

Development Management Sub Committee

Wednesday 12 August 2020

Application for Approval of Matters Specified in Cond's 20/00718/AMC

at Land 135 Metres Northeast Of 28, Wellflats Road,
Kirkliston.

Approval of matters specified in conditions 1, 6 and 10 of
consent 17/04571/PPP comprising residential development,
landscaping, access and associated works.

Item number

Report number

Wards

B01 - Almond

Summary

The principle of the development was granted under planning permission in principle 17/04571/PPP. The detailed matters considered under condition 1 are in accordance with the Edinburgh Local Development Plan. The proposed design, layout, landscaping and access are all acceptable. In addition, conditions 6 and 10 can be discharged. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for
this application](#)

LDPP, LDES01, LDES04, LDES05, LDES07,
LDES08, LDES09, LEN12, LTRA08, LEN22,
LHOU02, LHOU03, NSG, NSGD02,

Report

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at Land 135 Metres Northeast Of 28, Wellflats Road, Kirkliston.

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Recommendations

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

Background

2.1 Site description

The application site lies on the eastern boundary of Kirkliston. It comprises approximately 5 hectares of pastureland and has a fairly level topography, sloping gently to the south. The site is bound on all sides by tree planting.

Residential properties are located to the west and south west of the site. Further to the north and east of the site lie open fields and countryside. To the south is Conifox nursery, a commercial enterprise which includes a farm shop, café and outdoor play park. The River Almond meanders further south.

The centre of Kirkliston lies to the west of the site and is designated as a conservation area. It is based around a medieval church and the surrounding historic core of the village. The conservation area does not extend as far as the current application site.

The site previously formed part of the green belt. However, it has been removed from the green belt and is currently white land in the Edinburgh Local Development Plan (LDP).

The site is well situated in relation to the existing transport network and is accessible by a range of non-vehicular modes. The village centre is within a 5 minute walk from the site, the closest bus stop is approximately 400m from the site. An established road, formally used as an airport access road, lies to the north of the site. Edinburgh Airport lies further to the east.

2.2 Site History

25 November 2016 - A Proposal of Application Notice was received for 'Residential development, landscaping, access and associated works' at Land 13 Metres Northeast of 28 Wellflats Road, Kirkliston (application reference: 16/05950/PAN).

12 September 2018 - Planning Permission in Principle granted for 'Residential development, landscaping, access and associated works' at Land 135 Metres Northeast of 28 Wellflats Road, Kirkliston (application reference: 17/04571/PPP).

Main report

3.1 Description of the Proposal

The application is for approval of matters specified in conditions 1 of the planning permission in principle (PPP) (application reference: 17/04571/PPP). In addition, discharge of conditions 6 and 10 is sought.

Condition 1 of the PPP consent requires the following to be approved by the Planning Authority before any work is commenced on site, in the form of a detailed site layout:

- Height, massing, siting and ground floor levels of all buildings;
- A detailed specification of all proposed materials, including hard landscaping;
- Design and external appearance of all buildings, roof form, open space, public realm and other structures;
- All operational aspects of open space and public realm - note: All development shall be placed outside the predicted 200 year plus 20 % climate change flood extent;
- Existing and finished site and floor levels in relation to Ordnance Datum; No built development or land-raising will take place within the functional floodplain. Finished first floor levels should be set at a minimum of 33.2 AOD and a minimum of 150mm above adjacent external ground levels.
- Roads, footways, cycleways, servicing and layout of car parking and cycle parking provision meeting Edinburgh Street Design Guidance - Note: the pedestrian access points shown in the parameters plan shall be designed to accommodate cyclists;
- Location of a dedicated off-road cycle route through the site connecting with the surrounding path network;
- Amendments of any treatment to adopted roads and footways;
- Signing of pedestrian and cycle access routes to/from and through the development;
- Surface water management, drainage arrangements, SUDS proposals and SUDS maintenance plan. SUDS shall be integrated within the southern area of open space identified on the approved parameters plan;
- Waste management and recycling facilities;
- External lighting, including floodlighting and street lighting arrangements for the development;
- Site investigation/decontamination arrangements;
- Ecological studies including mitigation works to protect against any damage to protected species including bat, otter, bird and badger.

Landscaping:

- (i) Detailed soft and hard landscaping plan and levels;
- (ii) A schedule of all plants to comprise species, plant size and proposed number and density;
- (iii) Inclusion of hard and soft landscaping details including tree removal;
- (iv) Landscape management plan including schedule for implementation and maintenance of planting scheme;
- (v) Any boundary treatments, including noise barriers.

In addition to the above, information has also been submitted to satisfy the requirements of conditions 6 and 10 of the PPP consent, summarised as follows:

- Condition 6 requires detailed noise assessments whilst identifying appropriate mitigation measures; and
- Condition 10 requires the submission of a Bird Hazard Management Plan and details of the proposed Sustainable Urban Drainage Schemes (SUDS).

The details propose a residential development of 108 units, comprising a mixture of 2 bed apartments and 2, 3, 4- and 5-bedroom houses, with 25% affordable housing on site (27 units located in the north eastern corner). The proposal includes family homes, terraces and cottage apartments ranging from 1.5 storeys to 2.5 storeys across the site.

The submitted Design Statement highlights an arrival space, landscaped courtyard and a community square towards the southern edge of the development site, bound by existing woodland to the east and the west. The southern parkland provides open space with elements of informal natural play. Overall, the proposals include 1.8 ha of open space, made up of structural woodland, open parkland and pocket parks providing amenity space.

Access will be taken from a single entry point at the north of the site via a priority junction. There are two combined cycle and pedestrian paths intersecting the site whilst connecting with the existing path network outwith the site.

There will be 172 car parking spaces provided, with 12 of these on street spaces having EV infrastructure provision. Dwellings with a garage or driveway will also have passive EV charging provision. Cycle storage will generally be in-curtilage of the property at a ratio of two cycle spaces per 2-3 habitable rooms and three cycle spaces for 4 or more habitable rooms. There will also be an additional 12 secure cycle spaces within the central pocket park. Six spaces for motorcycles are proposed throughout the site.

The proposed material palette consists of slate like roof tiles, buff natural stone cladding, white render, grey UPVC windows and doors and grey timber cladding.

Supporting Documents

The following documents have been submitted in support of the application:

- Design Statement;
- Drainage Assessment;
- Flood Risk Assessment;
- Landscape and Visual Appraisal;
- Noise Impact Assessment;
- Planning Statement;
- Site Investigation Report; and
- S1 Sustainability Statement Form.

These documents are available to view on the Planning and Building Standards Online Services.

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 development complies with the planning permission in principle;
- b) the design, layout and materials are acceptable;
- c) landscaping, trees and open space are acceptable;
- d) there are any issues relating to transport, road safety and active travel;
- e) there are any other material considerations and
- f) any representations have been addressed.

a) Compliance with the Planning Permission in Principle

Planning Permission in Principle (application reference: 17/04571/PPP) was granted for up to 100 units on this site. This application for approval of matters specified in conditions seeks consent for 108 units across the site. The planning permission in principle does not restrict the number of residential properties. The proposals for 108 units is therefore acceptable in principle.

Condition 1 of the PPP requires the submission of a detailed layout of the site, in accordance with the approved Parameters Plan. The applicant has submitted various site layout plans detailing the house types, connectivity, landscape and open space and parking provision. This is in accordance with the requirements of the condition.

Condition 6 requires the submission of detailed noise assessments which have been provided in accordance with this condition.

Condition 10 requires the submission of a Bird Hazard Management Plan and details of the proposed Sustainable Urban Drainage Schemes (SUDS) which have both been submitted in line with the requirements of this condition.

The full details of the proposal are assessed below.

b) Design, layout and materials

Local Development Plan (LDP) Policy Des 1- Design Quality and Context states that planning permission will be granted for development where it is demonstrated that the proposal will contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area.

The design approach has evolved from the Parameter Plan which was approved as part of the PPP application and formed the basis of the overall design concept. The design of the units is simple and provides uniformity across the site with a consistent materials palette. Visual interest is added from the different house types, varied building lines and sections of natural stone cladding, ensuring integration with the existing surrounding area. A mixture of integrated and detached garages is proposed.

The key frontage is along the northern boundary, and the road known as Carlowrie Castle Road, with the proposed houses set back behind the existing mature hedging strip and a proposed cycle and pedestrian route. This is an appropriate urban response to this site, given the constraints of the adjacent busy road.

The site layout includes a variety of character areas which helps to achieve a sense of place through the layout of the buildings and orientation, landscaping and the active travel routes. The main entrance at the north of the site provides an arrival space described as a small Village Green in the submitted Design Statement, which would provide a small area of open space with benching, overlooking the key active travel routes running through this space providing connections to the town centre. Heading south through the site further amenity areas are proposed with a Landscape Square and Residential Courtyard providing areas of public realm and amenity space, which ultimately lead on to the southern parkland through the path network. This design response is in accordance with the requirements of LDP Policy Des 1.

LDP Policy Des 4 - Development Design supports development which has a positive impact on its surroundings through height, form, scale, position of buildings and materials. The development proposal includes a mix of 1.5 and 2.5 storey units with pitched roofs.

The proposed site density equates to 32 units p/ha which is consistent with the surrounding area. The proposal includes a varied building scale and height throughout the site. Building heights have been restricted to 75m AMSL and ground floor levels of all buildings and first floor levels will be set at a minimum of 33.2AOD and a minimum of 150mm above adjacent external ground levels. These restrictions have been set through the PPP consent for a number of reasons - in order to limit the visual impact on Kirkliston Conservation Area; to mitigate the flood risk as per SEPA's response; and to ensure the Obstacle Limitation Surface (OLS) surrounding Edinburgh Airport is not endangered.

SEPA has been consulted and has agreed that the finished floor levels proposed are appropriate. With regards to the requirements from Edinburgh Airport, no proposed building height exceeds 75m AMSL.

The primary materials proposed for this development site are natural stone cladding and white render. The palette of materials extends to include grey cladding, grey and UPVC windows and doors and slate like roof tiles. The architectural style and same materials run throughout the whole development site to ensure coherence whilst contributing to a distinctive sense of place. The proposed materials are acceptable.

A standard condition is recommended for a sample palette of materials to be approved prior to development commencing.

The scale, form and materials are appropriate within the context of the site and the properties respond well to the areas of open space within the site. The proposal is acceptable in the context of LDP Policy Des 4.

LDP Policy Des 7 - Layout Design seeks new developments to enhance community safety and urban vitality whilst providing direct connections for pedestrians and cyclists through a well-designed layout.

The street hierarchy is clearly legible with a primary route looping round the site and a central axis. A series of pedestrian and cycle routes provide good connectivity throughout and beyond, connecting with existing path network to the north, west and south.

The proposed design, layout and materials are acceptable.

c) Landscaping, trees and open space

LDP Policy Des 8 Public Realm and Landscape Design supports proposals which demonstrate that all external spaces and features have been designed as an integral part of the scheme. The proposed landscape strategy incorporates one large area of open space, two smaller pocket parks and the existing mature woodland areas on both the eastern and western site boundaries.

The primary area of open space is on the southern boundary of the site, overlooked by new houses and will provide ample amenity space, informal play areas, a SUDS pond and pedestrian and cycle connections to the wider green network - ensuring this area becomes a valuable active travel resource for the wider area.

This will meet the City of Edinburgh Council's Open Space 2021 objective of homes being within 400m walking distance of a good quality accessible greenspace of at least 200 sqm. The site is also within 800m walking distance of a large accessible greenspace and the new play area at Almondhill Park.

LDP Policy Des 9 - Urban Edge Development ensures that development which adjoins the green belt will only be permitted where it conserves and enhances the landscape setting; promotes access to the countryside; and strengthens the green belt boundary whilst contributing to enhanced green networks.

The proposal achieves all of these principles to ensure integration between built development and the adjacent green belt. The existing mature tree belt on the eastern boundary is retained, strengthening the green belt boundary and landscape setting. The proposed path network throughout the site enhances existing green networks whilst promoting access to the countryside on the periphery of the site.

LDP Policy Env 12 - Trees sets out the policy criteria for protecting trees and woodland. There are existing trees, hedging and woodland within the northern, eastern and western boundary of the site. The woodland on the east and west will remain untouched as a result of this development and form boundaries to the development site. However, in order to facilitate the development and provide an access point, trees and hedging are required to be removed on the northern boundary. This element of the proposal has been refined during the assessment of the application to ensure greater retention of trees along this boundary. The applicant has submitted a Tree Retention Plan in support of the application.

The proposal complies with the objectives of LDP Policy Env 12.

The proposed boundary treatments are a variety of Beech and Hornbeam hedging, garden walls and timber fencing. Surrounding the periphery of the development site where private rear gardens do not border public open space, 1.8m timber fencing is predominantly used as a boundary treatment. There are also sections of timber fencing within the site but they are not used to create a division between private space and public open space. Smaller garden walls and soft landscaping are used for the main boundary treatment adjacent to areas of public open space.

Overall, the proposed landscaping is appropriate, and the applicant has demonstrated that the site can accommodate a wide range of plants and trees, which will enhance the creation of a strong sense of place.

d) Transport, road safety and active travel

LDP Policy Tra 8 - Transport Infrastructure requires all development proposals relating to major housing sites which would generate a significant amount of traffic to demonstrate through an appropriate transport assessment and proposed mitigation that any required transport infrastructure and site specific requirements have been addressed as relevant to the proposal.

A Transport Assessment was submitted and agreed with the PPP application. This assessment covered the transport impacts of up to 100 units on the development site. As this application is for 108 units, a supplementary Transport Statement has been submitted. The Roads Authority have confirmed that 8 additional units will not have any significant impact on the surrounding road infrastructure including the Kirkliston Main Street/ Station Road/ Queensferry Road junction. The upgrading of traffic signalling at this junction will be carried out prior to the occupation of the thirtieth dwelling house, as per condition 8 of the PPP consent.

The relevant developer contributions relating to transport infrastructure have been secured through the Section 75 Legal Agreement associated with the PPP application.

As per the requirement of condition 1 of the PPP consent, the proposed roads, footways, cycleways, servicing and layout of car parking and cycle parking provision meets the requirement of the Edinburgh Street Design Guidance.

Access to the site is taken from one point in the north west corner on Carlowrie Castle Road. As per condition 9 of the PPP consent, this will be provided by a means of a priority controlled junction (with a visibility splay of 2.4m by 40m), implemented prior to the occupation of the first dwelling and agreed in writing by the Planning Authority.

A pedestrian footpath is proposed to the very northern boundary of the site adjacent to the main road which connects the site to Kirkliston Main Street and a nearby bus stop. A further off road shared cycle and pedestrian path is located to the south of this path, behind the mature tree belt. A further series of shared cycle and pedestrian paths are proposed in the open space to the south of the site. These paths provide a series of active travel connections throughout the site and further afield to provide connections into the existing path network whilst ensuring the site can be well integrated with the existing settlement.

Overall the proposal is satisfactory in terms of the transport provisions, road safety and active travel.

e) Other Material Considerations

Drainage and flooding

The proposals have been considered by both SEPA and CEC Flooding Team. The proposed drainage and flooding details are considered acceptable. An informative is proposed to advise the developer to seek Scottish Water adoption of the SUDs system.

Ecology and Biodiversity

In relation to condition 10 of the PPP consent, Edinburgh Airport has confirmed that the submitted Bird Hazard Management Plan and SUDS details are satisfactory from an Aerodrome Safeguarding perspective and this condition can be discharged.

A Bat Survey has been submitted in support of the application and no physical evidence of current or former occupancy of bats was found in the trees surveyed, within 30m of the site. Activity was found to the west of the site. It is therefore recommended that a Bat Protection Plan is conditioned as part of the permission.

Noise

In relation to condition 6 of the PPP consent, Environmental Protection Officers have confirmed that the noise assessment in relation to transport noise is satisfactory, and no further information is required concerning transport noise.

Environmental Protection is seeking additional acoustic barrier treatment to mitigate the impacts of a future proposal at the adjacent Conifox Nursery to the south of the site. This was not requested as part of the PPP application and cannot be considered as part of this AMC application.

Archaeology

A requirement of the PPP application was that the site was evaluated (metal detecting and trial trenching). This was undertaken in January 2020 and the results from this work were negative in terms of significant buried remains. The Council's Archaeologist has noted that given the negative results, there is no further requirement for archaeological mitigation.

Air Quality

LDP Policy Env 22 aims to ensure that development will not give rise to pollution of air, water and soil quality.

An Air Quality Impact Assessment was submitted with the PPP application which provided an overview of the local air quality and the impact of the development during construction and upon completion. In light of this, Environmental Protection recommended suitable informatives which were applied to the PPP consent in relation to EV charging points and mitigation measures for the period during construction.

Amenity

LDP Policy Des 5 - Development Design - Amenity states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

As noted in the PPP, the development site is well screened and an acceptable distance from neighbouring residential properties, including those on Wellflats Road and has been designed to ensure that no overshadowing or overlooking of neighbouring properties will occur. Landscaped areas in the form of the mature woodland and the southern parkland provide an appropriate buffer between the proposed development and existing housing.

For future residents, all properties will benefit from the required amount of sunlight, daylight and privacy as set out in the Edinburgh Design Guidance.

Across the site, a variety of house sizes are provided to ensure a diverse and sustainable future community can be created. The overall development represents a positive contribution to meeting a range of housing needs and meets the policy requirements of LDP Policy Hou 2 - Housing Mix.

LDP Policy Hou 3 - Private Green Space supports housing development which makes adequate provision for green space to meet the needs of future residents. There is a generous provision of public open space throughout the development site including the southern parkland, pocket parks and existing mature woodland. Overall, the total open space provision on site exceeds the required 20% and satisfies the requirements of this policy. The distinction between public and private spaces also accords with LDP Policy Des 5 d).

Contamination

The applicant has submitted a supporting Phase 2 Geo- Environmental Report which found ground conditions were generally acceptable for the proposed development with isolated pockets of minor contamination with a Phase 2 Remediation Strategy proposed.

This is acceptable to Environmental Protection and a suitable condition has been recommended.

Local Infrastructure

Affordable Housing - The provision of 25% on-site Affordable Housing has been secured through the Section 75 Legal Agreement associated with the PPP application.

Education - The impact of this site on education was assessed at the PPP stage and the relevant developer contributions have been secured through the Section 75 Legal Agreement.

f) Public Comments

Material Comments - Objection:

- Lack of infrastructure and local facilities to support development - addressed in section 3.3e);
- Traffic congestion - addressed in section 3.3d);
- Increased pollution - addressed in section 3.3e);
- Lack of public transport - addressed in section 3.3d);
- Loss of mature trees - addressed in section 3.3c);
- Not good housing mix - addressed in section 3.3e); and
- Loss of prime agricultural land - addressed in section 3.3a).

Material Comments - Support:

- Demand for family housing in the area.

Non-material Comments:

- Loss of greenbelt - the principle of the development has already been granted;
- A ring road should be built - this does not form part of the proposal;
- Financial gain for Council committee members - this is not a material planning consideration; and
- Kirkliston should get a train station - this does not form part of the proposal.

Conclusion

The principle of the development was granted under planning permission in principle 17/04571/PPP. The detailed matters considered under condition 1 are in accordance with the Edinburgh Local Development Plan. The proposed design, layout, landscaping and access are all acceptable. In addition, conditions 6 and 10 can be discharged. There are no material considerations which outweigh this conclusion.

It is recommended that this application be Approved 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 any development, a Bat Protection Plan shall be prepared to minimise the impact of the development on the maternity roost located to the south west of the development site. The Bat Protection Plan shall be prepared in consultation with the Planning Authority and shall be implemented prior to the commencement of development.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to safeguard a protected species.

Informatives: -

It should be noted that:

1. 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.
2. 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.
3. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.
5. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity.
6. The developer should seek Scottish Water adoption of the SUDs 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:

The proposal has been considered in terms of equalities and human rights and no adverse effects are identified. The applicant will be required to comply with the provisions of the Equality Act 2010 and Building Regulation Standards.

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

31 representations were received. 29 of these were objections, one expressed support for the proposal and one neutral representation was received.

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**

Edinburgh Local Development Plan.

Date registered

19 February 2020

Drawing numbers/Scheme1,2,3c,4b-6b,7c,8b-11b,12,13a,14a,15-21,22a,23a,
24-35,36b,37,38b,39,40b,41-
47,48a,49a,50b,51b,53,54a,55,56a,,
57,58a,59,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Nicola Orr, Planning Officer

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Links - Policies

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

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 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 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 Des 9 (Urban Edge Development) sets criteria for assessing development on sites at the Green Belt boundary.

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

LDP Policy Tra 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.

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 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.

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 Approval of Matters Specified in Conds 20/00718/AMC

At Land 135 Metres Northeast Of 28, Wellflats Road, Kirkliston

Approval of matters specified in conditions 1, 6 and 10 of consent 17/04571/PPP comprising residential development, landscaping, access and associated works.

Consultations

Edinburgh Airport response

The Bird Hazard Management Plan and SUDS are satisfactory from an Aerodrome Safeguarding perspective, therefore we are happy to discharge these conditions.

The Coal Authority response

The Coal Authority Response: Material Consideration

I can confirm that the above planning application has been sent to us incorrectly for consultation. The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

The Coal Authority Recommendation to the LPA

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Environmental Protection comment

The main concern we had with this proposed development was the potential impact the neighbouring outdoor adventure park would have on the proposed development. Will the applicant be providing any assessment on this? The noise impact assessment for the transport noise is satisfactory, and no further information is required concerning transport noise.

The site investigation report has been forwarded onto our contaminated land officer, please note that the contaminated land seems to be mentioned twice in the conditions, we would want to ensure that the condition we recommended was the one the applicant was working towards. Although technically this cannot be discharged until developed out.

I can't seen any information regarding the required at least one in six electric vehicle charging points, this is required as pe the Edinburgh Design Standards. Can the applicant please provide a drawing showing the location of all the 7Kw type two charging point?

Below are the original conditions Environmental Health recommended;

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

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

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

2. All parking spaces shall be served by 7Kw electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.

3. During construction, it will be necessary to apply a package of mitigation measures to minimise dust emissions these details shall be submitted at the detailed stage.

4. Detailed noise assessments will be required at the detailed planning stage, to assess internal noise and vibration impacts from transport noise, on the proposed residential developments. This must identify appropriate mitigation measures.

5. Detailed noise assessments will be required at the detailed planning stage, to assess noise impacts from the children's adventure play area (Conifox) from operational noise, on the proposed residential developments. This must identify appropriate mitigation measures.

Environmental Protection updated comment

The applicant has submitted a Preliminary Environmental Risk Assessment study in support of the consent 17/04571/PPP, referring to condition 4a, while a follow on Phase II Geo-Environmental Report was supplied for consideration in support of the subsequent application 20/00718/AMC, also referring to condition 4a.

Further to review of the background to the site including previous use, alongside the risk assessments available with respect to land contamination based upon the findings of the site investigation within the Phase II Geo-Environmental Report, it is accepted that there is a reasonable basis for progression toward preparation of a detailed strategy and plan

of remediation and verification in order to mitigate identified risks from land contaminants to an acceptable level within the context of the proposal.

Therefore, the recommendation for production of a 'Phase II Remediation Strategy' report on page 16 of the Phase II Geo-Environmental Report is acceptable to Environmental Protection.

Given the necessary requirement to agree a detailed schedule of remediation measures under planning condition 4b, and that completion of any such schedule of remediation should be adequately verified in accordance with UK regulatory guidance for the risk management of land contamination within DEFRA/Environment Agency report CLR11, it is recommended that the following planning condition remains attached to the application 20/00718/AMC in accordance with the previous consultation response from Environmental Protection:

To address the potential risks from land contaminants defined by the risk assessment within the Phase II Geo-Environmental Report (CCG, February 2020), the following information should be presented:

1.

a) Prior to commencement of development:

A detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.

b) 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 to the satisfaction of the Head Planning.

Environmental Protection further comment

Environmental Protection are satisfied that that condition 6 on traffic noise can be discharged based on the earlier supporting noise impact assessment. Condition 1 is regarding landscaping and does cover any required acoustic barriers. This is where Environmental Protection have concerns with regards the neighbouring adventure park, not its current use but what it has consent for. The neighbouring adventure park has consent to introduce go-karts, quadbike and tractor rides around the adventure park. There are no restrictions on where these activities can be located or on the hours of use. Environmental Protection did not support this proposal as can be seen below (17/04223/FUL). The type of noise these uses create can be really intrusive and difficult to measure using existing noise guidelines.

The latest noise impact assessment submitted with this AMC application has highlighted another application on the adventure park (19/02606/FUL) which was not as big an issue for Environmental Protection as it was internalising an number of activities that the adventure park could always offer and was in a fixed place. The big issue we had was with the earlier 17/04223/FUL application. This 2017 application was consented before the Wellflats PPP application was consented so the onus is on the Wellflats to mitigate the noise. Environmental Protection are of the opinion that an acoustic barrier will be required as a minimum and located along the boundary between the two sites. This will

reduce the impacts the consented uses being introduced into the adventure park on the amenity of future tenants.

If developed with no acoustic barrier it is likely that complaints will be received from future occupiers. It will be difficult for Environmental Health to even demonstrate a nuisance under the Environmental Protection Act due to the nature of the noise. From looking at the noise reports from the adventure park the proposed uses could be extremely noisy.

17/04223/FUL - Adventure Park introduction of go-karts, quadbikes and tractor rides

The applicant proposes introducing a number of potentially noisy operations onto a site currently used as an outdoor activity centre and garden centre. The site is located within a remote area which already has outdoor leisure use established. The plans do not provide specific details on the proposed final layouts and design. It is noted that there are some residential properties located near the periphery of the site where some of the newly proposed uses may be located. It is not possible to recommend conditions restricting the specific uses to certain areas within the application boundary.

Environmental Protection had raised concerns that the proposed uses may adversely impact the neighbouring residents. The applicant subsequently submitted a supporting noise impact assessment. The noise impact assessment has assessed the potential noise breakout from the proposed outdoor petrol go-kart and quad bikes only.

The noise impact assessment has modelled the noise levels of a 16 hour period and focused on the impacts on residential properties to the south of the property. The noise impact assessment has concluded that this residential property will not be adversely affected. The main reasons stated for this are due to its distance from the gokarts/quad bikes, intervening industrial buildings providing a barrier, the residential property being exposed to high background levels of noise due to aircraft noise and that the go-kart quad bikes will only be used for short periods of time. The applicants noise impact assessment has advised that one go-kart going around the track will be over 100dB.

The applicant has also concluded that no acoustic mitigation will be required. Environmental Protection are concerned that the noise impact assessment has not fully considered the worst case scenarios and possible impacts on residential properties to the north. These properties are not exposed to the higher background aircraft noise or have any intervening buildings between them and the proposed noise sources. The assessment has not consider the impacts that all the proposed operations will have on the amenity of all the nearby residential properties. The assessment has not considered all the potential noise impacts for example dog barking. The noise impact assessment has based its conclusions on a 16 hour measurement.

This type of measurement is acceptable to measure continuing sounds, such as road traffic noise or types of more-or-less continuous industrial noises. However, when there are distinct events to the noise, as with go-karts, quad bikes and dog barking noise, measures of individual events such as the maximum noise level (LAmax), or the weighted sound exposure level, should also be obtained in addition to LAeq,T.

Therefore, Environmental Protection still has concerns due to the likely adverse impacts it will have on neighbouring amenity.

19/02606/FUL

Environmental Protection had raised concerns with the potential noise impacts the consented application to extend the adventure would have on neighbouring residents (17/04223/FUL). The consented proposal includes extending existing adventure park into two field west of the site. New approved activities include: a dog agility area, fortress (currently with planning approval on another part of the site) fortress, petrol go-karts, mini quad bikes, tractor + quad bike trailer rides, crazy golf, remote control cars, laser tag, jump pillow and a flying fox.

The applicant has consent to introduce a number of noisy operations onto a site currently used as an outdoor activity centre and garden centre. It is noted that the location of this proposed hard standing is furthest away from the sensitive receptors. The proposed operations for this specific proposal would likely have no impact on residential amenity.

Although, Environmental Protection are concerned that the wider proposed uses may adversely impact upon the residential amenity of the neighbouring residents, this specific proposal would not be a cause for concern.

Therefore, Environmental Protection offers no objection.

Scottish Water comment

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 Balmore 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 Newbridge Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

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

Infrastructure within boundary

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

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly at service.relocation@scottishwater.co.uk.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

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.

Next Steps:

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.

Archaeology comment

Although this AMC application does not directly request the discharging of the archaeological condition (3) attached to this application, the results of this work may have had impact upon the master-planning (re condition 1) in terms of preservation. Accordingly, it was a requirement that the site be evaluated (metal detecting and trial trenching) as part of this process. This was undertaken in January 2020 by AOC Archaeology with the draft DSR (AOC ref 24856) submitted in late February. The results from this work were negative in terms of significant buried remains and indicated that the area had been subject to detecting in the past.

Given the negative results, there is no further requirement for archaeological mitigation and no impact therefore upon the areas covered by these three conditions.

Flood Prevention comment

I have reviewed the documents on the portal and have the following comments to be reviewed by the applicant:

1. *A 30% climate change uplift has been used in the Drainage Assessment. Following the release of UKCP18 and SEPA's revised climate change guidance, CEC Flood Prevention now request a 40% uplift for climate change be considered in Surface Water Management Plans and Flood Risk Assessments. This 40% uplift should be applied to both rainfall intensity and fluvial flows. The latest 'Flood Risk and Surface Water Management Plan Requirements' (CEC, 2019) is linked in my signature below. Could the applicant please confirm whether the current drainage proposals can also accommodate the 1:200-year event with a 40% allowance for climate change.*

2. *The applicant has not completed a self-certification checklist for this application covering the design of the surface water network. The checklist should be completed to provide a summary of the information submitted in support of the application. I have attached a copy of the checklist, to be completed by the applicant.*

3. *Could you confirm who will adopt and maintain the surface water drainage network, including SuDS.*

Updated Consultation

Appreciate it may not be possible to get written confirmation from Scottish Water that they are willing to adopt the SuDS basin. If appropriate, could a condition be applied to this application?

CEC Flood Prevention have no other concerns over this application - which can proceed to determination, with no further comments from our department.

SEPA comment

We note that we removed our objection to the planning in principle application (ref: 17/04571/PPP) on 11 January 2018 and we did not request any planning conditions.

Flood risk

However, we have reviewed the information provided and we are satisfied that the conditions which relate to flood risk have been fulfilled. The development is outwith the 1 in 200 year plus 20% and finished floor levels are appropriate. We wish to note that the flood risk assessment provided with the planning application is dated June 2017. The FRA which enabled us to removed was dated November 2017.

Surface water drainage

We advise that developers should follow the approach set out in the CIRIA SUDS Manual (C753) and ensure the surface water management proposals are in compliance with The Controlled Activities Regulations General Binding Rules 10 and 11. Applicants should be using the Simple Index Approach (SIA) Tool to determine if the types of SUDS proposed are adequate.

Construction phase SUDS should be used on site to help minimise the risk of pollution to the water environment. Further detail with regards construction phase SUDS is contained in Chapter 31 of CIRIA SUDS Manual (C753). The applicant may also need to apply for a construction site licence under CAR for water management across the whole construction site.

Comments should be requested from Scottish Water where the SUDS proposals would be adopted by them and, the views of your authority's roads department and flood prevention unit should be sought on the SUDS strategy in terms of water quantity and flooding issues.

Regulatory requirements

Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

- o is more than 4 hectares,*
- o is in excess of 5km, or*
- o includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25 degrees*

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you

need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office.

Scottish Rights of Way and Access Society (ScotWays) comment

You will be aware from our previous correspondence that right of way LC129 is directly affected by the application site. Having looked at the documentation we note that the developer intends to upgrade this route for use by cyclists. We strongly recommend that the developer does this in consultation with the access team at the City of Edinburgh Council. It is unclear whether there will be a need for a diversion of this route - again this is something that the access team at CEC should be consulted upon.

We request that the right of way remains open and free of obstruction during and after any proposed development.

Roads Authority Issues

The application should be continued.

Reasons:

- I. The applicant proposes 173 parking spaces and does not comply the Council's parking standards which could allow a maximum of 171 parking spaces for the proposed development (48 no. of 5 rooms, 29 no. of 4 rooms and 31 no. of 3 rooms) in Zone 3. The applicant should be aware that one of the transport informatives of the PPP application is to consider low provision of car parking spaces due to traffic impact of the proposed development on Station Road/Main Street/Queenferry Road junction in Kirkliston. The applicant should reduce the propose level of parking spaces and provide the number of parking spaces into categories double drive ways, on-street parking spaces, number of disabled and EV bays;*
- II. The applicant should clarify cycle parking provision for the apartments including location and design;*
- III. clarify the location of the proposed 6 motorcycle parking spaces;*
- IV. All speed reduction measures (carriageway narrowing or chicanes) on the main road within the site must be hardstanding and not grass verge;*

Should you be minded to grant the application the following should be included as conditions or informatives as appropriate;

- 1. The applicant will be required to*
 - a. contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
 - b. Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development and on Carlowrie Castle Road fronting the proposed development , and subsequently install all necessary signs and markings at no cost to*

the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;

2. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;

a) The proposed paved and lit shared cycle / pedestrian path connection to the Wellflats Road at the south of the site is required to be built to adoptable standards;

3. 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;

4. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

5. 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;

6. Works affecting an adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>;

7. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

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

Note:

- b) *The applicant proposes 2m wide footway fronting the proposed development on south side of Boathouse Road /Carlowrie Castle Road as per planning condition of the PPP;*
- c) *Electric charging point (10no street parking spaces) and for dwellings with garage / driveway passive provision*
- d) *Cycle storage will be provided in-curtilage of the houses (2 spaces per 2-3 habitable rooms and 3 spaces for 4 or more habitable rooms).*
- e) *Speed reduction measures have been incorporated in the design to promote slow vehicular speeds and walking/cycling;*
- f) *The applicant has demonstrated by swept path that the entire site can be serviced by refuse collection vehicle;*
- g) *The site has been designed to link with active travel infrastructure within and off site;*
- h) *It is considered that 8 additional residential units to the consented 100 residential units will not have any significant impact on the surrounding road infrastructure including the Kirkliston Main Street/Station Road/Queensferry Road junction;*
- i) *As per condition of the PPP, the applicant will be responsible for upgrading of Main Street / Queensferry Road / Station Road traffic signal junction with MOVA traffic control system, at no cost to the Council. Details to be agreed in writing with the Council's Officers;*
- j) *Per section 75 legal agreement of the planning permission (PPP), the applicant will contribute £31,740 for upgrading existing path link at the north west corner of the site to the core path/walking/ cycling route along the old railway line west of the site and thereby replacing PPP transport consultation response condition 3. b (Paved and lit, shared cycle / pedestrian path connection(s) to be provided at the northwest corner of the site (as highlighted in the applicant's development parameters plan). Paving and lighting to be extended to provide improvement to the existing ramp from this connection up to the Main Street). Reason - Land is not owned by the applicant;*

Roads Authority Issues updated comment

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

1. *The applicant will be required to*
 - a. *contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
 - b. *Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development and on Carlowrie Castle Road fronting the proposed development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;*
2. *All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and*

cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;

a) The proposed paved and lit shared cycle and pedestrian path connection to the Wellflats Road at the south of the site is required to be built to adoptable standards;

3. 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;

4. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

5. 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;

*6. Works affecting an adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits
<https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>;*

7. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

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

Note

a) Applicant proposes 170 parking spaces (55 in curtilage/private, 46 garages and 69 on-street car parking spaces) and complies with the Council's parking standards which could allow a maximum of 171 parking spaces for the proposed development;

b) The applicant proposes 2m wide footway fronting the proposed development on south side of Boathouse Road /Carlowrie Castle Road as per planning condition of the PPP;

- c) *Electric charging point (10 no on-street parking spaces) and for dwellings with garage / driveway passive provision*
- d) *Cycle storage will be provided in-curtilage of the houses (2 spaces per 2-3 habitable rooms and 3 spaces for 4 or more habitable rooms).*
- e) *Speed reduction measures have been incorporated in the design to promote slow vehicular speeds and walking/cycling;*
- f) *The applicant has demonstrated by swept path that the entire site can be serviced by refuse collection vehicle;*
- g) *The site has been designed to link with active travel infrastructure within and off site;*
- h) *It is considered that 8 additional residential units to the consented 100 residential units will not have any significant impact on the surrounding road infrastructure including Kirkliston Main Street/Station Road/Queensferry Road junction;*
- i) *All speed reduction measures (carriageway narrowing or chicanes) on the main road within the site are to be hardstanding and not grass verge;*
- j) *As per condition of the PPP, the applicant will be responsible for upgrading of Main Street / Queensferry Road / Station Road traffic signal junction with MOVA traffic control system, at no cost to the Council. Details to be agreed in writing with the Council's Officers;*
- k) *Per section 75 legal agreement of the planning permission (PPP), the applicant will contribute £31,740 for upgrading existing path link at the north west corner of the site to the core path/walking and cycling route along the old railway line west of the site and thereby replacing PPP transport consultation response condition 3. b (Paved and lit, shared cycle / pedestrian path connection(s) to be provided at the northwest corner of the site (as highlighted in the applicant's development parameters plan). Paving and lighting to be extended to provide improvement to the existing ramp from this connection up to the Main Street). Reason - Land is not owned by the applicant;*

Affordable Housing comment

1. Introduction

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

Housing Management and Development are the statutory consultee for Affordable Housing. Housing provision is assessed to ensure it meets the requirements of the city's Affordable Housing Policy (AHP).

- Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing.

- 25% of the total number of units proposed should be affordable housing.

- The Council has published Affordable Housing Guidance which sets out the requirements of the AHP, and the guidance can be downloaded here:

<https://www.edinburgh.gov.uk/affordable-homes/affordable-housing-policy/1>

2. Affordable Housing Provision

The Housing Management and Development service is not able to support the application for the reasons set out below.

The S75 attached to the original PPP application secures a minimum of 25% of the housing units for affordable housing. The S75 states that the development cannot commence until the tenure, location and the design standards of the affordable housing units has been agreed with the Council.

The design of affordable housing should be informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides and we require that applicants work with the Council and RSL's to achieve this.

In total 27 affordable homes are identified on the site plan which is 25% of the total number of homes to be delivered on the site.

The Council's expectation is that a minimum of 70% of the homes will be available for social rent as per the planning guidance on 'Affordable Housing'. The applicant has indicated that they have engaged with a Registered Social Landlord (RSL) but has declined to confirm the intended tenure type of the affordable housing units.

Without this information we cannot give a comprehensive response to the proposal as our view on the siting, design and layout will vary depending on the affordable housing tenures that are proposed. However, there are elements of the proposal that we have been able to comment on.

The Council's planning guidance on 'Affordable Housing' states that the proportion of housing suitable for families with children included within the affordable element should match the proportion of such housing on the wider site and a representative mix of house types and sizes should be provided. The guidance also states that in the interests of delivering mixed, sustainable communities the AHP units will be expected to be identical in appearance to the market housing units, an approach often described as "tenure blind", and well-integrated with housing for sale.

The 27 affordable units have been designed as follows:

- 21 (78%) of the proposed affordable units are two-bed, which compares with 10 (12%) of the market homes;*
- 6 (22%) of the proposed affordable units are three-bed, which compares with 71 (88%) of market homes with three or more bedroom.*

It is noted that some of the two-bedroom homes do not have a second bedroom that is large enough to accommodate two children. RSLs seek two-bedroom four-person units as those are most in need.

Six (22%) of the affordable housing units have been designed as apartments. No market homes on the site will be apartments. The apartments have less private garden space (the upper floor apartments appear to be the only units which do not have direct access to private garden space) and are not identical in appearance to the market houses.

The above information demonstrates that the scheme has not been designed in a way that complies with the Council's planning guidance on 'Affordable Housing'. The proportion of homes suitable for families with children within the affordable element does not match the proportion of such housing on the wider site and a representative mix of house types and sizes will not be delivered.

The applicant has stated that the scheme is "not fully representative of the housing provided on the wider site" but has not provided any justification for this. The Housing Management and Development service is not aware of any reason why more three-bedroom units could not be delivered to a Registered Social Landlord on this site.

3. Summary

The Housing Management and Development service is not able to support this application.

The design and layout of the affordable housing units do not comply with the Council's planning guidance on 'Affordable Housing'. The proportion of housing suitable for families with children included within the affordable element does not match the proportion of such housing on the wider site and a representative mix of house types and sizes will not be provided.

The applicant has not confirmed the intended tenure type of the affordable housing units. Without this information we cannot give a more comprehensive response to the proposal as our view on the siting, design and layout will vary depending on the affordable housing tenures that are proposed.

The Housing Management and Development service would welcome the opportunity to work with the applicant so that an appropriate scheme can be progressed.

Affordable Housing - Updated Consultation Response

The Planning service has asked Housing Management and Development to provide a response to the amended scheme set out above. This response should be read in conjunction with the initial consultation response (dated 14 May 2020) which did not support of the original proposal.

The S75 attached to the original PPP application secures a minimum of 25% of the housing units for affordable housing. The S75 states that the development cannot commence until the tenure, location and the design standards of the affordable housing units has been agreed with the Council.

27 affordable units are proposed to be delivered on-site (25%). The applicant has developed the scheme in conjunction with a Registered Social Landlord (RSL). The applicant and RSL has now confirmed the intention that 22 (80%) of the affordable homes will be available for social rent. This would exceed the aim in the Council's 'Affordable Housing' guidance which is that 70% of affordable units should be delivered for social rent. Although subject to the two parties entering into a final legal agreement, this is welcome as social rented properties are the Council's highest priority tenure. Five homes (20%) will be delivered as 'Golden Share' which is in line with the Council's guidance.

In our initial response from May 2020, concerns were raised about the mix and design of the proposed affordable homes. The applicant has responded positively to the concerns that were raised and has made significant improvements to the scheme.

The applicant has increased the number of three-bedroom affordable homes from 6 to 9 which is welcome. The affordable units now comprise nine three-bedroom houses (33%), 12 two-bedroom houses (44%) and six one-bedroom flats (22%). This compares with the market homes which comprise 71 houses with three or more bedrooms (88%) and 10 two-bedroom houses (12%).

Six affordable flats now have one bedroom rather than two. This follows further engagement with the RSL. The RSL has advised that the inclusion of some one-bedroom affordable flats will help to meet priority housing needs in the local area and are preferable to the two-bedroom flats (with small second bedrooms) that were originally proposed.

The applicant has also amended the design of the affordable flats so that each has access to communal garden space. In the original scheme the upper floor flats did not have access to garden space. Although they are flats, they will be two storey and have a form and material that will integrate reasonably well with the two storey houses across the wider site. This is in line with the expectations for "tenure blind design" set out in the Edinburgh Design Guidance.

Despite these improvements the mix of affordable homes is still not entirely representative of the wider site and the proportion of affordable homes suitable for families is less. The proposal therefore does not fully comply with the Council's planning guidance on 'Affordable Housing'.

However, the applicant has engaged positively with Housing Management and Development and an identified RSL to improve the proposed affordable housing provision. The proposal will make a significant contribution to the supply of affordable homes for social rent in the area across a range of types and sizes. The RSL has provided a letter of support which confirms that the proposed mix is deliverable and will address priority housing needs. The affordable homes will be "tenure blind" and compliant with the RSL design standards.

Waste Services comment

After reviewing the drawings/ plans for this development at this time we would not be able to agree a waste strategy based on the information provided. On the swept path analysis, there's overhanging areas where the vehicle leaves the road. Also, the flats at the far end of the development would need to be changed to individual bins to ensure route continuity and limit the volume of vehicles operating within the site.

Waste Services updated comment

This all seems fine now that the swept path and the change of communal bins to individual have been changed to suit.

Location Plan



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