

Development Management Sub Committee

Wednesday 12 August 2020

Application for Planning Permission 20/00965/FUL At Craigpark Quarry, 1 Craigpark, Ratho Detailed planning permission for the buildings and information relating to Condition 1 of planning permission 17/02471/FUL relating to an outdoor leisure facility and associated works

Item number

Report number

Wards

B02 - Pentland Hills

Summary

The proposal complies with the Development Plan. It adopts a landscape led approach to the built form of development ensuring the buildings will sit comfortably within the Country Park setting.

The detailed landscape strategy will help integrate the buildings within the former quarry and will enhance the Country Park's contribution to this locality. Public access will be retained to almost three quarters of the application site. The adoption of the Government's Natural Capital Approach to the development of the site will ensure biodiversity and environmental gains. Overall, the proposal will substantially enhance the natural environment of the site, once a brownfield former quarry site. There are no material planning considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES10, LEN08, LEN10, LEN11, LEN12, LEN15, LEN16, LEN21, LEN22, LTRA01, LTRA02, LTRA03, NSGD02,

Report

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Recommendations

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

Background

2.1 Site description

The application site is part of the disused Craigpark Quarry, at the western edge of the village of Ratho. The Quarry ceased operations in 1990. The Quarry slopes have recently received remediation works as part of the restoration of the quarry into a country park.

The site measures approximately 23.4ha in area and is bound to the north by a strip of trees and shrubbery, next to the Union Canal, which is a scheduled ancient monument (Ref SM11097, added 15 Dec 2003), and by the Edinburgh International Climbing Arena to the north east. It is bound to the west by agricultural land and to the south by Bonnington Quarry. To the east, the site is bound by the new Cala Homes residential development built as part of the quarry restoration.

The Union Canal is designated as a Local Nature Conservation Site and runs along the northern edge of the site and, to the southeast, the woodland formerly associated with Craigpark House (now demolished) is listed in the Inventory of Ancient, Long Established and Semi Natural Woodland of Plantation Origin (NCC 1991). The old cart road running eastwards from the quarry basin between the canal and the new housing has been reopened as part of the country park development.

Further south, beyond the application site, the countryside is designated as a Special Landscape Area.

Access to the site is via the Edinburgh International Climbing Arena road, off Cliftonhall Road B7030 to the west.

2.2 Site History

The site was an active quarry producing hard rock until 1990, when all extraction ceased.

2 March 2003 - planning permission refused for restoration of redundant quarry and mixed-use redevelopment comprising housing, business and commercial uses, with associated engineering works (application reference 02/01597/FUL).

14 August 2006 - planning permission granted for the erection of 117 dwelling houses on the neighbouring site and restoration of the disused quarry to the south west for public amenity purposes (formation of country park) (application reference 05/01229/FUL).

An Environmental Statement was submitted with this application. The proposal included 45 town houses, 42 four storey apartments and 30 detached dwelling houses. The planning permission was subject to a legal agreement requiring, amongst other matters, the implementation of a phased restoration programme and landscape and habitat management plan. The approved restoration works are currently in progress.

The enabling works included the reinstatement of the site access from Wilkieston Road as the south eastern gateway for use by construction traffic for a temporary period and re-contouring of slopes for road construction, material gain from north-western area and removing dangerous cliffs.

Restoration of the quarry included;

- Slope re-profiling to provide a natural angle of repose;
- Re-use of bundled topsoil;
- Retaining established woodland on the site;
- Creating new woodland and grasslands;
- Infrastructural tree planting; and
- Safeguarding raptor habitat and nesting sites.

4 July 2019 - Planning permission granted for an outdoor leisure complex including water sport and training facilities infrastructure, access (pedestrian and vehicular), landscaping and ancillary works, ancillary class 1 (retail) and class 3 (food and drink) uses, tourism accommodation facilities (application reference 17/02471/FUL).

Condition 1 of planning permission application reference 17/02471/FUL states;

Notwithstanding the information submitted on the plans hereby approved, detailed planning permission must be sought for all the support buildings (including orientation building, HUB reception building, WETs building and Service Building), the recreation facilities (including the water sports facility, zip wire, ski and snowboard kicker, the tubing slide and ancillary structures), and the visitor overnight accommodation buildings (including lodge and pod buildings) shown on the proposed masterplan drawing reference 14048 L106 EOO. The total gross floor area of the buildings should not exceed 4500 square metres and the buildings should not exceed two storeys in height A.O.D.

The detailed application should include the following information:

- Height, massing, siting and ground floor levels;
- Design and external appearance of all buildings, roof form, open space, public realm and other structures;
- All operational aspects of water sports facility, open space and public realm;
- Existing and finished site and floor levels in relation to Ordnance Datum;
- Roads, footways, cycleways, servicing and layout of car parking and cycle parking provision in accordance with standards agreed within the approved layout; including an access management plan;
- Amendments of any treatment to adopted roads and footways;
- Surface water management, drainage arrangements, SUDs proposals and SUDs maintenance plan;
- All operational aspects and noise assessment of the commercial and business uses including details of servicing arrangements, opening hours, all external plant, machinery and/or ventilation, hours of deliveries and collections, inclusion of a site management plan; details should be provided which confirm that the ventilation will meet the relevant criteria.
- 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, bats, otters and badgers;
- Full details of the proposed centralised energy centre;
- Detailed soft and hard landscaping plan and levels around the proposed buildings;
- A schedule of all plants to comprise species, plant size and proposed number and density;
- Inclusion of hard and soft landscaping details including tree removal;
- Landscape management plan including schedule for implementation and maintenance of planting scheme; and
- Any boundary treatments, including noise barriers.

28 March 2019 - Proposal of Application Notice was submitted for detailed design of the buildings for the Wavegarden Scotland development at Craigpark Quarry and information relative to Condition 1 to be attached to planning permission 17/02471/FUL.

Main report

3.1 Description Of The Proposal

This is an application for planning permission for all matters required by condition 1 of 17/02471/FUL with the exception of the information relating to the alternative leisure uses - the tubing slide, the snowboard kicker and the zipline which are no longer in the business plan and do not form part of the current proposals.

As the current application is a detailed separate application for planning permission and therefore is not bound by the original consent, the applicant is seeking to increase the gross floor area of the buildings from the originally approved 4500 square metres to 6220 square metres. This would then supersede the original floorspace restriction.

The Hub and Wets building have changed from being two storey to being single storey. The point cafe and the operational area building have reduced in size. The number of camping pods has reduced in number from 60 to 56 (including the bothies) but an additional four canal berths have been identified (these do not require planning permission). The lodges remain at 31 although these are larger due to the applicant's assessment of market demands. The accommodation details proposed on the site have changed as shown below;

	2017	2019
Welcome building	60sqm	38sqm
Hub Building	1040 sqm	657sqm
Wets Building	285 sqm	760 sqm
Point Café	137 sqm	86 sqm
Camping pods (2 beds)	60	41
Accessible pods (4-8beds)		8
Lodges (2-3 beds)	31(46sqm)	31 (84sqm)
Barges (2-6 beds)		4
Bothy (4-8 beds)		7
Total Accommodation	91 units	91 units

The proposed buildings are designed with a common palette of materials mainly Scottish larch timber cladding. The Hub building will be finished in metal cladding with brown timber appearance, reflective of the industrial heritage of the area.

The Hub building, the largest on the site, is split into three components. One area will provide food and beverages, one will be a surf block and one will be a changing block. It would have large glazed panels and connected by a tensile canopy with timber pergola details. This will provide for sheltered outdoor learning space and briefings.

The Point Cafe, bin stores and ancillary buildings are all smallscale buildings around 3.6 metres in height clad in timber cladding. The point café sits on the southern side of the site, below the pod accommodation, with bi-folding glazing opening out towards the lagoon.

The ancillary service building takes a linear form on the southern side of the site, serving the lodges. It would be clad in timber with a green sedum roof.

The switch room at the lagoon, housing the wave technology would be timber clad with green sedum roof with two spaces of 33 and 32 square metres each.

The 49 camping pods would be clad with timber. The regular pods would measure 3 metres x 5.6 metres long and 3.1 metres in height. The DDA compliant pods are proposed to be 6.8m by 10.6m.

The 31 lodges are 2-3 bedroomed, finished in metal cladding of a timber appearance. These are proposed at 84 square metres.

There has been an overall increase of built floor space from 4500 square metres proposed in the original application to 6220 square metres taking account of the

increase floor area of the lodges and additional ancillary buildings on the site. The application does not forecast an increase in visitor numbers but an increase in the size of the accommodation on offer.

The application includes a comparison plan of publicly available space within the country park for both the approved application and the current proposal, which breaks down as follows;

	Current application	Original Wavegarden application
Total country Park area	23.4ha 100%	23.4ha 100%
Country Park free access dawn to dusk	74%	76.6%
Free entry- public access to wave garden during operational hours	6.5%	4.2%
Facility with paid Entry use: (Breakdown of accomm. lodges Pods)	17.2%	16.5%
	2% 5.4%	1.6% 4.7%
Maintenance facility	2.2%	1.6%

The viewing terraces are set around the lagoon, up on the cliffs in the west. Smaller areas of seating nodes are by the canal and bridge and throughout the country park setting. A formalised seating area for spectating the surf lagoon is proposed on the north eastern side of the lagoon.

Bike skills track details are proposed on the slopes in the north western corner of the site between the car park and canal; these would be surfaced in whin dust.

The application includes five coach parking spaces and nine minibus spaces. A total of 244 car parking spaces including DDA compliant and electric vehicle spaces are proposed. Cycle parking is proposed at the Welcome building, the southern car park and the Hub offering 58 spaces in total. This level of parking was agreed in the original planning application and no change is proposed.

The application includes comprehensive detail of the landscape proposals. This includes tree planting that will provide for a rich and varied natural habitat, that offers increased biodiversity, including native and non-native evergreens. Alpine plants will provide interest in the car park area, aquatic plants within the SUDs area, low level shrubs and grasses will provide suitable habitats for birds and insects. The proposal includes a variety of grass mixes for each of the different area of the site. The application includes a Natural Habitat Statement and Landscape Habitat Management Plan.

The EIA submitted with the original application (17/02471/FUL) has been updated in accordance with current regulations, the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

The application is supported by the following documents;

- Environmental Statement, (ES),
- PAC Report,
- Planning Supporting Statement,
- Flood Risk Assessment,
- Surface Water Management Plan,
- Sustainability Statement,
- Tree Survey,
- Design and Access Statement,
- Drainage Strategy (Addendum),
- Noise Impact Assessment,
- Operational Statement,
- Remedial Method Statement July 2019,
- Zones of Theoretical Visibility,
- Natural Capital Protocol February 2020.
- Phase 1 Habitat and Protected Species Survey,
- Habitat Survey,
- Protected Species Report (confidential), and
- Planning Support Statement.

These documents are available to view on the Planning and Buildings 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 principle of development is acceptable;
- b) the design and layout of buildings is acceptable;
- c) the design of landscape and openspace is acceptable;
- d) the impact on the Union Canal is acceptable;
- e) the impact on neighbouring amenity is acceptable;
- f) transport impacts are acceptable;
- g) flooding and water management is adequately addressed;
- h) waste management is adequately addressed;
- i) external lighting is acceptable;
- j) site investigation and contamination is adequately addressed;
- k) the impact on protected species is acceptable;
- l) any other environmental impacts are acceptable;
- m) Environmental Impact Assessment Report;
- n) the proposal has any impact on equalities or human rights; and
- o) comments raised have been addressed.

a) Principle of Development

On 25 April 2018, the Development Management Sub Committee was minded to grant full planning permission for an outdoor leisure complex (Wave Garden) including water sport and training facilities, infrastructure and access (pedestrian and vehicular, landscaping and ancillary works). The principle of the Wave Garden use within the Country Park setting of the site has therefore been established and a masterplan approved under application reference 17/02471/FUL. The decision notice was issued on 4 July 2019 following the signing of the legal agreement.

The proposals have developed since the 2017 planning application to reflect the applicant's business plan but having regard to the historical development of the site, and the development of a country park with public access, it was evidenced through application reference 17/02471/FUL that the formerly approved country park element of the site will be largely retained and the proposed surfing element of the proposal will make efficient reuse of the derelict quarry and is a positive reuse of vacant brownfield land.

The buildings to be accommodated on the site will contribute to the surfing leisure facility potentially providing a more sustainable use of the site enabling users to stay overnight rather than travel long distances on a daily basis. The floor area change represents a 1,700 square metre increase in a site of around 23.4 hectares and, provided all other aspects are compatible with the Development Plan, this is considered acceptable.

The legal agreement connected with this site will still be applied under application 17/02471/FUL. However, a new legal agreement will be required to ensure the requirements are still met under this application. This includes the Council retaining the original new bridge contribution paid in 2015 for a longer duration as a payment towards the new bridge and the payment of an additional £444,689 to ensure that the

bridge can be built. Other elements of the agreement relate to the same; 'Landscape and Habitat Management Plan', the 'Park Bond', the restriction that the park be retained in single occupation, and the 'Public Park'; matters as detailed in the restoration agreements.

b) Design and layout of buildings

The application site is designated as countryside in the Edinburgh Local Development Plan (LDP). Policy ENV 10 (Green belt and Countryside) of the LDP advises that development would only be permitted where a countryside location is essential and that any associated buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use. The development should not detract from the landscape quality and/or rural character of the area.

Policy Des 4 (Development Design-Impact on Setting) of the LDP requires new development to demonstrate that it will have a positive impact on its surroundings having regard to height and form, scale and proportions, position of the buildings and material and detailing.

The landscape and visual effects of the development were scoped out of the EIA Addendum as significant effects were not anticipated for landscape and visual receptors. This was based on Zone of Theoretical Visibility mapping which evidenced:

- That views to the hub buildings, cove infrastructure and camping pods will generally be contained by the landform of the quarry.
- That the proposed car park, solar panels and orientation building will be in part visible from the west but set within new woodland structure planting.
- The wider visibility of the lodge buildings across areas of farmland to the north west and south west of the quarry. However, this is lessened by retention of existing screen planting to the west, and supplementary planting between the lodges and re-enforcing the southern boundary of the site.

The application demonstrates that whilst the pod accommodation will be more widely dispersed, they will be fewer in number and they will sit comfortably down in the quarry basin, within the country park setting, maintaining public access to the surrounding spaces.

There has been an overall increase of built floor space from 4500 square metres proposed in the original application to 6220 square metres taking account of the increase floor area of the lodges and additional ancillary buildings on the site. The application does not forecast an increase in visitor numbers but an increase in the size of the accommodation on offer. With the exception of the proposed lodges, the development form sits principally down within the quarry basin.

The lodges along the south western crest of the quarry largely follow the siting approved in the original masterplan. However, the proposed floorplans of the lodges are twice the size of that proposed in the original masterplan. To accommodate this increase in size, the land has been regraded at this side of the quarry. While there may be adequate space to accommodate this size of accommodation on this side of the quarry, the footprint is greater thus marginally reducing the overall area of country park for public enjoyment. The comparison plans submitted in support of the application

show that there will be a change from the original application of 76.6% down to 74% of the total site available for public access during the hours of dawn to dusk. This is balanced by a small increase to public access to the Wave Garden facilities. This will increase from 4.2% to 6.5% of the total site area. This considered acceptable.

The new buildings serving the Wave Garden include an orientation building proposed at the edge of the car parking site to direct the public to the Wave Garden the scale and massing of this building is appropriate in the context of the development.

Support buildings are proposed around the surf facility, set in the former quarry basin of the Country Park. The siting of these buildings follows that approved in the original masterplan and their proposed scale and massing is acceptable.

The original permission includes a condition that would only permit the occupation of the lodges once the surf park has commenced operation. This is to avoid the creation of an isolated holiday park type accommodation. It is recommended that this condition is also attached to this permission.

Adequate information has been submitted in support of the application to demonstrate the appropriateness of the height, siting and massing of the proposed buildings.

Policy Des 1 (Design Quality and Context) of the LDP supports development which contributes towards a sense of place. A design approach that draws upon positive characteristics of the surrounding area is supported.

Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) of the LDP aims to ensure that features worthy of retention, are incorporated and enhanced through the design of the development. On this site these features are recognised as the quarry rock face and woodland tree belt.

The approval of the Masterplan for the site (application reference 17/02471/FUL) has set the framework for the site to ensure that the requirements of LDP policy Des 2 (Coordinated Development) are met. A Design and Access statement has been submitted in support of this application. It sets out that the natural environment of the site is central to the ethos of the development project.

The design approach to the buildings is one of modular off-site construction. Details of the design, height and material finish of all the proposed buildings have been considered holistically thus ensuring a cohesive form of development within the site. The design approach to the material finish of the buildings is proposed as a bleached beach ethos, utilising timber finish and some textured metal panelling, reflective of the historical use of the site.

The reduction in height of the hub building since the original application is welcomed, the green roof with cladding in natural hues will ensure that the building is absorbed into the landscape. The tensile links between the buildings is appropriate to the leisure use of the site and connects the external open spaces with the Hub Building.

The application is supported by a Sustainability Statement and an energy strategy.

The energy strategy includes enhanced fabric thermal performance materials, low energy lighting and controls and roof mounted photo-voltanic panels.

The sustainability strategy for the site meets the essential criteria of the Council's S1 form and provides green roofs, all timber locally sourced and water saving devices. Environmental protection has requested that the applicant does not include wood burning stoves in the lodges.

Within the proposed development, layout provision is made for waste recycling and for access to alternative modes of sustainable transport including bikes and buses. The applicant is proposing to install electric car parking points, approximately 1 in every 6.

The proposal satisfies Local Development Plan policy Des 6 - Sustainable Buildings.

Adequate information has been submitted in support of the application to demonstrate the appropriateness of the design and external appearance of the proposed buildings. The open space and public realm proposals are satisfactorily detailed and will help absorb the leisure facility into the country park setting.

The proposals comply with policies Des 1, Des 2, Des 3, Des 4 and Des 6 and do not adversely affect the rural character or landscape quality of the countryside.

c) Design of landscape and open space

Policy Env 20 (Open Space in New Development) of the LDP encourages public accessible and useable open space in new developments (other than housing) that contributes to Edinburgh's green network.

The open space on the site associated with the development will be accessible to the public. The applicant's statement advises that 74% of the country park area will be accessible to the public dawn to dusk. Free entry is provided within areas of the Wave Garden (which is 6.5% of the site area) during operational hours. Approximately 20% of the total site area is only available to paying guests, the accommodation, the wave facility and maintenance buildings.

The management and maintenance of the country park is the responsibility of the site owner, currently Tartan Leisure. The Operational Statement sets out that operational maintenance of the site will be informed by the Natural Capital Protocol which will be incorporated into the Landscape Habitat Management Plan, incorporating the Bird Hazard Management Plan as required by CAA. The Operational Statement follows sustainable principles and commits to encouraging local retail and spa businesses, charitable organisations and a range of accessible to all training facilities.

The open spaces and public realm have been carefully designed to be unique to the quarry basin with sensitive use of materials and reclamation of stone where available.

The car parking will be sensitively integrated within the woodland structure of the site, with new structural planting, alpine low-level planting and sheltered by some earth bunding on the western side of the site.

The public realm details are comprehensive with the design and siting of timber and concrete benches working sensitively with the character of the site and its topography. Appropriate wayfinding, path hierarchy, waste bins and biodiversity interpretation boards are detailed within the submission.

The application includes a detailed landscaping plan which identifies a broad range of plants to assist in integration of the buildings within the landscape of the country park. In the short to medium term. It is identified that the proposed lodges may sit starkly within the quarry landscape given the current lack of vegetation. Planting between the units is defined as including gorse, heather and birch and due to the intensity of use these areas will receive by visitors over the year, careful management will be required to ensure the planting becomes established.

The schedule of planting submitted in support of the application is considered acceptable. The landscape strategy follows the objectives of the Edinburgh Living landscape and is an ecologically conscious approach that will maximise and increase flora and fauna across the site. The applicant is engaged with Natural Capital Protocol and an integrated natural habitat approach has been adopted across the site with a scoping strategy submitted in support of the application.

The application is supported by a Tree and Woodland Survey. No further tree loss is required over that approved in the original application 17/02471/FUL.

Along the northern boundary of the site runs the Union Canal providing a natural boundary; woodland planting is proposed along this edge to enhance its visual appearance and biodiversity. A new footbridge link across the Canal was partially funded through previous planning permissions. This will improve access between the country park and the EICA. Details of the final design of the bridge are subject to a separate application, reference 20/01091/FUL.

The southern boundary edges along Wilkieston Road, between the servicing access and the Cala homes development. The proposals along this edge include a planted buffer to provide privacy for the lodge occupants.

The south eastern boundary will be planted up to provide a noise buffer between the lodge accommodation and the operational Bonnington Quarry. The planting details are considered appropriate to this setting.

The north eastern boundary of the site is the open side of the quarry recently regraded providing footpath connections from the housing development through the quarry basin/country park setting to the Canal.

The proposed landscaping approach, both hard and soft materials, will sit comfortably within the man-made form of the site satisfying policy Des 8 (Public Realm and Landscape Design) of the LDP. Details are provided in particular of hard landscaping around the proposed new buildings which are acceptable in the context.

It is considered that adequate information has been submitted and that landscape design is comprehensive and appropriate to the character of the area complying with policies Env 20 and Des 8.

d) Impact on the Union Canal

Policy Des 10 (Waterside Development) of the LDP encourages development which will provide an attractive waterfront to the Union Canal and includes improvements to public access along the water's edge.

Adequate information has been submitted with respect to finished site and floor levels; these are appropriate in the context of the setting of the Union Canal Scheduled Ancient Monument. The proposed development is sensitively sited and will result in minimal impact upon the Union Canal watercourse whilst encouraging public access across the canal.

Boat moorings are included on the drawings and the design of these is acceptable. They require Scheduled Ancient Monument Consent and permission from Scottish Canals. Access to boat mooring is via two new pontoon arms which are sensitive in design. The proposal also includes support sheds for the barges on the northern part of the site which are sensitively sited and are characteristic of those seen in other locations along the Union Canal.

The application is supported by an Archaeological Statement which references the heritage of the canal. Historic Environment Scotland and Archaeology raise no objection to the proposal.

e) Impact on neighbouring amenity

Policy Des 5 (Development Design-Amenity) of the LDP aims to ensure that new development does not impact upon the amenity of neighbouring residents and ensure that there is no unreasonable noise impact, or loss of daylight sunlight or privacy.

The proposed Wave Garden buildings are positioned within the quarry basin and are a reasonable distance from the neighbouring residential development.

The key accommodation proposed in support of the Wave Garden is lodges on the southern ridge of the quarry. The proposed lodges will sit in close proximity to Bonnington Quarry, accessed via the EICA access road off Cliftonhall Road. The entrance on Wilkieston Road will only be accessed by lodge servicing vehicles.

Residents in the neighbouring Cala Homes development have raised objection to the proximity of the lodges to their homes concerned that they may lead to overshadowing and noise disturbance. At the eastern boundary, the nearest lodge would sit some 20 metres from residential development on Whinstone Road, part of the Cala Homes residential estate. A planted noise bund at 2m in height with a 1.18m fence on top is proposed at this location.

It is considered that the distance between the proposed lodges to the boundary is adequate. The layout is complementary to the density of the residential development with a bund and acoustic fencing defining the boundary.

The application is supported by a noise assessment which considers matters in detail that were not assessed on the original application. This includes the impact of noise from external plant on the Hub building and the impact of breakout noise from potential

class 11 uses in the Hub building. Detailed assessment is also made from general conversation and chat around the lodge buildings. The noise assessment concludes that the development will not exceed the statutory advice and that the residents of the neighbouring properties should not be unduly disturbed by operations and accommodation associated with the Wave Garden.

Having assessed the Operational Statement, Environmental Protection has recommended a planning condition that the water sports facility will be operational during the hours of 8 am to 8pm to ensure residential amenity is protected. A condition is recommended to ensure that the Hub building only operates between the hours of 8am and 11 pm to award greater protection to neighbours.

It is concluded that adequate information has been submitted and, subject to the recommended conditions, that the proposal would not cause undue disturbance to local residents in compliance with policy Des 5.

f) Transport impacts

A comprehensive Transport Assessment was submitted in support of the original planning application reference 17/02471/FUL and the development was fully assessed for its impact upon the surrounding transport network.

At that stage, the applicant demonstrated that the proposal could be accessed by modes other than the car and the requirements of policy Tra 1 (Location of Major Travel Generating Development) of the LDP were met. Based on the works undertaken in the original Transport Assessment, the need for further Traffic and Transport Assessment of the proposal was scoped out of the EIA.

Policy Tra 4 (Design of Off-Street Car and Cycle Parking) of the LDP sets out design considerations for car and cycle parking provision including environmental quality, pedestrian safety and security.

The proposed surface car parking includes structural planting and adequate lighting to ensure a safe environment whilst integrating into the surrounding landscape. Adequate cycle parking is provided for staff and visitors close to the buildings, and the new bridge proposed under application reference 20/01091/FUL will link cyclists to the Union Canal and provide safe access to the site from the city centre in the east and urban areas to the west.

The material finishes of the roads and footpaths is acceptable to the Roads Authority. These follow a hierarchy of vehicle asphalt for the car park, grading to coloured asphalt 2metre width on the routes down and around the lagoon, phased to 1.8 metre width whin paths along the canal side and for the bike tracks. The road and footpath surfacing are considered to be appropriate in the site context.

Local residents and Ratho and District Community Council (RDCC) have raised concern in respect of visitors to the site accessing from Wilkieston Road rather than via Cliftonhall Road, potentially causing congestion and impacting upon local highway safety. A condition is recommended to ensure that a barrier system remains in operation from the Wilkieston Road point of access for site management and servicing

only. In addition to this, an access management plan is still to be fully developed for approval and a condition is recommended to ensure this is forthcoming.

The Roads Authority is satisfied with the information submitted and raise no objection to the proposal.

g) Flooding and water management

Policy Env 21 (Flood Protection) of the LDP aims to ensure that new development does not increase flood risk for the site being developed or elsewhere.

The key element of the proposal is the inland surfing lagoon with wave generating technology which will occupy the base of the quarry with landscaped terraces and accommodation surrounding it. The wave-machine will generate up to 1000 waves per hour over 27 configurations. The lagoon will be filled regularly from filtered water from ground water supply and the Union Canal. Once a year it will be fully emptied into the Canal and replenished. Full details are set out in the Operational Statement submitted in support of the application.

A detailed Surface Water Management plan was submitted in support of the application. SUDs management is integrated within the landscape framework for the site to enhance the amenity, biodiversity and habitat whilst enhancing water quality. This includes a series of filter trenches, open swales, permeable pavements and bioretention basins as part of the proposal. The approach follows the objectives of Edinburgh Living Landscape.

Flooding has raised no objection to the proposal

Adequate information has been submitted with respect to finished site and floor levels. SEPA is satisfied that the floor level of the lodges is above the functional flood plain and that the buildings around the Wave Garden are above the wave height so as to be protected from potential flooding. However, the applicant should note that SEPA has advised that on the basis of the infill material that was used on site between 2004 and 2017 a CAR licence will be required to prevent any pollution of underground water courses. An informative is recommended on this basis.

h) Waste management

The application includes a Waste Management Plan. Bins are dispersed around the park and waste station buildings will be sited behind the Hub building with appropriate recycling facilities. These are designed to reflect the design ethos of the site, finished in timber cladding. Waste collection will be via a commercial collector. The information submitted is satisfactory.

i) External lighting

A detailed lighting plan has been submitted with the application. This proposes sensitive lighting within the quarry, with the Union Canal retained as a dark corridor for wildlife, with localised lighting. Some 8m high columns are proposed at the car park entrance with 6m columns twin and single armed proposed within the car park. This will be largely shielded by the existing and proposed woodland buffer and is essential for

safe movement of vehicles. Around the accommodation bollard lighting and wall mounted wooden square lighting is proposed. There may be some up-lighting of the cliffs for dramatic effect during events. The approach is considered acceptable in this rural context and respectful to the local biodiversity. Airport safeguarding has raised no objection.

j) Site investigation and contamination

Policy Env 22 (Pollution and Air, Water and Soil Quality) assesses the potential risk and significance of pollution for health, the environment and amenity.

The application is supported by an Environmental Impact Assessment Addendum which updates the original statement submitted in support of the original application 17/02471/FUL.

Contamination

The site has been confirmed by the Coal Authority as not within a development high risk area. However, given the previous use of the site and subsequent infill, Environmental Protection recommend that further information is required to satisfy this clause of the condition in accordance with Site Investigation requirements. A condition is therefore recommended.

k) Impact on protected species

Policy Env 16 (Species Protection) of the LDP aims to ensure that new development will not detrimentally impact upon species protected under European or UK law.

The application is supported by an Ecology Report which includes a Phase 1 Habitat Survey and repeat pre-construction surveys to inform the Construction Environmental Management Plan.

The scope comprised of the following specifics:

- Updated Phase 1 Habitat survey;
- Badgers - identification of any setts with the site and 30m buffer;
- Camera monitoring of badger setts (if required);
- Otter and water vole survey along the western burn and Union Canal within 200m of the site;
- INNS survey within the site and 30m buffer;
- Raptor Vantage Point (VP) survey of the southern cliff face;
- Bat ground-based tree inspections of mature broadleaved trees within 30m of development;
- Bat emergence survey of north cliff face; and
- eDNA testing of all waterbodies within the site to look for evidence of great crested newts, including a torch-light survey.

The survey reports that eDNA testing was carried out on two ponds; Pond 1 and 2 which returned a negative result for great crested newts. Ponds 3 and 4 are within the now active Bonnington Mains quarry and were inaccessible at time of survey but are

considered to have negligible potential to support great crested newts. Pond 5 has been drained and no water samples were collected.

Although the ponds surveyed fall within the identified range of great crested newts in Scotland, taking into consideration all the factors such as; the previous HSI results, poor connectivity to the wider environment, amount of relatively recent disturbance, disturbance from the newly reopened quarry to the south of the site and results of two years eDNA, the potential to find great crested newts is deemed to be negligible. Therefore this species is not considered to be a constraint to the development.

No evidence of otter or water vole activity was recorded during the field surveys. The small drainage ditch immediately adjacent to the western site boundary was assessed as having seasonal potential for foraging and commuting otters particularly at the time of year when amphibians are breeding. The Union Canal located immediately adjacent to the north site boundary offers good commuting, resting and foraging habitat for otters but suboptimal habitat for water vole. Given that future otter activity cannot be ruled out if works are not commenced within two months the surveys should be refreshed.

Although only an inactive single-entrance outlier badger sett was identified during the recent survey, their future presence cannot be ruled out. Therefore, as above, if works are not commenced within two months, the surveys should be refreshed. As there exists habitat suitable for badger sett building and foraging it is advised that prior to any vegetation clearance or building work a final check for badger activity should be carried out to ensure badgers have not become active in the area and all the appropriate licencing is in place as per the current wildlife legislation. As previous badger activity has been identified in the area it would be advised that a precautionary approach is adopted for the development and that good practice mitigation measures should be implemented to minimise the risk of disturbance, injury or death of badgers during the works.

Scottish Natural Heritage is content with the surveys carried out in support of the application. However, it advises that the applicant should resurvey the canal side for otters prior to developing the moorings (the moorings do not require planning permission).

Where further surveys are required, either pre-construction or due to timescale validity, these have been clearly identified in the report. The surveys make various recommendation regarding protecting habitats and species during construction and enhancements as part of the scheme. These and other details for biodiversity mitigation and enhancements on site e.g. raptor nesting sites, should be detailed in the final Construction Environmental Management Plan and the Landscape and Habitat Management Plan, as referenced in the Natural Capital Protocol Feb 2020. This is to ensure all these elements, and those from previous applications, are included in the final scheme design. An informative is recommended to ensure this.

It is concluded that the ecology of the site has been comprehensively assessed and that adequate information has been submitted in support of the application in compliance with policy Env 16.

l) Other environmental impacts

The original application includes a condition to ensure that no lodge should be occupied until such time as a suitable noise barrier has been erected to the satisfaction of the Local Authority. This is to award protection to neighbouring residents. This condition is recommended for this application to ensure that the bund is satisfactorily installed prior to occupation of the on-site accommodation.

m) Environmental Impact Assessment Report

An EIA Report was provided with the original Wavegarden application reference 17/02471/FUL. This provided an assessment of the impact of the development in environmental terms, covering Cultural Heritage, Socio-Economics, Air Quality, Noise and Vibration, Landscape and Visual Effects, Material Assets, Traffic and Transport, Climate Change Resilience, Biodiversity, Soil geology and Hydrology and Contamination.

An addendum to the EIA Report was submitted in support of this application. The Scoping Report concluded that the proposed development does not result in a material change to that assessed in the 2017 EIA report and the subsequent assessment work. The EIA in support of this application includes a summary of previous work and revisions to a selection of the topics and updated survey work. The scope of the EIA Report is acceptable, the content comprehensive and the methodologies used acceptable.

Sufficient information has been submitted in the EIA Report to allow a balanced judgement to be made regarding resulting impacts. Therefore, this report not only provides an assessment of the proposal in planning terms, it has also considered the conclusions of the EIA Report.

n) The proposal has any impact on equalities or human rights

The application has been assessed against the Equalities and Rights. The country park and facilities on offer are adaptable to all users. The applicant has identified intention to encompass all in the sporting facilities. The buildings will be accessed by the public and therefore will be required to satisfy building regulations. The proposed layout and design of the building provides room for disabled access. On site disabled car parking bays are provided. The access allows for disabled parking close to the buildings and on-site management can move people to the accessible pods and lodges. The footpaths will connect at grade to the cycle/footbridge over the canal linking to the EICA is provided at a level grade making the route between leisure facilities more accessible by wheelchairs and pushchairs.

o) Public Comments

Material Comments -Objection

Accommodation

- Concern regarding the volume, type and quality of onsite accommodation (addressed in section 3.1 a)

- Accommodation has increased from original application from 306, now proposed to accommodate 346 (addressed in section 3.1 a)
- The lodges are proposed too close to the Cala houses, 8 lodges between the Rangers house and the edge of Whinstone Place (addressed in section 3.1 b)
- The building footprint has increased from 4500 square metres to 6200 square metres, 40% increase (addressed in section 3.1 b)
- The proposal has become over commercialised, the accommodation proposed does not fit with the justification for the Wave Garden being supportive of fringe sports, it will become a holiday park (addressed in section 3.1 b)
- The large lodges will attract larger groups (addressed in section 3.1 b)
- The accommodation should be stalled until the Wave Garden is properly operational and the demand for accommodation can be assessed (addressed in section 3.1 b)
- Concern for security with respect to a transient population in the village (addressed in section 3.1 b)
- Concern lodges will change to housing overtime (addressed in section 3.1 b)
- No evidence of disabled access to the lodges (addressed in section 3.1 c)
- Travel distance from the car park to the lodges is excessive (addressed in section 3.1)

b)

Amenity

- The proposal will not benefit the local community (addressed in section 3.1 a)
- Concern regarding night-time noise which will fall within 0.5dB of target level (addressed in section 3.1 e)
- Concern regarding the potential for concerts and licensed events, concern regarding hours of operation, what will the 300 plus visitors do at night-time (addressed in section 3.1 e)
- -The noise assessment hasn't been done properly, doesn't include loud chatter (addressed in section 3.1 e)
- Noise from vehicular access (addressed in section 3.1 e)
- Noise impact into the countryside location (addressed in section 3.1 e)
- Concern regarding use of the viewpoint at the back of houses at night- time as a congregation area (addressed in section 3.1 b)
- Concern regarding noise from the plant (addressed in section 3.1 e)
- Unsure of the details of the noise protection measures, doesn't account for prevailing wind (addressed in section 3.1 e)
- Concern regarding use of the track at the rear of Hallcroft Park, fencing details and proposed use needs clarifying (addressed in section 3.1 a)
- Noise assessment does not cover the noise from the wave machine (addressed in section 3.1 e)
- Ratho doesn't have the facilities/infrastructure to accommodate the number of visitors proposed (addressed in section 3.1 f)
- The site will attract litter and anti-social behaviour (addressed in section 3.1 h)
- The overdevelopment of the site will reduce the accessibility of open space to the Ratho community (addressed in section 3.1 b)
- concern regarding night-time light pollution (addressed in section 3.1 b)

Visual

- The proposal will destroy the visual appearance of the country park (addressed in section 3.1 b)
- The massing of the site appears congested - particularly the lodges (addressed in section 3.1 b)
- Concern regarding the visual impact of the lodges when looking from the north (addressed in section 3.1 b)
- Uninspiring architecture/encourage more reclaimed materials in the design (addressed in section 3.1 b)

Landscape and Biodiversity

- Country Park Space will be eroded (addressed in section 3.1 c)
- The barges will impact on the canal wildlife (addressed in section 3.k)

Transport

- The proposal does not include a Transport Impact Assessment (addressed in section 3.1 f)
- Concern regarding accessing of the site, potential for visitors to cut through Whinstone Place, potential for parking in neighbouring residential streets, need to exclude cars accessing the Cala residential site (addressed in section 3.1 f)
- concern regarding additional traffic and the disruption to the village (addressed in section 3.1 f)
- The main roads and the road to the EICA will struggle to cope with the traffic demands (addressed in section 3.1 f)
- concern regarding traffic management at the entrance road to the EICA (addressed in section 3.1 f)

Material Comments-Support

- Tourism is essential to the Scottish economy, the proposal will attract international and domestic visitors, great for Edinburgh;
- The proposal will make great use of the site after decades of industrial extraction;
- The proposal will encourage outdoor sports for all demographics;
- The proposal will work well with EICA and will provide for a range of users;
- The design of the development is sympathetic to the landscape and well designed; and
- The proposal will improve upon the local biological environment

Non- Material Representations

- Disingenuous development of the planning applications (addressed in section 3.1 a)
- Lack of transparency
- Mistrust of applicant and Cala Homes
- The accommodation element is unnecessary to the success of the Wave Garden, Bristol and Melbourne are examples of good business models

- Cala residents were sold their properties on the demise that they would look out onto a country park and enjoy a rural retreat
- Cala residents pay for the upkeep of the paths in the application site, they will be overused by tourists
- The development will detrimentally impact upon property prices of the new Cala homes
- -The noise report doesn't consider the demographic of the proposed clients.

Conclusion

It is concluded that the proposal will draw upon the positive characteristics of the site and will contribute to a sense of place in this part of the west of the Edinburgh. The increase in gross floor area will have a minimal impact on the setting of the Country Park and surrounding countryside and is acceptable. The new buildings are sensitively designed to fit with the contours of the site and its landscape setting.

The application includes many of the recommendations that the Edinburgh Urban Design Panel advised on the original application including a comprehensive approach to the built form of development and a detailed landscape strategy.

The application has adopted a Natural Capital approach to the development of the site to ensure biodiversity and environmental gains. The proposal will substantially enhance on natural capital value of the site, once a brownfield former quarry site with limited nature capital assets and ecosystems. The Wave Garden will create new wetlands and grassland habitats, substantially increasing in biodiversity and landscaping.

The matters outlined in condition 1 of application 17/02471/FUL have been addressed in this report subject to further conditions and a new legal agreement.

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

3.4 Conditions/reasons/informatives

Conditions:

1. No development of the bike skill track shall take place on the site until the applicant has secured the implementation of a programme of archaeological work in that area of the site (excavation, analysis, reporting, and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

- b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
3. The hours of operation of the water sports facility shall be restricted to between 8am to 8pm.
 4. The hours of operation of the Hub building shall be restricted to between 8am to 11pm.
 5. A 2m acoustic barrier must be erected with a minimum surface mass per unit area of 15 kg/m², no holes or gaps between sections or underneath the barrier. The location of the barriers is highlighted in Figure 2 of the ITP Energised Noise Assessment ref EDI_1912 dated 2020-02-05 and on 'Lodges East Cala Boundary Sections' drawing number 14048_L_426 dated 14.02.20. The barrier must be fully installed prior to occupation of any accommodation on the site and remain in perpetuity.
 6. Full design and operational details of a barrier system on the access road from Wilkieston Road into the site shall be submitted to the Planning Authority and approved in writing prior to the occupation of on site accommodation. The barrier system shall remain operational thereafter.
 7. A minimum of thirty-eight 7Kw electric vehicle charging outlet (wall or ground mounted) shall be installed and operational prior to occupation. Two commercial space shall have a rapid electric vehicle charging point installed and operational prior to occupation. The rapid charger shall be of the following standard with specific specifications and locations provided at the detailed stage:

70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.
 8. Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the approval of the Planning Authority.
 9. The approved landscaping scheme shall be fully implemented within six months of the surf facility becoming operational.
 10. Construction details, specifications, including trade names where appropriate, of all proposed external materials shall be submitted to and approved in writing by the Council as Planning Authority before work is commenced on site. Note:

sample panels of the materials are to be erected and maintained on site for an agreed period during construction.

11. Footpath and cycle-path connections from the development to the external networks shall be implemented in accordance with the approved drawings prior to the opening of the surf facility.
12. The onsite overnight visitor accommodation hereby approved, including camping pods, bothies and lodges, shall not be occupied until the surf facility and its ancillary buildings are fully operational and open to the public.
13. Parking for a minimum of 58 cyclists (inclusive of both employees and visitors) shall be provided on site prior to the full operation of the surf facility. General cycle storage (short stay) should be covered and secure, located adjacent to the main entrances of the public buildings. Cycle parking for employees (long stay) should comprise secure, covered cycle storage situated close to the building(s) but preferably out of sight of the general public. Details shall be submitted for the approval of the Planning Authority.
14. Parking shall be provided in accordance with the approved planning drawings inclusive of disabled spaces which will constitute 8% of the total provision - 239 car parking spaces, 9 minibus parking spaces and 5 coach parking spaces.
15. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:
 - monitoring of any standing water within the site temporary or permanent
 - sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).
 - management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached
 - reinstatement of grass areas
 - maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
 - which waste materials can be brought on to the site/what if any exceptions e.g. green waste
 - monitoring of waste imports (although this may be covered by the site licence)
 - physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
 - signs deterring people from feeding the birds.

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, rooks and any communal roosts of starlings, woodpigeons, and corvids to nest, roost or loaf on the site, this includes buildings and trees. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gulls, rooks, starlings, woodpigeons and any corvid activity must be monitored on the site and all roofs checked regularly to ensure that these do not utilise the roof. Any of these birds found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Edinburgh Airport Airside Operations staff. In some instances it may be necessary to contact Edinburgh Airport Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Scottish Natural Heritage before the removal of nests and eggs.

16. Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)'. The submitted Plan shall include details of:

- Attenuation times
- Profiles & dimensions of water bodies
- Details of marginal planting

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

17. Full details of fencing to the rear of the houses on Hallcroft Park, backing onto the reopening of the old cart road, shall be submitted to the Planning Authority for approval, and erected prior to the opening of that route.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to ensure the most efficient and effective rehabilitation of the site.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
4. In order to safeguard the amenity of neighbouring residents and other occupiers.

5. In order to safeguard the amenity of neighbouring residents and other occupiers.
6. In the interest of highway safety.
7. To encourage sustainable forms of transport.
8. In order to safeguard protected trees.
9. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
10. In order to consider these matters in more detail.
11. To ensure the road connections are implemented as approved.
12. The level of accommodation proposed is only acceptable in the countryside as an ancillary element to the leisure facility.
13. To encourage alternative modes of transport.
14. To encourage alternative modes of transport.
15. It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.
16. To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)' (available at <http://www.aoa.org.uk/operations-safety/>).
17. In order to protect the privacy of adjoining neighbours.

Informatives

It should be noted that:

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

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

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

4. The applicant is reminded of the following requirements in respect of the proposed development;

- -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).
- The non-technical summary states up to 60m³ per of water will be required to be abstracted from the water environment. If taken from the Union Canal no authorisation from SEPA will be required but Scottish Canals will be required to add this activity to their CAR licence. However, water abstracted from either ground or natural surface waters would mean that a simple CAR licence will be required.
- 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:
 - is more than 4 hectares,
 - is in excess of 5km, or
 - includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25 degrees
- Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of SEPA's 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.

5. Full details for biodiversity mitigation and enhancements on site e.g. raptor nesting sites, should be detailed in the Construction Environmental Management Plan and the Landscape and Habitat Management Plan, as referenced in the Natural Capital Protocol Feb 2020. This is to ensure all elements, including those from previous applications, are included in the final scheme design.

6. The applicant is reminded that elements contained within the original planning application reference 17/02471/FUL , namely Zip Wire, Ski and Snowboard Kicker and Tubing Slide require full planning permission and are not subject of this permission.

7. All proposed energy plant must comply with the Clean Air Act, details of required chimneys should be submitted at the detailed planning stage. Plant above 1Mw may require secondary abatement technology. Biomass is not appropriate for this site.

Applicant must further consider extending the onsite renewable energy provisions through the use of photovoltaics/solar panels and or ground/air sourced heat pumps.

8. Construction Mitigation

- a) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.
- b) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.
- c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.
- d) Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.
- e) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.
- f) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.
- g) This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.

No bonfires shall be permitted.

9. A parking management strategy shall be developed and submitted for approval by the Council. In association with this a proposal for monitoring the use of the car park to be developed and submitted to the Council for approval. The approved monitoring regime to be implemented for a period of 24 months from the opening of the development. All costs associated with the implementation of the management and monitoring of the car park to be met by the applicant.

10. 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.

11. The applicant will be required to enter into a suitable legal agreement covering the following matters, which take cognisance of this application and the previous 05/01229/FUL, 15/05021/FUL and 17/02471/FUL permission.

a) An agreed date for 100% completion of the park.

The agreement shall secure public access to the Country Park during daylight hours.

The agreement shall require the whole park site to be kept in one ownership subject to the same provisions as the existing S75 agreement for this site.

An obligation shall be made on the developer to ensure the maintenance of the park in perpetuity. This shall make reference to the Bond included in the previous applications.

b) The agreement shall require the submission and approval of a finalised Landscape and Habitat Management Plan which shall comply with BAA requirements for bird management and include a bird hazard management plan. It shall include tree retention details, planting proposals, habitat creation and protected species measures, as well as a schedule relating to the phased implementation and the maintenance of all landscape works. The LHMP shall be implemented and reviewed on a regular agreed basis by a specified Ecological Clerk of Works. The findings of the review shall be implemented as agreed.

c) A contribution of £444,689 towards the provision of a new footbridge/cycleway over the Union Canal to link the new development and the National Climbing Centre.

12. No tree shall be felled during the bird breeding season (March -September) unless otherwise agreed in writing by the Planning Authority.

13. Geo-environmental Phase I and II reports would be required for the Building Warrant application.

14. The canal is designated as a Scheduled Ancient Monument. Any work that affects a Scheduled Monument will require Scheduled Monument Consent from Historic Environment Scotland.

15. 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.

16. Prior to the commencement of works a Construction Environmental Management Plan (CEMP) will be submitted to the Planning Authority for approval, in consultation with relevant Statutory Consultees. The CEMP will detail the procedures and methods to be followed to minimise any potential adverse effects of construction on the local environment relating to local air quality, noise and vibration levels, water resources, habitats and species, visual amenity and ground conditions. The approved CEMP shall include the mitigation methods set out in the Environmental Statement in 4.4.5 Table 4.1 and shall be adhered to by contractors working on the site.

Within the CEMP the following shall be carried out;

- a. A pre-construction survey of Great Crested Newts shall be undertaken prior to the commencement of works which will inform the requirement for any further consultation with SNH including licensing requirements or mitigation.
- b. Prior to any tree felling the site should be pre-inspected for bats and necessary licence obtained.
- c. A pre-construction survey of badgers shall be undertaken two months prior to construction, and should include a minimum of two weeks camera trap monitoring. This will inform the requirement (if any) for consultation with SNH to obtain licensing that allows disturbance of the sett during construction activities. The applicant is reminded that should the design of the proposed development further change any works located within 30m of the potential outlier sett must be reassessed by a suitably qualified ecologist at the earliest opportunity. An updated badger survey should be completed no more than one month prior to the commencement of works associated with the proposed development in the North West of the site.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The Proposal of Application Notice (reference 19/01604/PAN) was advertised in the Edinburgh Evening News. The applicant notified the Community Council and local councillors on 28 March 2019.

A dedicated website has been created for the site called www.wavegarden.scot

The applicants held a consultation meeting at Ratho Library on 8 June 2019 between 3pm and 8pm.

The results of the community consultation are submitted with the application in the Pre-application Consultation Report (PAC).

This application and EIA addendum were advertised on 20 March 2020.

In accordance with the introduction of the Coronavirus Act and new procedures, neighbours were further notified on 28 April 2020,

The application generated 103 objection comments, 254 support comments and 2 general comments.

Background reading/external references

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

**Statutory Development
Plan Provision**

The site is designated as countryside in the Edinburgh Local Development Plan.

Date registered

6 March 2020

Drawing numbers/Scheme

Scheme 1 1-80,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jennifer Paton, Senior planning officer

E-mail: jennifer.paton@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

LDP Policy Des 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 Des 10 (Waterside Development) sets criteria for assessing development on sites on the coastal edge or adjoining a watercourse, including the Union Canal.

LDP Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

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

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

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

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

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

LDP Policy Env 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 Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

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.

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 20/00965/FUL At Craigpark Quarry, 1 Craigpark, Ratho Detailed planning permission for the buildings and information relating to Condition 1 of planning permission 17/02471/FUL relating to an outdoor leisure facility and associated works

Consultations

Archaeology comment

The proposed development site occupies the site of the former late Victorian Craigpark Quarry and is bounded to the north by the Union Canal (a Scheduled Ancient Monument). Quarrying activities to the north of the canal and the insertion of the M8 extension in the 1990's have revealed significant prehistoric burial remains along with Anglian occupation of the 7-9th centuries AD.

Although the site has been significantly impacted upon by the quarrying activities, the area of high ground in the NW corner now proposed for a Mountain bike skills track (site 16 on the illustrative masterplan) may have been relatively unaffected and as such may be regarded as having archaeological potential. Further, proposed new moorings and suds drainage will impact the bordering Scheduled Union Canal.

Accordingly, this application must be considered under terms the of Historic Environment Scotland's Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and CEC's Edinburgh Local Development Plan (2016) Policies ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

As stated the development will largely be contained within the former quarry site already subject to recent landscaping works, in areas with no archaeological implications. Further since our 2017 response to application 17/02471/FUL, evaluation work across the site of the proposed car park by AOC has demonstrated that the area has been significantly affected by quarry related activities.

However, the area of high ground proposed for the new bike track would appear still to be relatively un-impacted upon by the operation of the quarry. Therefore, given the occurrence of prehistoric burials cut into bedrock in similar locations found during quarry of the sister site on the north side of the canal, this area is regarded as still having potential (low) for such significant remains to occur. Accordingly, it is recommended that a programme of archaeological work is undertaken prior too/ during the construction of this bike track in order to fully excavate, record, analyse any significant remains that may be disturbed.

In terms of the impacts upon the Union Canal, the construction of the new moorings and suds drainage will have minor localised impacts upon the scheduled area. It is considered that these impacts will not significantly impact upon either its setting nor physically upon the site. However as works affecting this scheduled monument will require consent, HES must be consulted and their views sought.

It is recommended that the following condition is attached if consent is granted to ensure that this programme of archaeological works is undertaken.

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

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

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

Foul

This proposed development will be serviced by NEWBRIDGE PFI Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time 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. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website at the following link www.scottishwater.co.uk/business/connections/connecting-your-property/newdevelopment-process-and-applications-forms/pre-development-application.

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.

General notes:

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

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

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

If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude. Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed. Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-yourproperty/new-development-process-and-applications-forms>

Next Steps:

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk.

Flood Prevention comment

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

- 1. It is unclear whether updated surface water drainage calculations have been undertaken. Page 21 of 'DS Appendix E (1of2)' has one page of surface water attenuation calculations undertaken by John Chapman, Etive Consulting. Have these been cut short? Apologies if this is an issue on my end and due to me only viewing what is publicly available on the portal. In the 2017 Surface Water Management Plan calculations, a 20% climate change uplift has been used. 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. Could the applicant please provide written confirmation that Scottish Canals agree with the proposed surface water discharge to the canal?*
- 3. Please identify existing and proposed ground level surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outside of the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. First, to understand if there is any significant re-direction of surface flows to surrounding land. Second, to identify if surface water will flow towards property entrances.*

4. *The applicant has not completed a declaration for this application covering the flood risk assessment and surface water management proposals. Certificate A1 should be provide to support this application.*

5. *Could the applicant provide an updated drainage layout with the latest building and landscape proposals?*

Flood Prevention updated comment

I have reviewed the updated drainage information and responses from the applicant on the portal. These address most of our concerns. CEC Flood Prevention have the following remaining comment, to be addressed by the applicant:

1. *The Micro Drainage calculations seem to show some flooding from manholes in the 1:200-year+40%CC event (manholes S1, S2, S3, S11, S11, S12, S13A, S14 and S21). Could the applicant please confirm these flood volumes are safely managed on site and routed away from property entrances. Please also confirm safe flood-free access and egress can be maintained.*

Flood Prevention updated comment

Thanks for sending through the additional drawing. This satisfies CEC Flood Prevention's concerns. This application can proceed to determination, with no further comments from our department.

Waste Services comment

*The City of Edinburgh Council do not provide a waste collection service for commercial properties, so they will need to source their own waste provider. More information is available [here:](http://www.edinburgh.gov.uk/info/20001/bins_and_recycling/1518/trade_waste)
http://www.edinburgh.gov.uk/info/20001/bins_and_recycling/1518/trade_waste*

Architects should however note the requirement for trade waste producers to comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling. This means there would need to be separate storage space off street for segregated waste streams arising from commercial activities, out with those for domestic waste.

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

SEPA comment

Advice for the planning authority

We have no objection to this planning application. Please note the advice provided below.

1. *The Groundwater Environment*

1.1 *We have undertaken a review of the information submitted for detailed planning permission for the Wavegarden project.*

1.2 *The quarry has some areas of infilled materials, with infilling having occurred from 2004 to 2017. There is some contamination in these materials identified in the Mason Evans site investigation. It is planned to reuse materials onsite to create the slope profiles of the site. The pool itself will be made of concrete with a soft lining. The groundwater table is currently beneath the base of the quarry but it is expected that it may rebound as it has been periodically pumped.*

1.3 *All bedrock aquifers are mapped as groundwater bodies by SEPA and therefore are always considered to be receptors. It cannot be assumed that igneous rock will behave as a confining layer. Although igneous rock can overall have low permeability it will have greater permeability in fractures and areas that have been blasted during quarrying activities. It may have greater permeability locally than the literature value range. Therefore groundwater travel times will vary significantly and it may not significantly reduce the risk to groundwater.*

1.4 *The Environmental Impact Assessment states that it will be ensured that the appropriate environmental permissions have been obtained and controls in place to control any contaminated surface water run-off. The risks from vertical migration of run-off to groundwater should also be correctly managed.*

1.5 *It is stated that lateral migration of shallow groundwater was considered possible. Therefore as glacial till and alluvium is not extensive across the site it may be that there is hydraulic continuity between the perched groundwater and bedrock groundwater bodies. Therefore although perched groundwater may not be considered a receptor it may be a pathway to the groundwater in the bedrock aquifer.*

1.6 *A CAR licence will be required if groundwater is abstracted and we would refer the applicant to SEPA's CAR Practical Guide at www.sepa.org.uk/media/34761/car_a_practical_guide.pdf for further information in this regard.*

1.7 *As stated in the submission it is recommended that best practice is undertaken when site works involve moving materials around onsite as this can encourage increased mobilisation of contaminants into groundwater.*

1.8 *The applicant should note that groundwater in bedrock aquifers is always considered to be a receptor.*

2. *Flood Risk*

2.1 *We have no objection to the proposed development on flood risk grounds. Notwithstanding this we would expect Edinburgh Council to undertake their responsibilities as the Flood Risk Management Authority.*

Technical Report

2.2 We previously responded to this at the pre planning stage in November 2019. Please read this response in conjunction with our previous response.

2.3 It is recommended that the Flood Risk Management Authority should comment on the requirements for the management of surface water at the application site including any mitigation measures.

2.4 After review of the provided topographic information (drawing no. 05C), we believe that the lodges at the south west of the site are planned on a plateau in excess of 10m above the western small watercourse. This should place them sufficiently out of the functional flood plain for this watercourse, we therefore have no objection to the proposed development,

2.5 As previously stated, we would not support any built development above the inlet/outlet of the ponds. We would strongly recommend that the finished floor levels of any developments adjacent to the ponds are above the level and wave height of the ponds. We would highlight that if development is located in close proximity to the ponds, there may still be a risk.

2.6 Any proposed land-raising should be set back from the watercourse to prevent increased inflow to the Union Canal.

Caveats & Additional Information for Applicant

2.7 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland.

2.8 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

2.9 The flood risk advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1).

3. Construction Pollution Prevention

3.1 A construction site licence will be required where the site is greater than 4Ha. This seems to have been missed from the EIA.. Please see the regulatory comments below for further advice on this matter.

4. Surface Water Drainage

4.1 SUDS have been designed using the Simple Index Approach and the CIRIA guidance which we welcome. 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.

5. Foul and trade effluent

5.1 We note and welcome the proposed connection to the Scottish Water foul sewer network.

5.2 The applicant should confirm what, if any trade effluent discharges will arise from the water treatment plant. SEPA's preferred option is for all trade effluents to connect to the foul sewer.

5.3 Clarity is required if the main activity pool of the wave centre will have any overflows and where these would go. Any discharge could require an authorisation under the Controlled Activities Regulations or be subject to SEPA's policy of the discharge of chlorinated effluents.

Regulatory advice for the applicant

6. Regulatory requirements

6.1 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).

6.2 The non-technical summary states up to 60m³ per of water will be required to be abstracted from the water environment. If taken from the Union Canal no authorisation from SEPA will be required but Scottish Canals will be required to add this activity to their CAR licence. However, water abstracted from either ground or natural surface waters would mean that a simple CAR licence will be required.

6.3 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.

6.4 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.

6.5 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 .

SNH comment

The EIA report is an updated addendum to the 2017 EIA, together with updated surveys and detailed design information. Our comments focus on the species survey work.

As stated in our EIA scoping advice, we now have standing protected species advice on our website which provides advice to developers and planners as to the requirements for protected species during the planning process. This should provide all the information required in going forward:

<https://www.nature.scot/professional-advice/planning-and-development/planning-anddevelopment-advice/planning-and-development-protected-species>

Some additional comments are given below in relation to the Ecology survey report that has been carried out together with any relevant design details.

We are content with the surveys that have been undertaken to date and the findings, which largely confirm earlier surveys. To summarise, the surveys show that no protected species have been found and therefore no protected species licences are required for development to proceed. Where there is potential for species to move into the area in the meantime, for example in relation to badgers or otter, appropriate mitigation and recommendations are made in the report.

Our only query relates to potential for otters on the canal and the mooring development, as no recommendations for mitigation or design are made for this area to ensure the canal remains a suitable corridor for otters (or commuting bats which will also use the canal). Even if this does not form part of this application, the applicant will still have to ensure that works here limit any impact on protected species.

The Ecological survey report acknowledges that the canal offers good commuting, foraging and resting opportunities. It also mentions that the vegetation and bank on the south side was too steep to examine in detail. Impacts from the wavegarden development were ruled out with standard mitigation measures recommended such as avoiding night working, covering of work holes etc, with the assumption that the canal would remain a dark wooded corridor; the moorings weren't referred to so it's not clear if this was considered.

The mooring development could raise potential impacts on species using the canal corridor in terms of lighting, disturbance and loss of suitable habitat. The Canal section drawing indicates the presence of a path and mooring access walkway, which would be on the south side of the canal which at present is undisturbed and vegetated (the towpath being on the north of the canal). We would recommend that this area is re-surveyed prior to work here, to ensure there are no otters present and therefore no licences required. We would also recommend that advice is sought to ensure that the construction of paths,

lighting and walkway here consider the presence of protected species using the canal corridor, and are designed to maintain the canal as a suitable habitat for otters (or other species) to move along. For example, use of appropriate and directional lighting. For information, our standing advice for otter is here: <https://www.nature.scot/species-planning-advice-otter>

We have some new guidance on our website for incorporating pollinators into development, for example in the creation of meadows, so this may be useful in addition to the other positive measures that are outlined for biodiversity in the development: <https://www.nature.scot/guidance-pollinators-planning-and-construction-guide>

HES comment

Our Advice

We have previously been consulted on the above planning application and associated environmental statement, and at both of the EIA Scoping stages. In these responses we noted that direct impacts on the above scheduled monument would require scheduled monument consent (SMC). These impacts would include both the proposed moorings installation and the outflow of the SUDS into the canal. Although a greater level of detail relating to these works would be required for the SMC process, we have been engaged in pre-application discussions with the applicant's agent and would continue to be content that the direct impacts on the scheduled monument can be mitigated through the SMC process. We anticipate receiving an application relating to these works in due course.

The EIA Addendum Report is an addendum to the 2017 Environment Statement which we have already been consulted on. We would agree with the assessment of the impact on cultural heritage as outlined in paragraph 4.49 in the Addendum Report. We have previously advised that as a result of the landform and existing structural planting, the wider proposals outlined in relation to the condition set on the planning consent that would affect the former quarry area are not likely to significantly alter the current setting of the canal, and we would continue to be of this view. As a result, we would have no further comments in relation to the above application for detailed planning permission.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Ratho and District Community Council comment

Ratho and District Community Council are able to confirm an ongoing and open engagement with the proposer, Tartan Leisure Ltd., and whilst present circumstances have precluded any form of Public Meeting to address concerns within the Ratho community we have been made aware through emails and social media of issues that

have been raised by local residents, and in particular those from the Craigpark residential development.

Accordingly we therefore offer the following comments and observations whilst acknowledging that the application appears a comprehensive response to Condition 1 set against the previous consent to Application 17/02471/FUL.

1. We note from the Noise Assessment (ref. 4535969) an apparently exclusive focus on noise emanating from "conversation 11 amongst residents within the area of luxury Lodges as being pertinent to only four identified receptors. We are of the opinion that this assessment is inadequate insofar that it fails to consider further inevitable noise from general operational plant and equipment together with the proposed on-site activities of up to several hundred daily visitors using facilities open well into the evening whilst at the same time, only considering the impact on a limited number of four notional receptors. In this respect we consider that a further and less restricted noise assessment is required as part of the submission.

2. We are fully aware of the applicant's declared operational statement that visitors to the Luxury Lodges will be expected to arrive via the main access gates from the EICA access road where their vehicles are to be left within the proposed car park, prior to further conveyance to the Lodges using electric buggies. However we note from the Masterplan (ref. 4535252), Illustrative Masterplan (ref. 4535253), and other drawings, that:

- o The existing vehicular access road from the Wilkieston Road serving the existing "Park Rangers Lodge" is seen to apparently link to the access roads to the Luxury Lodge in both the eastern and western areas which will potentially tempt lodge residents to bring cars to the vicinity of their respective lodges and:

- o A pedestrian access is indicated from the Wilkieston road adjacent to the vehicular access to the "Park Rangers Lodge" which itself will tempt Lodge residents to use it for access whilst leaving vehicles parked on the Wilkieston Road. Whilst we are aware that a pedestrian gateway has already been constructed adjacent to the eastern side of the vehicular access, such an access has to the best of our knowledge never been indicated on any of the previous plans for the restoration of Craigpark Quarry or the Outdoor Leisure Facility and associated works. This being the case it would appear that the pedestrian gateway is without planning consent.

You will be aware that the Wilkieston Road is an unlit road with a national speed limit of 60mph being a busy primary access route to Ratho, and as such unrestricted parking is to be discouraged. Accordingly and further to dialogue with the Applicant we understand that:

- o the "footpath alongside the access road is not critical to the operation of the Wavegarden, Country Park, or Lodges and could be re-moved" and that

- o Access control to the Rangers Lodge and Maintenance area for 'Service Vehicles Only' for the maintenance shed, lodges and associated utilities is as the current provision; that being automatic electric gates.

This being the case we would seek confirmation that a condition will be imposed upon any consent to the present application (20/00965/FUL) that so as to deter lodge visitors from any attempt to access the lodge areas by car, the:

o Automatic gates to the vehicular access be maintained and operational at all times and

o The existing pedestrian gateway will be permanently blocked off.

3. We note that items contained within the 17/02471/FUL application and subsequent consent, namely the Zip Wire, Ski and Snowboard Kicker, and the Tubing Slide are not considered in this 20/00965/FUL application, and that all reference has been deleted from both the Masterplan (ref. 4535252) and Illustrative Masterplan (ref. 4535253). We would request that any consent to the Application 20/00965/FUL confirms that these items have henceforward been deleted from the scope of the previous Planning Permission in Principle ref. 17/02471/FUL.

4. It is noted that an additional ancillary building not included in the previous consent to application 17/02471/FUL has been added to the Masterplan at a location adjacent to the existing maintenance shed on the southern boundary of the site.

5. Whilst noting from the Archaeology Response (ref.4538060) advice that "No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work" we would request confirmation that this programme was implemented prior to the commencement of construction works that has already occurred in the latter part of 2019.

6. We note within the response from Scottish Water (ref. 4542232) that "further investigations (by Scottish Water, to confirm sufficient capacity for freshwater supply) may be required to be carried out once a formal application has been submitted to Scottish Water". We consider this should be verified as a condition of consent to Application 20/00965/FUL.

7. We note from the same response from Scottish Water (ref. 4542232) that Scottish Water is unable to confirm capacity (for foul water treatment) at this time so to allow us (Scottish Water) to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water. likewise we consider this should be verified as a condition of consent to Application would 20/00965/FUL.

8. We note from the response from SEPA (ref 4550544) that whilst there is no objection to the application (20/00965/FUL) a construction site licence will be required where the site is greater than 4Ha and that this seems to have been missed from the EIA. We consider this should be verified as a condition of consent to Application 20/00965/FUL.

9. We note from the Remediation Method Statement (ref. 4535095) a recommendation that gas protection membranes be installed below buildings. We consider this should be verified as a condition of consent to Application would 20/00965/FUL.

Whilst not being presented as objections we would be grateful if you would confirm that our comments will be taken into account when considering the application.

Edinburgh Airport comment

Please accept this as confirmation we are happy to discharge the condition. I received detailed information in relation to building heights directly from the developer and we have now carried out the relevant assessments.

Environmental Protection comment

The applicant is proposing to build an outdoor leisure facility at the site of the former Craighpark Quarry in Ratho. The applicant has had a hybrid planning application approved (17/02471/FUL) whereas part of the 2017 application was detailed and the remainder of the application just outline. Therefore planning permission in principle was granted under the 2017 application and was subject to several conditions. This latest application is to address all of condition 1, from the 2017 application which has several areas of interest for Environmental Health that are listed below. The actual condition states;

Conditions:-

1. Notwithstanding the information submitted on the plans hereby approved, detailed planning permission must be sought for all the support buildings (including orientation building, HUB reception building, WETs building and Service Building), the recreation facilities (including the water sports facility, zip wire, ski and snowboard kicker, the tubing slide and ancillary structures), and the visitor overnight accommodation buildings (including lodge and pod buildings) shown on the proposed masterplan drawing reference 14048 L106 EOO. The total gross floor area of the buildings should not exceed 4500 square metres and the buildings should not exceed two storeys in height A.O.D.

The detailed application should include the following information :

** Roads, footways, cycleways, servicing and layout of car parking and cycle parking provision in accordance with standards agreed within the approved layout; including an access management plan;*

** All operational aspects and noise assessment of the commercial and business uses including details of servicing arrangements, opening hours, all external plant, machinery and/or ventilation, hours of deliveries and collections, inclusion of a site management plan; details should be provided which confirm that the ventilation will meet the relevant criteria.*

** Site investigation/decontamination arrangements;*

** Any boundary treatments, including noise barriers*

The applicant had submitted site investigation information with the previous application. There is another condition that adequately covers contaminated land and that condition

cannot technically be fully discharged until the development is completed. Therefore, it is noted that site investigation reports have been submitted and are being reviewed by our contaminated land officer.

The applicant has submitted a further supporting noise impacted assessment to address issues raised by environmental protection on the proposal. The noise impact assessment has investigated likely noise levels and impacts from lodge usage and possible noise at the closest residential receptors, predicted the operational noise levels from external plant and breakout noise from the Hub building associated with Class 11 uses.

The applicants noise impact assessment has concluded that noise from the proposed development will be below the noise criteria, resulting in a low likelihood of significant noise impacts. The applicant will be required to install acoustic barriers upon a bund as described in the supporting noise impact assessment and detailed in the submitted drawings. The type of noise associated with leisure facilities may not also breach the required noise criteria due to the nature of the noise created by people not being continuous. However, the distance between noise source and receptor and inclusion of barriers should be capable of reducing the noise levels to ensure amenity is not adversely affected. The applicant has also advised that a robust management plan will be implemented to further reduce potential for noise, with certain other aspects of the proposal possibly requiring a licence to operate.

The management plan highlights measures to minimise the risk of disturbance. Such measures include, time-limiting or banning the use of sound reproduction equipment or musical instruments in areas close to residents that will be used at night (e.g. the lodges). Signage requesting users to respect neighbours with regards to noise, especially evening and night-time. On site personnel available to address any disturbance or safety issues that could arise. A 24-hr phone number for residents to call in the event of any disturbance occurring. An action plan for steps to take following a complaint or notification regarding noise. None of this can be conditioned through planning however if properly implemented could reduce the likelihood of any noise issues.

Although not directly related to this proposal it should be noted that the applicants previous noise impact assessment had advised that the proposed facility will be operational for only 9 months of the year with it being closed between December and February. The applicant has advised that the proposed hours of operation will be split between two seasons June to August 08:00 to 22:00 hours with the remaining operational months being open 10:00 to 20:00. The applicant has advised that they would be willing to accept a condition controlling the hours of operation. Therefore, Environmental Protection shall recommend a condition restricting the hours of use. Environmental Protection recommend that conditions are attached to any consent to ensure residential amenity is protected.

Local Air Quality

The applicant had submitted a supporting air quality impact assessment. This was requested due to the number of proposed car parking spaces exceeding one hundred. The applicant has identified that the development site is not located within or immediately adjacent to an Air Quality Management Area (AQMA). The closest AQMA is the Glasgow Road AQMA, located approximately over 1.5 km to the north of the development site.

The applicants supporting air quality impact assessment has demonstrated that the site will not have an adverse impact on local air quality.

The Edinburgh Design Guidance (October 2017) states that to ensure that the infrastructure required by the growing number of electric vehicles users is delivered, one of every six spaces should include a fully connected and ready to use electric vehicle charging point, in developments where ten or more car parking spaces are proposed. EV parking spaces should be counted as part of the overall car parking provision and not in addition to it.

The applicant has committed to installing electric vehicle charging points. The applicant has also provided detailed plans showing where some of the chargers will be located and it's been agreed that the detailed location of the remaining chargers will be highlighted when the details plans are submitted. Environmental Protection would be requiring electric vehicle charging points of various outputs to be provided throughout the proposed public car. Slower chargers for long stay purposes shall be served with 7kW or 22kW chargers with 70kW or 50kW (125 Amp) DC with 43kW (63 Amp) AC unit made available for at least 10% of your total proposed spaces. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously. It should also be noted that the taxi industry is moving towards plug-in taxis. The latest model of the London taxi is a plug-in electric taxi and with Edinburgh being the second biggest market for London taxis there will many of them on the roads in Edinburgh therefore locating chargers for taxis must be further considered.

The applicant has advised Environmental Protection that this detailed information will be submitted later as its covered by another condition. Environmental Protection are not convinced that any other condition does cover this aspect and condition 1 is the most appropriate as below, regardless this information must be provided;

Roads, footways, cycleways, servicing and layout of car parking and cycle parking provision in accordance with standards agreed within the approved layout; including an access management plan;

It was agreed during the PPP stage that with regards to the EV charging infrastructure, the exact specification will be confirmed at the detailed design stage. Environmental Protection still require this information and will recommend that the previously recommended conditions for EV's are added. Since the last 2017 application was submitted there has been a surge in popularity in EV's so the applicant should now consider adding further EV charging infrastructure.

Since the 2017 planning application was consented there have several changes with regards energy provision and special heat provisions for developments. SEPA now regulate medium sized energy systems above 1MW and permitted must be obtained from SEPA to operate them. A Chimney Height Calculation may need to be submitted in accordance with the Clean Air Act 1993. We will need details on the proposed centralised energy centre serving the larger buildings, for example the proposed fuel and size (energy in/output). Environmental Protection will not support biomass. It is recommended that the applicant submits a chimney height calculation at the earliest possible stage to ensure planning are satisfied with any proposed chimney which may need to be sizable.

The applicant has advised that this information is currently not available and will be submitted with any detailed planning application.

A climate emergency and zero carbon targets now need all developments to move away from fossil fuels altogether. The applicant must fully investigate installing renewable energy technology such as increased photovoltaic/solar panels and ground/air sourced heat pumps linked to energy storage. This technology can be easily linked to EVs, the vehicles can then be used to store energy and even feed electricity back into the buildings if required.

The applicant had indicated that they intend small wood burning stoves in the proposed lodges. The applicant has been advised that Edinburgh is a Smoke Control Area and any wood burning stove must be compliant with the Clean Air Act 1993. In Scotland, there is a list of exempt appliances published by the Department for Environment, Food & Rural Affairs. The applicant has agreed not to install wood burning stoves as it was highlighted that Environmental Protection would not support the application if it included a cluster of biomass/wood burning stoves.

Environmental Protection continue to recommend that the applicant does not install a wood burning stove as it is likely to impact the neighbouring residential properties due to the low-level chimney and likelihood of fumes being trapped in the wider area.

Therefore, Environmental Protection offer no objection subject to the following conditions remaining or being added;

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

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

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

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

2. A 2m acoustic barrier must be erected with a minimum surface mass per unit area of 15 kg/m², no holes or gaps between sections or underneath the barrier. The location of the barriers is highlighted in Figure 2 of the ITP Energised Noise Assessment ref EDI_1912 dated 2020-02-05 and on 'Lodges East Cala Boundary Sections' drawing number 14048_L_426 dated 14.02.20. they must be fully installed prior to occupation.

3. The water sports facility, the zip wire, the ski and snowboard kicker and the tubing slides shall only operate between the hours of 8am and 8pm.

4. The hub building shall be open to visiting members of the public between the hours of 8am to 11pm.

5. No wood burning/biomass stoves are permitted as part of the development.

6. A minimum of thirty-eight 7Kw electric vehicle charging outlet (wall or ground mounted) shall be installed and operational prior to occupation. Two commercial space shall have a rapid electric vehicle charging point installed and operational prior to occupation. The rapid charger shall be of the following standard with specific specifications and locations provided at the detailed stage:

70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Informative

All proposed energy plant must comply with the Clean Air Act, details of required chimneys should be submitted at the detailed planning stage. Plant above 1Mw may require secondary abatement technology. Biomass is not appropriate for this site.

Applicant must further consider extending the onsite renewable energy provisions through the use of photovoltaics/solar panels and or ground/air sourced heat pumps.

Construction Mitigation

a) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.

b) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.

c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.

d) Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.

e) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.

f) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions

have been abated. The time and duration of suspension of working and the reason shall be recorded.

g) This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.

No bonfires shall be permitted.

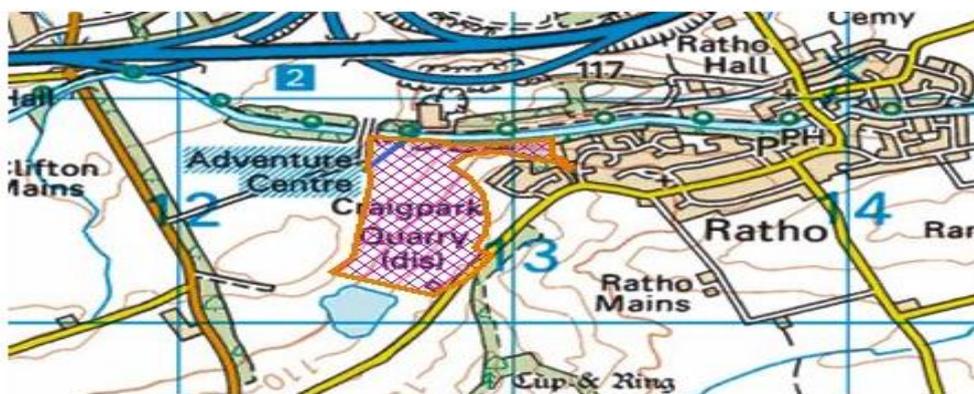
Roads Authority Issues

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

Notes;

1. It is understood that a legal agreement has been signed in relation to the previous application (Ref.17/02471/FUL).
2. The number of car parking spaces (239) and cycle parking spaces (58) are in accordance with the previous granted application (Ref 17/02471/FUL).
3. A Parking Management Strategy will be submitted to the Council for approval prior to the centre opening.
4. 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;
5. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;

Location Plan



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