

# Development Management Sub Committee

Wednesday 17 June 2020

## Application for Planning Permission 19/03613/FUL at Land North West Of 13, Clovenstone Gardens, Edinburgh Erection of 69 flats and associated works

Item number

Report number

Wards

B02 - Pentland Hills

### Summary

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The proposal complies with the policies within the Edinburgh Local Development Plan. The principle of the use is acceptable, there is no adverse impact on neighbouring amenity, the accommodation will provide a high standard of amenity for future occupiers. The parking and access has been well designed to prioritise active travel and meets the requirements of the Edinburgh Design Guidance. The proposal will provide contemporary, affordable accommodation within a well landscaped setting and contribute towards the regeneration of Wester Hailes. There are no material planning considerations that outweigh this conclusion.

### Links

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[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN12, LEN18, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU10, LTRA02, LTRA03, LTRA04, SUPP, SGDC, NSG, NSGD02,

# Report

## Application for Planning Permission 19/03613/FUL at Land North West Of 13, Clovenstone Gardens, Edinburgh Erection of 69 flats and associated works

### Recommendations

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

### Background

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#### 2.1 Site description

The application site, covering an area of 0.55ha, is triangular in shape, lying north east of the junction between Clovenstone Gardens and Clovenstone Road. The site and wider area is identified in the Edinburgh Local Development Plan as open space, part of Kingsknowe Golf Course. This site is an unused triangular piece of land and is currently wooded along the perimeter of the site.

Kingsknowe Golf Course lies to the north and to the south is predominantly flatted residential accommodation between four and five storey's. Clovenstone Primary School is further to the south with Wester Hailes train station and West Side Plaza to the east.

#### 2.2 Site History

15 January 2019 - A Pre-Application Notice was submitted to the planning authority for a residential development of around 69 units (planning reference: 19/00160/PAN).

12 May 2020 - A planning application for access and landscaping works associated with this development is pending consideration (planning reference: 20/01961/FUL).

### Main report

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#### 3.1 Description Of The Proposal

The application is for detailed planning permission for a residential housing development comprising 69 flats and maisonettes with associated access road, landscaping/public realm works. 100% of the residential accommodation is to be affordable housing.

The scheme represents a mix of housing types and sizes ranging from one bedroom to three bedroom and includes two maisonettes. Details of the mix are as follows:

1 Bed	22	32%
2 Bed	34	49%
3 Bed	13	19%

The applicant proposes a development of three flatted blocks of varied height between four and six storeys. Public spaces and private gardens will be provided around the blocks with permeable routes and landscaping around the site incorporating views across Kingsknowe Golf Course. Flat roof blocks with articulated detailing are proposed. The external space around the blocks will form public realm. Brick is the predominant building material of this proposal with two styles of brick proposed on the front elevation and render on the rear elevations.

30 car parking spaces and 148 cycle spaces are included. The car parking spaces will be mixed with on street parking and a small car parking courtyard to the rear. Cycle parking will be incorporated within the ground floor and spread across the three blocks.

### Scheme 1

Several amendments have been made during the assessment of the proposals. The main changes relate to:

- the number blocks has increased from two to three;
- the heights have been amended to between four and six storeys;
- The design of the blocks has been amended to incorporate larger windows, Juliet balconies and alternative roof form;
- the layout of the site has been amended to re-orientate the buildings towards the Clovenstone Gardens and Clovenstone Road;
- the number of car parking spaces has been reduced from 45 to 30;
- the number of family units has increased from 11% to 19%;
- the extent of render on the rear elevation has been reduced; and
- biodiversity enhancement including swift and bat boxes have been incorporated.

### Supporting Information

The following documents were submitted in support of the application:

- Ecological Appraisal;
- Design and Access Statement;
- Drainage Strategy;
- Flood Risk Assessment;
- Transport Plan; and
- Tree Survey.

These documents can all be viewed on the Planning and Building Standards Online Service.

## **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 proposed design, scale and layout are acceptable;
- c) the mix of units and level of affordable housing are acceptable;
- d) the proposal provides an acceptable level of amenity for future occupiers and existing neighbours;
- e) the transport, access and parking arrangements are acceptable;
- f) the impact on infrastructure is acceptable;
- g) the proposals affect trees and biodiversity;
- h) there are any other material issues and
- i) representations raised issues to be addressed.

#### a) Principle

The site and wider area is identified in the Edinburgh Local Development Plan (LDP) as open space and forms part of Kingsknowe Golf Course. Policy Env 18 Open Space Protection sets out criteria for considering the loss of open space. Its loss will be supported where there will be no significant impact on the quality and character of the local environment or where the open space is a small part of a larger area. Policy Hou 1 Housing Development supports residential proposals within suitable sites within the urban area.

The site is designated as open space; however, it is not considered accessible open space and is inaccessible from the golf course or neighbouring streets. Accordingly, its loss would not reduce the amount of accessible open space within the City. The land forms a small part of a much larger golf course and the overwhelming majority of the land will be maintained as open space. The character of the site will change as part of any development of the site, however, this could enhance the permeability of the site and its accessibility to the public. There are large areas of accessible open space in the nearby surrounding areas. The development of the land would not compromise the use of the retained golf club. Therefore, in this case it is considered that the loss of this part of this open space is acceptable and complies with policy Env 18.

In terms of the principle of housing, although the land is designated as open space it is within the urban area. The land has limited value as an area of inaccessible open space. It is therefore, considered that this land is suitable to form residential accommodation. The development of the site has the potential to enhance this part of Wester Hailes and contribute towards the city's housing supply. Therefore, it is considered the principle of residential accommodation on the site is acceptable, subject to compliance with other relevant policies in the LDP

## b) Design, Scale and Layout

Policy Des 1 Design Quality and Context, Des 2 Co-ordinated Development, Des 3 Development Design - Incorporating and Enhancing Existing and Potential Features, LDP Policy Des 4 - Development Design - Impact on Setting , Des 7 Layout Design and Des 8 Public Realm and Landscape Design of the LDP support schemes with a comprehensively designed layout and demonstrate an integrated approach to the layout of buildings, streets, footpaths and open space. Layouts should incorporate and enhance existing features contributing towards a sense of place. The layout should connect with the wider network and encourage walking, cycling and support public transport. Policy Hou 4 - Housing Density seeks an appropriate density having regard to the characteristics of the area and creating an attractive residential environment.

### **Layout and Density**

The development proposes three blocks of flats comprising two 'L' shaped blocks and one rectangular block arranged around the perimeter of the site. The orientation of the buildings will face onto the existing streets providing an active frontage onto Clovenstone Road and Clovenstone Gardens. Private gardens and edges are provided at ground floor level apartments and provide defensible space. Communal open space and public open space surround the setting of the flatted blocks. The open space will incorporate formal planting and additional tree planting providing an attractive landscaped layout to the site.

Pedestrian and cycling routes are accessed from Clovenstone Road and Clovenstone Gardens providing routes through and around the site. Vehicular access is gained from Clovenstone Road between block A and B to a small car park courtyard. Additional car parking will be incorporated within Clovenstone Road and Clovenstone Gardens. The layout compliments and builds upon the surrounding character of the existing Wester Hailes housing. This proposal provides blocks within a landscaped setting and will provide an active frontage to the existing streets whilst, facilitating better permeability through the site for pedestrian and cyclists. An active street frontage will increase activity on Clovenstone Road and Clovenstone Gardens and enhance their setting. A clear hierarchy of routes and public spaces has been reinforced within the site.

The residential density equates to 115 units/ha. This is higher than the density of the surrounding Wester Hailes area, which incorporates significant areas of open space. The proposal retains elements of boundary trees and landscape to compliment the proposal and makes efficient use of the land to deliver a higher density, which is appropriate in this area of good public transport provision.

### **Height, Scale and Massing**

The character of the area is predominantly flatted accommodation between four and six storeys. The surrounding flats are plain in design with render finish in a range of colours and pitched roof. The style and finish are typical of their time of the development of Wester Hailes. There are a few modern additions to the area including Wester Hailes Park which incorporate some of these characteristics but include some contemporary design features including wider opening and balconies.

The proposed massing of this proposal responds to the character of the neighbouring sites in order to successfully integrate into the urban grain of Wester Hailes.

The proposed maximum height of the proposal is around 20m on block C to the south of the site, which sits at a similar height to the flats opposite. The lowest point is on block A, to the north where the height is around 12m. Overall, in the context of the neighbouring buildings the proposal sits comfortably within its surroundings. The southern edge of the site will correlate with the massing of the flats opposite and steps down towards the junction and continues to step down further along Clovenstone Road. The roof geometries are flat with apexes which follow the contours of the land and lead the eye to key vistas.

The applicant has submitted views that demonstrate that the development will sit comfortably within the wider townscape. Analysis of key views shows that proposed buildings sit within view W9 - Pentlands from Sighthill and Broomhouse. The proposals have been designed to ensure that the characteristics of this view and the skyspace are maintained.

### **Design and Materials**

The scheme will provide a positive relationship with the existing road and provide an attractive setting and active street frontage. The flatted blocks will sit within landscaped grounds and incorporate elements of the existing landscape to form a sensitive edge to the street and provide privacy for future residents. The landscape incorporates new pedestrian routes that will enhance permeability through the site. The external space fronting Clovenstone Gardens and Clovenstone Road will form part of the public realm. The blocks are comprised of two rectangular and one 'L' shaped block with Juliet balconies, rectangular windows fenestration. The blocks are predominantly brick and use two tones including a grey and cream brick. The two tones are used on the external walls facing onto the public realm and off-white render is included to the rear. Windows and doors will use grey uPVC. Brick is a characteristic of the area and the Juliet balconies; large window fenestration and roof articulation will provide a contemporary design to these blocks within a landscaped setting.

Therefore, the proposal complies with policies Des 1, Des 2, Des 3, Des 4, Des 7, Des 8 and Hou 4 of the LDP.

### **c) Housing Mix and Affordable Housing**

LDP Policy Hou 2 - Housing Mix requires a mix of housing types and sizes on suitable sites. The EDG stipulates that internal space standards should be at least 52 square metres per one bedroom unit, 66 square metres per two bedroom unit and 81 square metres per three bedroom unit.

The Edinburgh Design Guidance requires residential schemes to include 20% family housing classed as three bedrooms or more. This proposal whilst, only 19% is a minor infringement on the guidance and the mix will provide a good range of quality housing and is acceptable. All units accord with the internal space guidelines and in most flats exceed the guidance. The mix of units will make a positive contribution to the residential accommodation within this community.

## **Affordable Housing**

Policy Hou 6 Affordable Housing of the LDP requires developments of 12 or more units to include provision for affordable housing amounting to 25% of the total number of units proposed.

The scheme proposes 100% affordable housing (25% of which will be secured through a suitable legal agreement). All units meet the Edinburgh Design Guidance and Housing Association Design Guidance size and space standards. The approach taken will support the delivery of a mixed sustainable community and supported by the affordable housing team. Therefore, the proposal complies with policy Hou 2 and Hou 6 of the LDP and will make a significant contribution to affordable housing needs.

### d) Amenity

Policy Des 5 Development Design - Amenity of the LDP supports development where it can be demonstrated that neighbours and future occupiers will have an acceptable level of amenity in relation to noise, daylight, sunlight, privacy and outlook. The Edinburgh Design Guidance sets out standards for protecting residential amenity and how it will be assessed. Policy Hou 3 Private Green Space in Housing Development requires a minimum of 20% of the total site area should be useable communal greenspace.

The applicant has demonstrated that the level of daylighting to the proposed development and the impact on neighbouring properties is acceptable. The existing windows were assessed by Vertical Sky Component (VSC) and showed minimal overshadowing to the neighbouring properties. All habitable rooms in the proposed development meet the right to light criteria and therefore, adequate daylight is maintained to the existing neighbouring properties and will be achievable for the proposed properties. All properties will be dual aspect and enhance internal amenity of the proposal flats.

The site exceeds the requirements for at least 20% of the site to be useable communal greenspace and will provide attractive amenity spaces surrounding the blocks. The Edinburgh Design Guide (EDG) requires half of new garden space to be capable of receiving potential sunlight during the spring equinox of more than two hours and the applicant has demonstrated that this is achievable on this site

In terms of privacy, the proposed flats are set sufficiently back from the existing properties. The set back and orientation will not result in significant overlooking or loss of privacy to the existing neighbours. The proposed flats incorporate a buffer zone between public spaces and the façade is created by the formation of gardens with edging and soft landscaping of privacy planting. The buildings are set above the existing street level and avoid eye level views into private properties. The proposals therefore, comply with policy Hou 3 and Des 5 and will provide a high level of internal and external amenity.

## e) Transport

The scheme has been assessed against policies Tra 2 - Private Car Parking, Tra 3 - Private Cycle Parking. Any parking provision should comply with the standards set out in the Edinburgh Design Guidance and incorporated within the scheme.

As part of the development proposals pedestrian routes will be introduced through the site and connect residential developments along Clovenstone Gardens and Clovenstone Road. The routes will form part of a high-quality landscaped link, with zebra crossings provided on Clovenstone Road and Clovenstone Gardens to support permeability and integrate this new community into the existing areas of Wester Hailes. A bus shelter will be provided on Clovenstone Road to enhance public transport accessibility. The Transport Authority have included indicative costings and are satisfied these are proportionate and reasonable to the proposed development and can be secured through a suitable legal agreement.

The car parking provision is 30 spaces, including six electric vehicle charge points, six disabled spaces. The maximum standards allow for a maximum of 69 spaces. However, given the low levels of car ownership in the area, accessible location of the site and the Council's aspirations to encourage active travel a lower level of provision is encouraged. Cycle provision of 124 spaces is provided across six internal secure cycle stores spread across the three blocks.

The new road and parking are designed to make efficient use of the required vehicle turning area. The new road incorporated localised narrowing to create an attractive walking environment. The applicant has submitted a Transport Assessment in support of the application and demonstrates there is adequate capacity on the network to accommodate this development and this proposal prioritises walking, cycling and public transport. The layout minimises vehicle space and accords with Designing Streets.

The Roads Authority was consulted and raised no objections and the proposals comply with policies Tra 2 and Tra 3.

## f) Infrastructure

LDP Policy Del 1 requires contributions to the provision of infrastructure to mitigate the impact of development. The Action Programme and Developer Contributions and Infrastructure Delivery Supplementary Guidance sets out contributions required towards the provision of infrastructure.

The Council's Action Programme identifies the need for additional secondary school capacity and primary school classes. Communities and Families provided a consultation response which sets out the level of developer contributions required for this proposal which falls within Sub-Area F-1 of the Firrhill Education Contribution Zone within the Developer Contributions and infrastructure Delivery Supplementary Guidance. The assessment was based on 47 flats (excluding one-bedroom flats), using the established 'per flat' rates for that zone. The total infrastructure contribution required is £46,060. The scheme complies with policy Del 1 with the requirement for a suitable legal agreement to secure this contribution.

## g) Trees and Biodiversity

Policy Env 12 Trees will only support the loss of trees worthy of retention unless for good arboriculture reasons. Where permission is granted replacement planting of appropriate species and numbers will be required to offset the loss to amenity. Policy Env 16 Species Protection will only support development where a full survey has been carried out of the status of species and their use of the site and suitable mitigation is proposed.

The perimeter of the site is enclosed with unmanaged hedgerow, tree groups and woodland which provide screening to the site. The trees within the site are not subject to any statutory protection. The proposals would necessitate the removal of around 26 trees, areas of woodland and hedgerow to accommodate the development. The existing woodland to the north of the site bounding the golf course will be unaffected and maintain the visual screen. The existing woodlands along the southern section of the western boundary will need to be removed and woodland wrapping around the south-west corner will be partly removed. Whilst, the existing planting is in good condition the proposed landscaping plan includes extensive replacement tree planting of 32 trees to compensate for their removal. Details within landscaping plan include 20% long-lived, large scale trees, planted borders and shrubs to compensate for the loss of the existing planting.

A parallel application has been submitted for landscaping to the west of the site and its implementation prior to occupation of this development is subject to a condition. This proposal will include maintenance of the existing trees, pockets of wild meadow flows and spring bulbs. Overall, the proposed landscaping compensates for the loss of some of the existing trees and hedgerow. The existing woodland is not worthy of retention and complies with policy Env 12.

An Ecological Appraisal has been submitted as part of the background documents for the application. The report found no important habitats or protected species on the site. A range of trees, bushes, whips and ground cover are proposed as part of the landscaping strategy. To support biodiversity swift and bat nesting boxes will be incorporated a high level on all elevations and complies with policy Env 16.

## h) Other Matters

### **Flooding and Drainage**

The applicant has provided the relevant flood risk assessment and surface water management information for the site as part of the self-certification (with third party verification) process. The proposals meet the Council's requirements. SEPA has no objection to the application. The proposal is acceptable in terms of flood risk, drainage and surface water management requirements and complies with LDP Policy Env 21 Flood Protection.

### **Waste**

An acceptable waste strategy has been agreed by Waste and they do not raise any objections to the proposal.

## I) Public Comments

Comments on scheme are as follows:

### **Material Comments - Objections**

- Traffic; this is addressed in section 3.3 e);
- Biodiversity; this is addressed in section 3.3 g); and
- Infrastructure; this is addressed in section 3.3 h).

### **Non-Material Comments**

- Loss of private view; and
- The development would encourage development of other sites.

### **Community Council**

- Impact on views; this is addressed in section b).

## Conclusion

The proposal complies with the policies within the Edinburgh Local Development Plan. The principle of the use is acceptable, there is no adverse impact on neighbouring amenity, the accommodation will provide a high standard of amenity for future occupiers. The parking and access have been well designed to prioritise active travel and meets the requirements of the Edinburgh Design Guidance. The proposal will provide contemporary, affordable accommodation within a well landscaped setting and contribute towards the regeneration of Wester Hailes. There are no material planning considerations that outweigh this conclusion.

A legal agreement is required to secure education contributions, two zebra crossings, and upgraded bus shelter.

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. The nests of all species of bird are protected when the nests are active (Wildlife and Countryside Act 1981, as amended). Clearance of any vegetation should avoid the breeding bird season (March to August inclusive). If this is not possible a suitable qualified individual should check the areas prior to removal. The species protection plan for nesting birds in Appendix 1 of the ecological appraisal (April 2019) should be applied.

3. The Japanese Knotweed present onsite must be removed by a specialist contractor in line with current regulations prior to the commencement of works on site.
4. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
5. Occupation shall not take place until the access, pedestrian routes and landscaping submitted in drawing reference: 4421 L(21)01 under planning reference: 20/01961/FUL or suitable alternative agreed by the planning authority has been implemented.

**Reasons:-**

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to safeguard the interests of nature conservation.
3. In order to safeguard the interests of nature conservation.
4. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
5. To ensure the co-ordinated development of the site.

**Informatives**

It should be noted that:

1. The works 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. Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation all of those matters identified in the proposed Heads of Terms.

These matters are:

## **Transport**

The applicant will be required to contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions on Covenstone Road, Clovenstone Gardens and within the proposed site access as necessary.

The applicant will be required to design and install zebra crossing on Clovenstone Gardens to connect the site to the bus stop and existing ramped access on south side to the satisfaction and at no cost to the Council (see note a for specification);

The applicant will be required to design and install zebra crossing on Clovenstone Road to replace existing uncontrolled crossing island to the satisfaction and at no cost to the Council (see note a for specification).

The applicant will be required to design and install bus shelter on Clovenstone Gardens to the satisfaction and at no cost to the Council (see note b).

## **Education**

Sub-Area F-1 of the Firrhill Education Contribution Zone: £980 x 47 units = £46,060.

## **Affordable Housing**

25% on site provision secured through suitable legal agreement (18 units) mix as follows:

1 bed	5
2 bed	8
3 bed	5

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.

5. Swift nesting bricks and bat nesting boxes should be incorporated in the development as outlined in the Design and Access statement section 3.6 and in accordance with the Edinburgh Design Guidance

## **Financial impact**

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### **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**

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

## **Equalities impact**

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

The application has been considered and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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

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

## **Consultation and engagement**

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

A Proposal of Application Notice was submitted and registered on 15 January 2019. Copies of the Notice were also issued to:

- Wester Hailes Community Council;
- Ward Councillors;
- Wester Hailes Community Trust;
- Members of Kingsknowe Golf Club and
- Local residents surrounding the application boundary.

Community consultation events were held throughout February 2019. Full details can be found in the Pre-Application Consultation report, which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards Online services.

A pre-application report on the proposals was presented to the Committee on 6 March 2019.

The proposals were submitted to the Urban Design Panel on 29 May 2019.

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

#### **Scheme One**

The application was publicised on the weekly list of applications on 19 August 2019. Neighbours were notified of the application on 19 August 2019 and 21 days were allowed for comments. The proposals that formed Scheme 1 received three objections. These included a comment from the Wester Hailes Community Council.

#### **Scheme Two**

Neighbours were re-notified on 06 February 2020 to allow for comments to be submitted on revised plans and further information for Scheme 2. Scheme 2 received one objection.

A full assessment of the representations can be found in the main report in the Assessment section.

## **Background reading/external references**

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

**Statutory Development****Plan Provision**

Edinburgh Local Development Plan

**Date registered**

15 August 2019

**Drawing numbers/Scheme**01, 02B, 03, 04B - 05B, 07C, 07D, 08B, 10, 11A - 17A,  
18 -,  
20,

Scheme 2

**David R. Leslie**

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PLACE

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**Links - Policies**

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**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 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 Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

LDP Policy Env 12 (Trees) sets out tree 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 Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

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

Draft Developer Contributions and Infrastructure Delivery SG sets out the approach to infrastructure provision and improvements associated with development.

### **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.

# Appendix 1

## Application for Planning Permission 19/03613/FUL At Land North West Of 13, Clovenstone Gardens, Edinburgh Erection of 69 flats and associated works

### Consultations

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#### Communities + Families - response dated 04/10/2019

*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:*

*47 Flats (22 one-bedroom flats excluded)*

*This site falls within Sub-Area F-1 of the 'Firrhill Education Contribution Zone'.*

*The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.*

*The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed.*

*The proposed development is therefore required to make a contribution towards the delivery of these actions based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.*

*If the appropriate infrastructure contribution is provided by the developer, as set out below, Communities and Families does not object to the application.*

*Total infrastructure contribution required:*

£46,060

*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 response**

### *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).*

- o 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.*
- o 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 69 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (17) homes of approved affordable tenures. We request that the developer enters an early dialogue with the Council:*

- o The tenure of the affordable housing must be agreed by the Council and;*
- o The Council will identify the Registered Social Landlord(s) (RSLs) to take forward the affordable homes, and deliver a well integrated and representative mix of affordable housing on site.*

*The applicant has stated that the affordable housing will account for 69 (100%) of the new homes across the site and will consist of flatted apartments which will offer an integrated mix of homes. This is welcomed by the department. The affordable homes are tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.*

*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 100% 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.*

- o The applicant, Prospect has entered an early dialogue with the Council and will deliver all of the affordable housing*
- o All the affordable homes meet the Edinburgh Design Guidance and also meet the relevant Housing Association Design Guidance size and space standards*
- o In the interests of delivering mixed, sustainable communities, the affordable housing policy units are expected to be identical in appearance, an approach often described as "tenure blind"*
- o The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*

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

### **Environmental Protection - response dated 19/02/2020**

*I refer to the above and would advise that Environmental Protection has no objections to the proposed development.*

*The application proposes the construction of 69 flats. Residential properties exist to the south and west with a golf course to the north and north-east.*

*Environmental Protection offers no objection to this development.*

### **Transport - response dated 12/05/2020**

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

- 1. The applicant will be required to contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions on Covenstone Road, Clovenstone Gardens and within the proposed site access as necessary;*
- 2. The applicant will be required to design and install zebra crossing on Clovenstone Gardens to connect the site to the bus stop and existing ramped access on south side to the satisfaction and at no cost to the Council (see note a for specification);*
- 3. The applicant will be required to design and install zebra crossing on Clovenstone Road to replace existing uncontrolled crossing island to the satisfaction and at no cost to the Council (see note a for specification);*
- 4. The applicant will be required to design and install bus shelter on Clovenstone Gardens to the satisfaction and at no cost to the Council (see note b);*
- 5. 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 refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;*

6. *The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;*
7. *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;*
8. *Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;*
9. *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;*
10. *The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.*

*Note:*

- a) *Zebra Crossing specification - Zebra Daybright plus ILLUMINATED Retro-fit Zebra Crossing Equipment (Patent Number: GB2497767 and GB2515216; for safe Zebra crossing on Clovenstone Gardens, the proposed on-street car parking C21 and C22 may be lost;*
- b) *Specification- Basic cantilever shelter without a seat with the screen to the rear;*
- c) *142 secure cycle spaces being proposed complies with the minimum cycle parking requirement in Zone 2;*
- d) *30 car parking spaces being proposed complies with the Council's car parking requirement which could permit a maximum of 69 car parking spaces, 14 of the proposed car parking spaces are on-street, 6 are EV charging spaces and 7 are disabled parking spaces;*
- e) *Raised vehicular access junction is being proposed by the applicant to prioritise pedestrian movement on footway;*

### **Scottish Water - response dated 25/05/2020**

#### *Audit of Proposal*

*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 Capacity Assessment*

*Scottish Water has carried out a Capacity review and we can confirm the following:*

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

#### *Waste Water Capacity Assessment*

- This proposed development will be serviced by Edinburgh PFI Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via our Customer Portal or contact Development Operations.

- 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.

### **(Edinburgh Urban Design Panel - Final Report**

#### *1 Recommendations*

*The Panel supports the principle of developing affordable housing at this location and emphasises the potential to create an attractive residential environment that takes advantage of existing landscape features and views with good walking and cycling connections to the surrounding area. It welcomes the developer's commitment to achieving Secure by Design accreditation. The Panel has clear concerns, however, about the proposed scale of development and the approach to design and layout, which needs to demonstrate a better response to the landscape setting and the site's relative isolation from surrounding neighbourhoods.*

*In developing the proposals, the Panel recommends further consideration is given to:*

- o Preparation of a thorough landscape assessment that informs a revised site layout.*
- o Revisions to the design, layout and orientation of buildings and external space that achieves a sensitive, organic response to the landscape setting, including opportunities for views over the golf course.*
- o Introducing strong walking and cycling links, between new homes, bus stops and surrounding neighbourhoods, including safe road crossings along key pedestrian desire lines.*
- o Reducing the scale and massing of built form to have more in common with recent high density, affordable housing elsewhere in the city, including appropriate levels of fit-for-purpose open space.*
- o A fresh approach to car parking that avoids external space being dominated by parked cars.*
- o Increasing levels of defensible public open space, private gardens and passive surveillance of external space, including parking areas and cycle storage.*

#### *2 Planning Context*

### *Site Description*

*The application site, covering an area of 0.55ha, is triangular in shape, lying north east of the junction between Clovenstone Gardens and Clovenstone Road. The site is currently wooded. To the north is Kingsknowe Golf Course and to the south is predominantly flatted residential accommodation between three and four storeys. Clovenstone Primary School is further to the south with Wester Hailes Train Station and West Side Plaza to the east.*

### *Planning Policy*

*In the Edinburgh Local Development Plan (LDP) the site is allocated as open-space (ENV 18 applies).*

*The proposal is for a housing development and Policy Hou 1 Housing Development and the Edinburgh Design Guidance are also relevant.*

### *Planning History*

*6 March 2019 - A PAN report was noted by the Development Management Sub-Committee (planning reference: 19/00160/PAN). The application is expected to be for Full Planning Permission for 69 residential flats with associated access roads, landscaping/ public realm and parking. A public exhibition was held at Wester Hailes Library on 27 February 2019.*

### *This report*

*No declarations of interest were noted by Panel members.*

*This report should be read in conjunction with the pre-meeting papers.*

*This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations represented at the Panel forming a differing view at the proposals at a later stage.*

## **3 Panel Comments**

*The Panel's detailed comments are as follows:*

### *Principle of development*

*The Panel noted that the site was included in the open space description covering Kingsknowe golfcourse but that it was not used for recreational purposes. The Panel supports the principle of using surplus golf club land at this location to develop relatively high density affordable housing.*

### *Landscape response, site layout and external space*

*The Panel considers that landscape should be a key driver in determining an appropriate layout for this site. It is concerned that landscape features and opportunities have not informed the design, layout and orientation of buildings and external space. The Panel advises a shift in emphasis to an integrated landscape approach rather than the current focus on configuring residential blocks and hard urban space subdivided by trees and planting.*

*The Panel encourages the preparation of a thorough landscape assessment to inform a revised site layout. It sees the need for a step-change in the design and layout of buildings and external space to achieve a sensitive, more organic response to this setting.*

*Issues to consider include:*

- o *Bring development closer to golf course, maximising the number of homes overlooking the course, with landscaped areas to the rear.*
- o *Alternatives to two standalone buildings - such as interconnected buildings with a definite perimeter providing opportunity for attractive private outdoor space.*
- o *Move development from west to northern edge of site to create opportunities for south-facing open space.*
  
- o *Reduce level of open space that is not defensible; increase private gardens.*
- o *Avoid configuring buildings around one large, central vehicle corridor.*
- o *Orientate homes to take advantage of sunlight.*
- o *Arrange buildings in fingers from the centre of the site to achieve a better relationship with the trees.*

*The following shortcomings in the current layout should be addressed:*

*Car parking currently dominates and constrains the layout which will detract from residents' use and enjoyment of external space*

*There is a significant shortage of defensible public open space and meaningful private gardens.*

*The Panel welcomes and encourages more widespread use of semi-private garden space between public realm and the entrance to each ground floor flat.*

#### *Connectivity/Movement*

*The Panel notes that the site is currently isolated from adjacent neighbourhoods and destinations by two busy roads and the golf course. Creating direct, safe walking and cycling links between new homes, bus stops and surrounding neighbourhoods is therefore a key priority for this development.*

*The Panel is concerned that the current layout will not encourage residents to choose alternatives to car travel. Car parking should be reduced to discourage car use. The Panel also queries the need to align footpaths with vehicle routes, as shown on the proposed layout. Instead, layout should take account of important pedestrian desire lines and provide attractive short-cuts for walking and cycling.*

*Development should address barriers to pedestrian/cycle movement such as the absence of safe crossing points at key desire lines on existing roads.*

#### *Scale, density and built form*

*The Panel considers the proposed buildings to be too blocky and too high for this landscape setting. It is also concerned that the proposed residential density is not matched by a sufficient amount of fit- for-purpose open space.*

*The setting and relative isolation of this site calls for more radical, imaginative built form than the precedent set by 1960s development elsewhere in Wester Hailes. The Panel encourages a similar design approach to recent high density, affordable housing in the city where a strong focus on design quality, placemaking and pedestrian/cycle connectivity benefits the wider area. Suggestions for improving architectural design include larger, better-proportioned windows (e.g. floor-to-ceiling), and balconies/balconettes that take advantage of views.*

#### *Security*

*The Panel notes that some external space, including car parking and cycle storage, lacks adequate levels of natural surveillance. The revised site layout should ensure these areas are overlooked by windows so residents can keep an eye on activity. The Panel welcomes confirmation that the developer will seek Secure by Design accreditation for the scheme. Police Scotland officers are available to advise on security issues as design work progresses.*

## Location Plan

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