standards on-line services:

- Visualisations;
- Supporting Statement;
- Flood Risk Assessment;
- Drainage Strategy, and;
- Sunlight Analysis Report.

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 proposal is acceptable in principle;
- b) The proposal is acceptable in respect of design, form, scale and density;
- c) The proposal will result in the creation of a satisfactory living environment;
- d) The proposal will have a detrimental impact on the amenity of neighbouring residents;
- e) The proposal raises any issues in respect of vehicle and cycle parking;
- f) The proposal raises any other material considerations and
- g) Any issues raised by objectors have been addressed.

a) Principle of the Proposal

Policy Hou 1 of the adopted Edinburgh Local Development Plan (LDP) states that priority will be given to the delivery of the housing land supply and the relevant infrastructure on suitable sites in the urban area, provided proposals are compatible with other policies in the plan. In addition, policy Hou 10 states that development involving the loss of valuable health or other community facilities will not be allowed, unless appropriate alternative provision is to be made.

The site is designated as being within the urban area in the LDP. The demolition of the public house and the formation of dwellings is acceptable in this location. There is an existing extant consent on the site for 11 flats (application number: 16/06024/FUL).

Luckies is a public house and operates as a commercial premises. It is not a health or community facility, the retention of which is necessary to foster community life.

The proposal complies with policies Hou 1 and Hou 10 and is acceptable in principle.

b) Design, Form, Scale and Density

LDP policy Des 1 - Design Quality and Context states planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Planning permission will not be granted for poor quality or inappropriate design that would be damaging to the character of the area. Policy Des 4 - Development Design states development should have a positive impact on its surroundings, having regard to height and form; scale and proportions, including the spaces between buildings; position of buildings and other features on the site; and materials and detailing

The Edinburgh Design Guidance (EDG) sets out key aims for new development to have a positive impact on the immediate surroundings, through its height and form; scale and proportions; positioning of the buildings on site and materials and detailing.

The surrounding area has a mixed residential/commercial character which is predominantly characterised by four in a block flatted buildings and three/four storey tenement buildings. The form and scale of the proposed building is generally in keeping with that of other tenement buildings located nearby. The highest point of the sloped roof element of the building marginally exceeds the height of the adjacent flatted development situated to the east and tenement flats and ground floor shopping parade building located on the opposite side of the street. However, the overall height is considered acceptable owing to the manner in which the roof slopes and decreases in height from west to east, mitigating the overall visual impact of the proposals built form.

The buildings in the surrounding area encompass a mixture of exterior materials including smooth render, roughcast, natural stone and brick. The use of buff brick and timber as the predominant external materials for the development is acceptable. The use of these materials will give the building a high quality contemporary appearance, ensuring that it is able to suitably fit within the streetscape while maintaining a distinctive individual character. The use of timber as the external material for the rear section of the building will also enable this part of the development to visually blend in with the mature trees situated on Hutchison Crossway.

LDP policy Hou 2 promotes a mix of house types and sizes where practical. Policy Hou 4 seeks an appropriate density of development having regard to the site characteristics and the area. The development is of an appropriate density in keeping with the spatial character of the surrounding area which encompasses flatted buildings and tenements as the predominant form of residential accommodation. The proposal includes provision for a suitable mixture of two and three bedroom dwellings.

The proposal is appropriate in respect of its design, form, scale and density and complies with LDP policies Des 1, Des 4, Hou 2 and Hou 4.

c) Creation of Satisfactory Living Environment

Policy Des 5 states that development will be permitted where the amenity of neighbouring development is not adversely affected, and future occupiers have acceptable levels of amenity.

All of the proposed flats meet the minimum floor space requirements in the EDG and will receive adequate provision of daylight. All the flats will be dual aspect and will permit views in more than one direction.

The windows on the northern and western elevations of the building will be sited in close proximity to Gorgie Road and Hutchison Crossway at their nearest point. Environmental Protection has commented that upgraded glazing will be required to ensure that a good level of amenity can be achieved inside the proposed development. In order to ensure that prospective residents are not adversely affected by vehicle noise emanating from the Gorgie Road/Hutchison Crossway junction, a condition will be attached to this permission requiring a minimum standard of glazing to be installed on the windows in the northern and western elevations of the building.

The total green space proposed on the site is approximately 40% of the total site area. This exceeds the requirements of policy Hou 3 and is acceptable. The provision of open space on the site includes a good mix of landscape and useable areas and provides good amenity value to the properties within the development.

The proposal will result in the creation of a satisfactory residential environment and complies with policies Hou 3 and Des 5.

d) Impact on Amenity of neighbouring residents

The proposal will result in a loss of daylight to the gable windows of two of the flatted properties situated directly to the south within 48-50 Hutchison Crossway, owing to the proximity of the southern elevation of the building to this premises. In addition, the proposal will result in a loss of daylight to the secondary gable windows of the neighbouring flatted development at 435 Gorgie Road. However, the EDG states that daylight and privacy to gables and side windows is generally not protected in respect of assessing the impact of new development.

The height of the eastern gable elevation of the building is lower than the height of the existing consented development. In addition, the southern elevation which is situated directly opposite the gable elevation of 48-50 Hutchison Crossway will be positioned further back from the boundary than the consented development. Consequently, the impact of the proposal on the levels of daylight received by these neighbouring properties will be no greater than the impact of the existing consented proposal.

The design of the proposal has been amended to alter the configuration of the full height windows on the southern elevation which sit in close proximity to the boundary with the communal garden of 44-50 Hutchison Crossway. These windows have been angled and as a result there is no direct overlooking from the windows into the communal garden. The kitchen windows have been reduced in size to minimize the extent of any views which they afford. The remaining full height windows on this elevation will all be positioned a minimum of 9 metres from the boundary with the communal garden to the south.

A sunlight analysis has been submitted by the applicant to demonstrate the extent of overshadowing during the equinox and solstice periods. This has been assessed in accordance with the parameters of the BRE Guidance, 'Site Layout Planning for Daylight and Sunlight - A Guide to good practice'. Owing to the position of the development to the north of the neighbouring flatted building, the proposal will result in a degree of overshadowing to the communal garden ground of the residential building to the south. The overshadowing will predominantly fall on a section of garden ground situated between the site boundary wall and the gable elevation of the residential building. This section of garden ground has a limited level of amenity value. The more open sections of garden ground to the front and rear of the building which have greater amenity value will not be affected.

The proposal includes provision for balconies at first, second and third floor level on the southern elevation of the building, adjacent to its eastern gable elevation. The EDG does not stipulate any minimum privacy distances which should be maintained between buildings and outlines that the pattern of development in an area will help to define privacy distances. These balconies have been amended from their original design to reduce their depth and their distances from the boundary are sufficient to ensure that there will be no adverse overlooking into adjacent garden areas, while also maintaining sufficient regard to the communal nature of garden spaces within the surrounding area which are overlooked by several different properties.

The proposal will not have an adverse impact on the amenity of neighbouring residents and complies with policy Des 5.

e) Vehicle and Cycle Parking

LDP Policies Tra 2 - Private Car Parking and Tra 3 - Private Cycle Parking state permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels in the EDG, and cycle parking and storage complies with the standards.

Zero parking is proposed for the development. This is acceptable given the site's edge of city centre location and close proximity to bus stops which provide access to several bus routes serving the city centre, and the east, west, south and north of the city; including Heriot Watt University. A parade of commercial units is located directly opposite the site and Gorgie/Dalry Town Centre is located 400 metres to the east. Gorgie/Dalry Town Centre provides access to a variety of shops, cafes, hot food takeaways and professional services in addition to two supermarkets.

The proposal includes provision for a bike storage rack in the north western corner of the building at ground floor level providing secure cycle storage for 20 bicycles.

Additional storage is also provided adjacent to the rear elevation of the building for 9 bicycles. This level of cycle parking exceeds the cycle parking standards in the EDG which would require a minimum provision of 26 spaces and will ensure that prospective occupants have access to an acceptable level of communal cycle parking.

The Roads Authority has raised no objection to the proposal on road safety grounds.

The proposal does not raise any issues in respect of motor vehicle and cycle parking and complies with policies Tra 2 and Tra 3.

f) Other Material Considerations

Species Protection, Flood Prevention and Trees

A stage one bat survey was undertaken in March 2017 in connection with the previously consented development, (application number: 16/06024/FUL). This survey concluded that no bats were found in the building and the premises offered negligible bat roosting potential. Given the age and findings of this survey, it is not considered that the existing building on site is likely to be used by roosting bats and the proposed will not have an adverse impact on species protected under European law.

A flood risk assessment and surface water management plan were submitted to demonstrate that the proposal would not increase the risk of flooding or be at risk of flooding itself. Flood Prevention was consulted on the proposal and raised no objection.

The existing trees located on Hutchison Crossway to the west of the site are not included as part of the proposal and will be retained. These trees are located on land owned by the City of Edinburgh Council (CEC) and any works to prune, trim or remove these trees would require the agreement of CEC.

The proposal complies with LDP policies Env 16 and Env 21.

Waste Collection

A bin store will be situated at ground floor level capable of providing sufficient waste and recycling facilities for prospective residents which meet the Council's requirements for the storage and collection of waste from the site.

The proposal does not raise any issues in respect of waste collection in compliance with policy Des 5.

Education and Affordable Housing Contributions

The proposal has been assessed in terms of the Council's Supplementary Guidance on Developer Contributions and Infrastructure Delivery. Communities and Families was consulted on the proposed development and advised that no additional primary and secondary school pupils are expected to be generated as a result of the proposal. Therefore, no contribution towards increasing school capacity will be required.

The proposal involves the provision of fewer than 12 units. Consequently, the proposed development is not required to provide on-site affordable housing or a financial contribution to affordable housing delivery off site.

The proposal complies with LDP policy Del 1.

Archaeological Significance

The city archaeologist has commented that the existing public house has archaeological significance due to its age and historical use as an 18th-19th century blacksmiths. Having regards to the potential archaeological significance of the site, a condition will be attached to ensure that a programme of archaeology is undertaken prior to the commencement of development.

The proposal complies with LDP policy Env 9.

g) Matters Raised in Representations

Objection Comments

Material Considerations

- Loss of a facility which is used by the local community and hosts charitable fundraisers - addressed in section 3.3 (a).
- Proposal is overdevelopment of the site - addressed in section 3.3 (b).
- Proposal will have a detrimental impact on the character and appearance of the surrounding area - addressed in section 3.3 (b).
- Design, scale, height and density of the proposal are inappropriate - addressed in section 3.3 (b).
- Proposal will have an adverse impact on the amenity of neighbouring residents - addressed in section 3.3 (d).
- Proposal will result in increased parking for the surrounding area and raises issues in respect of road safety - addressed in section 3.3 (e).
- Proposal will place pressure on existing community education and health facilities - addressed in section 3.3 (f)
- Proposal doesn't include any affordable housing - addressed in section 3.3 (f).

Non-Material Representations

- Demolition of an important historic building - The existing building on the site is not a listed building or located within a conservation area and is not afforded and specific statutory protection from demolition.
- Noise and disturbance from construction of proposed development - The planning authority cannot control noise associated with construction works. These matters are controlled separately through Environmental Protection.
- Proposed development may be used as student flats - The proposal is seeking planning permission to construct eleven flatted dwellings which are considered to fall under the sui generis use class within the Town and Country Planning (Use Classes) (Scotland) Order 1997. Changing the use of the proposed development to managed student accommodation would require the submission of a separate application for planning permission.
- Loss of a facility which provides employment- The potential loss of an individual's job is not a material planning consideration.

Support Comments

Material Considerations

- Proposal is acceptable in principle - addressed in section 3.3 (a).

Conclusion

In conclusion, the proposal is acceptable in principle, and is of an appropriate scale and design which will enhance the character and appearance of the surrounding area. The proposal will create a satisfactory living environment for prospective occupants, will not have an adverse impact on the amenity of neighbouring residents and does not raise any issues in respect of vehicle and cycle parking, flood prevention, species protection, archaeological significance, waste and recycling provision or infrastructure contributions. The proposal complies with policies Del 1, Hou 1, Hou 2, Hou 3, Hou 4, Hou 10, Des 1, Des 4, Des 5, Env 9, Env 16, Env 21, Tra 2 and Tra 3 of the adopted Edinburgh Local Development Plan (LDP), the Edinburgh Design Guidance (EDG) and the Council's Supplementary Guidance for Developer Contributions and Infrastructure Delivery.

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

3.4 Conditions/reasons/informatives

Conditions: -

1. 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.

2. Prior to the commencement of development:

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

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

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

3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.

4. Prior to the occupation of the development, glazing units with a minimum insulation value of 6.4/12/10 mm double glazing shall be installed for the external doors and windows overlooking Gorgie Road and Hutchison Crossway. These windows shall also be fitted with attenuated trickle ventilation with a minimum acoustic rating $D_{n,e}$, w 39 dB.

Reasons: -

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to safeguard the interests of archaeological heritage.
4. In order to protect the amenity of the occupiers of the development.

Informatives

It should be noted that:

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

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

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

4. The scheme should be designed in accordance with BS8233:2014 ' Guidance on sound insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

Bedrooms - 30dB LAeq, T and 45dB LAfmax

Living Rooms - 35 dB LAeq, D

T - Night-time 8 hours between 2300 - 0700

D - Daytime 16 hours between 0700 - 2300

5. 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;

6. Written confirmation should be provided from Scottish Water confirming they accept the proposed discharge to the combined sewer system.

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

277 letters of objection and seven letters of support were received in respect of the proposal. A full summary of the matters raised by the objectors and supporters can be found in section 3.3 (a) of the main report.

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 in the Edinburgh Local Development Plan.

Date registered

28 August 2018

Drawing numbers/Scheme

01, 02A, 03A, 04A, 05A, 06A,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:**Relevant policies of the Local Development Plan.**

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

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

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

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

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

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

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

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.

Relevant Non-Statutory Guidelines

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.

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Appendix 1

Application for Planning Permission 18/04267/FUL at 437 Gorgie Road, Edinburgh, EH11 2RT Demolition of existing Public House and construction of 11 residential flats with gardens (as amended).

Consultations

City Archaeologist

Further to your consultation request I would like to make the following comments and recommendations in respect to this application to demolish existing public house and construct 11 residential flats with gardens.

The site is currently occupied by the Horseshoe Public House, which although unlisted would appear to correspond to a building shown on the 1853 1st Edition OS map as a smithy. This structure is situated at an historic road intersection opposite the entrance to the 17th century Saughtonhall and backs onto the post-medieval mill-lade feeding Gorgie Mills located c.0.5km to the east.

Although not listed the Horseshoe Pub is of local archaeological/historic significance likely to date back in part at least to the mid-19th century. In addition, the location of the post-medieval mill-lade feeding nearby Gorgie Mills running/forming the sites southern boundary and 19th century map evidence further supports the assessment that the site should be regarded as occurring within an area of archaeological importance.

The site is therefore regarded as occurring within an area of archaeological significance. This application must therefore be considered therefore under terms Scottish Government's Our Place in Time (OPIT) and Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) policy 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.

Historic Buildings

Although altered the Horseshoe Public House is likely to have originated as an earl-mid 18-19th century smithy and as such is one of the oldest surviving buildings in Gorgie. The upstanding fabric of the building may therefore contain important evidence of its former industrial heritage.

The proposed scheme seeks to demolish this historic property and such it must be considered as having a significant archaeological impact. However, having assessed the implications of its loss it is considered that it is acceptable provided that prior to and during demolition that the detailed and comprehensive programme of archaeological

historic building survey (level 2-3, phased plans, elevations, written and photographic surveys) is undertaken. This work will require an initial assessment phase necessitating the removal of both external render initially in 1.5m test sections in order to record and assess the main fabric of the building and areas of soft strip internally in areas which may reveal significant historic features (e.g. blocked windows, fire places).

Buried Archaeology

This site is regarded as being of archaeological significance primarily in terms of its 18-20th century industrial archaeology (e.g. mill lade and smithy). Given that the proposed development will require extensive excavations it is essential that a programme of archaeological works be undertaken to fully excavate, record and analysis any surviving archaeological remains affected.

Accordingly, is it is essential that the following condition is attached to this consent to ensure that undertaking of the above elements of archaeological work are undertaken.

'No demolition/development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building recording, excavation, reporting and analysis and 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.

Please contact me if you require any further information.

Communities and Families

The Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that no contribution towards education infrastructure is required from developments that are not expected to generate at least one additional primary school pupil.

Using the pupil generation rates set out in the Supplementary Guidance, the development of 11 flats is not expected to generate at least one additional pupil. A contribution towards education infrastructure is therefore not required.

Environmental Protection

The applicant proposes demolishing an existing public house and erecting a residential development with no parking. The site is located on a busy junction on Gorgie Road with residential use located to the east and south. Consent has already been recently granted for a residential development on this site (16/06024/FUL).

Environmental Protection recognises that the site could be developed out as residential with the requirements of any further permission. Environmental Protection highlight that the site is located on a busy road and that upgraded glazing will be required to ensure that a good level of amenity can be achieved inside the proposed development.

Environmental Protection recommend the scheme should be designed in accordance with BS8233:2014 ' Guidance on sound insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

*Bedrooms - 30dB LAeq, T and 45dB LAfmax
Living Rooms - 35 dB LAeq, D*

T - Night-time 8 hours between 2300 - 0700

D - Daytime 16 hours between 0700 - 2300

Environmental Protection shall recommend the above standards are highlighted in an informative.

Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable)

Therefore Environmental Protection offer no objection subject to the following condition and suggested informative being attached.

Condition

i) Prior to the commencement of construction works on site:

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

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.

Informative

The scheme should be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

Bedrooms - 30dB LAeq, T and 45dB LAfmax

Living Rooms - 35 dB LAeq, D

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Flood Prevention

Flood Prevention have no further comments relating to this application. We are happy for the application to be determined, with the following condition applied:

- 1. Written confirmation should be provided from Scottish Water confirming they accept the proposed discharge to the combined sewer system.*

Roads Authority

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

- 1. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicle in the area;*
- 2. 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;*
- 3. The Council's 2017 parking standards require the applicant to provide a minimum of 26 secure cycle parking provision.*

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.

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-Our-Network>

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 Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

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/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-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.

Waste Services

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 justine.stansfield@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.

For high density properties such as these flats, we would recommend communal waste containers for landfill waste, mixed recycling for paper and packaging, glass, and food. 11 apartments will require 2 x 1280L residual, 2 x 280L mixed recycling, 1 x 360L glass and 1 x 240L food. It should also be noted that due to changes within the service over the next three years, the bin requirements will change, and you should review these with us prior to starting work.

Developers can 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.

Although there are no details of any commercial aspect, for completeness, 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.

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

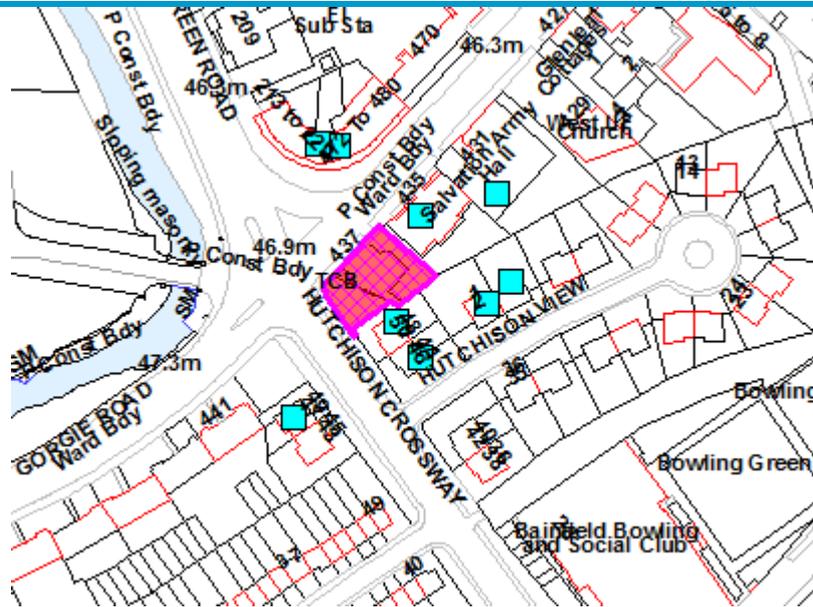
Developers need to ensure that services are accessible so that our collection crews can provide the service in a safe and efficient manner, taking account of turning circles, length and width of vehicles, distance bins must be pulled, surfaces, slopes and so on. We would need to see some explanation of how the bin store would be serviced, if we are expected to service bins from this location. If we are to enter the site, we require vehicle tracking to show how we would access the bin store and turn and exit safely.

If we are expected to stop on the main road, we need confirmation there is no more than a 10m straight pull from the bin store to the vehicle.

Initial information on the requirements for waste services is available in the Architect's 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.

Location Plan



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