

Development Management Sub Committee

Wednesday 31 July 2019

Application for Planning Permission 19/01032/FUL At South East Wedge, Old Dalkeith Road, Edinburgh Erection of 199 residential dwellings, public open space and associated infrastructure.

Item number

Report number

Wards

B17 - Portobello/Craigmillar

Summary

The proposal would deliver 199 residential units, of which 25% would be affordable and this would help contribute towards meeting Edinburgh's affordable housing needs.

The application raises a number of issues which will require to be negotiated through a legal agreement if planning permission was granted. These relate to infrastructure issues including education, transport and healthcare. Further information would be required regarding noise, biodiversity, some design elements and cumulative transport impacts.

However, the principle of housing on this site is not supported and the development is contrary to the Edinburgh Local Development Plan (LDP).

The land is allocated as green belt in the LDP and has been identified as a greenspace proposal in order to provide a landscaped, multi-functional parkland, woodland and country park, linking to Midlothian. Although the applicant is proposing to deliver and maintain the remainder of the site as a parkland, the construction of houses would result in the loss of a significant part of the park in perpetuity. This would remove the opportunity to provide a strategic parkland for the benefit of the city as well as the immediately adjoining neighbourhood areas.

The development is also not supported by the Strategic Development Plan (SESPlan) in that it would prejudice the delivery of the green network.

In terms of the landscape, it is acknowledged that the site is not in Council ownership, and that there are a number of urban interventions around the site that impact on the overall landscape setting and character of the site. However, this reinforces the site as an area of strategic importance in providing parkland and cycle/footpath links between the Edinburgh BioQuarter and new housing developments at Greendykes/Craigmillar and forms an important visual link to Craigmillar Castle and beyond. This would be impacted to a significantly detrimental degree if the site was developed.

Furthermore, the design, scale and layout of the proposal does not accord with policies and guidance.

Therefore, on balance, the principle of the development is not supported. Development of this site would prejudice the development of the parkland, which would be detrimental to the future communities in the area. The visual impact on the landscape has been assessed and is not acceptable. This site was assessed during the preparation of the LDP and it was not supported due to its importance as a strategic green space. There are no overriding material considerations which outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LDEL01, LDES01, LDES02, LDES04, LDES05, LDES06, LDES07, LDES09, LEN09, LEN10, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU10, LTRA02, LTRA03, LTRA08, NSG, NSGD02,
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Report

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Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The site comprises approximately 6.5 hectares of undeveloped green belt, and lies to the southeast of the city centre. It comprises open grassland and scrubland with informal paths and desire lines traversing the site. There is also the formalised active travel walking/cycle route connecting Little France Drive to The Wisp to the south of the site. The site undulates throughout, sloping from east to west towards the valley at Little France Drive.

The site slopes downwards from east to west and south to north.

The A6106 (The Wisp) is adjacent to the east of the site and forms the boundary with Midlothian Council. The areas of Craigmillar, Greendykes and Niddrie are situated to the north. New residential properties are currently under construction adjacent to the north of the site in the vicinity of Greendykes.

To the south of the site is an industrial yard, adjacent to the Home Farm Enclosure, which is a scheduled monument.

The ruins of the former Edmonstone House are located to the south of the site.

2.2 Site History

8 August 2013 - The Craigmillar Urban Design Framework is approved.

4 November 2016 - Application withdrawn for proposed residential development, community parkland and a primary school on Land at Edmonstone, the Wisp, South East, Edinburgh (application number: 15/05074/FUL).

11 January 2017 - Application withdrawn for the development of an area of existing open space into public parkland, to include new active travel links with lighting, paths, landscaping, habitat creation/enhancement and tree planting (application number: 16/02661/FUL).

19 September 2017 - Application withdrawn for proposed residential development, community parkland and a primary school on land at Edmonstone, the Wisp, South East Edinburgh (application number: 16/05417/PPP).

Main report

3.1 Description Of The Proposal

Planning permission in principle is sought for the erection of 199 residential units, public open space and associated infrastructure.

The site is proposed to be developed as a mix of flats and houses. The flats are four storeys in height and are located at the northern part of the site. The houses are two storeys in height and form the rest of the site.

For the private units, there are 35 detached houses with four bedrooms, 34 semi-detached houses with three bedrooms, 16 detached houses with three bedrooms and 48 cottage flats with two bedrooms.

The applicant has indicated that there are 66 affordable flats, and are a mix of one, two and three bedroom units. They are four storeys in heights with flat roofs. The plans show that the affordable flats are located on the northern part of the site within the six flatted blocks and sit perpendicular to the Greendykes access road.

The houses are laid out fronting the access road and the series of secondary routes through the site. The houses are proposed to be finished in render with a concrete tile roof.

Vehicular access is proposed to be taken from the new Greendykes access, and there is a proposed pedestrian link at the southern part of the site onto The Wisp.

Open space is provided at the entrance to the site and within the SUDS area at the main access road.

Supporting Information

An Environmental Statement was submitted in support of the application. It examined the landscape and visual impact of the proposal, as well as the impact on traffic and transport and ecology. It also covered the following topics:

- Socio-Economic Assessment;
- Transportation and Access Appraisal;
- Noise and Vibration Assessment;
- Air Quality Assessment;
- Tree Survey;
- Archaeology and Cultural Heritage Impact Assessment;
- Ground Conditions and Water Resources Assessment; and
- Cumulative Impact Assessment.

A Transport Assessment was submitted with the application and this examined the cumulative impact assessment of other developments within the Edinburgh Council boundary and Midlothian.

Other supporting documents include:

- Planning Statement;
- Pre-application Consultation Report;
- Design and Access Statement;
- Sustainability Statement; and
- Drainage Report and Engineering Assessment.

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

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the principle of residential development is acceptable;
- b) the design, scale and layout of the proposed development is acceptable;
- c) there is sufficient amenity for existing neighbours and future occupiers, and the affordable housing provision is acceptable;
- d) the proposal would have acceptable transport impacts;
- e) there are any infrastructure constraints;
- f) the development would have an adverse impact on the landscape, including the historic landscape;
- g) the proposal would have an adverse impact on the biodiversity or ecology of the area;

- h) the proposal would raise drainage, flooding, ground stability or contamination issues;
- i) the proposal would have any detrimental air quality impacts;
- j) the development would have any adverse impact on any archaeological remains or the scheduled ancient monument;
- k) the proposal would meet sustainability criteria; and
- l) the comments raised by third parties have been addressed.

a) The Principle of the Development

Section 25 of the Town and Country Planning (Scotland) Act 1997 states that any determination under the Planning Acts should be made in accordance with the development plan, unless material considerations indicate otherwise. In this case, the development plan comprises the South East Scotland Strategic Development Plan (SESplan) and the adopted Edinburgh Local Development Plan (LDP). Other material considerations include Scottish Planning Policy (SPP) and the Craigmillar Urban Design Framework.

Conformity with SESplan

SESplan was approved in June 2013. The Spatial Strategy sets out locational priorities for development up to 2024 and gives a broad indication of the scale and direction of growth up to 2032. Policy 1A, supported by Figure 1, identifies the Strategic Development Areas (SDAs) where there will be a focus on development and to which new strategic development is to be directed. These locations maximise the potential for development, meeting sustainability and environmental objectives. The site falls within the South East Edinburgh SDA.

Policy 1B (Spatial Strategy Development Principles) sets out the broad principles for LDPs in bringing development forward. Broadly, these principles seek to protect areas with national and local environmental designations and conserve and enhance the natural and built environments.

As noted, the application site is located within the South East Edinburgh SDA. Although this means that the location of the site does not conflict with SESplan's overall spatial strategy, this does not mean that all land within the SDA is required for housing or suitable for housing development in principle. The SDP requires the provision in LDPs of a green belt around Edinburgh for a number of stated purposes, namely to direct planned growth to the most appropriate locations; support regeneration objectives; protect and enhance the quality, character, landscape setting and identity of towns and the city; and protect and give access to open space within and around Edinburgh. Several areas of significance to the Edinburgh Green Belt lie within the South East Edinburgh SDA, and SDP Policy 1A requires LDPs to take account of such environmental constraints. This is assessed further below.

SDP Policy 12 (Green Belts) continues to require that the relevant Local Development Plans define and maintain a green belt around Edinburgh. Paragraph 129 of the SDP further states that in preparing Local Development Plans, authorities should seek to minimise the loss of land from the green belt and effort should be made to minimise the impact on green belt objectives and secure long term boundaries. The policy contains four criteria.

Criterion a) of Policy 12 aims to maintain the identity and character of Edinburgh and Dunfermline and their neighbouring towns, and prevent coalescence, unless otherwise justified by the local development plan settlement strategy. In assessing this proposal against Policy 12, it has the potential to undermine the identity and character of Edinburgh due to its prominent ridge location. It would have an impact on the greenspace leading into Midlothian and prejudice the delivery of the Holyrood to Dalkeith green network as set out in the SESplan Main Issues Report. It would also result in the coalescence of settlements due to the proximity of Danderhall and other local plan allocations in the Proposed Midlothian Local Development Plan.

The development would therefore not meet the first criterion.

Criterion b) states that one of the purposes of the defined Edinburgh Green Belt is to 'direct planned growth to the most appropriate locations and support regeneration'. Since the proposal does not conform in principle to the development plan, this application does not constitute planned growth. The Environmental Report (2013) that supports the LDP assessed part of this site in terms of its suitability for development (identified as South East Wedge Parkland, North). The assessment concluded that through the realisation of the parkland proposals, this site will have an important role in providing open space and path routes connecting the settlements of Little France, Danderhall and Craigmillar. It was therefore not considered appropriate for housing development. In addition, a release of additional greenfield sites would be likely to undermine the redevelopment of brownfield sites, and so would not support regeneration.

The proposal does not meet the second criterion.

Criterion c) states that maintaining the landscape setting of Edinburgh is one of the purposes of the green belt. The proposal fails to place sufficient weight upon the importance of the site and its location along a sensitive ridgeline. The development of the site's ridge top location would impact upon the wider landscape setting of the city. The site is visually prominent in views from Craigmillar Castle and throughout the city skyline (including from Queen's Drive) and from the surrounding road network. The current landform visually contains the existing urban edge and provides an undeveloped skyline in eastward views. In views from within the site, parkland forms a foreground element in views towards the city with a near continuous backdrop of Edinburgh's hills.

The impact on the landscape is further assessed in 3.3(f) below.

Criterion d) states that green belts should 'provide opportunities for access to open space and the countryside'. The proposals would remove 6.5 hectares of land which relates visually to the parkland and provides a visual link between Midlothian and the parkland. While the application site is not within the Council's ownership, it is still designated as green belt with the greenspace allocation. There is currently no impediment on entering the land and no discernible distinction between land ownership boundaries.

It is noted that the proposed plans show a network of paths and routes connecting the surrounding residential areas and there is potential for connections to the active travel route through the park. However, the removal of this land from the parkland would prejudice the opportunities for a robust greenspace connection to Midlothian.

Furthermore, the delivery of a strategic area of open space in this location has been a fundamental aim of the LDP (and preceding adopted local plans), as well as the Craigmillar Urban Design Framework, which underwent significant local community consultation. The loss of this area of parkland would remove an opportunity to create strategic open space for residents of Edinburgh and beyond. The scale of the South East Wedge Parkland is identified in the LDP to provide a strategic area of parkland to benefit the whole of the City and Midlothian, and the proposed development would prejudice this delivery.

The site also forms an important part of the Central Scotland Green Network (CSGN), as contained within National Planning Framework 3 (NPF3) and the removal of this area from the parkland would prejudice the delivery of the CSGN in this location.

Therefore, despite its benefits in terms of providing linkages and retaining some areas of open space, the application does not accord with this objective.

The provisions of SDP policy 12 confirms that:

- Despite an increased need for more housing land, the Edinburgh LDP must also designate land as green belt in places where it will help meet green belt objectives.
- This process should not be undermined by approving housing proposals on land identified as green belt in the emerging LDP.

As stated above, granting planning permission on this site would undermine green belt objectives in a number of ways. Overall, the proposal does not comply with SDP Policy 12.

Conformity with the Local Development Plan (LDP)

The site is within the green belt in the adopted LDP. It is also identified as a specific greenspace proposal (GS4).

With regards to the green belt, policy Env 10 (Development in the Green Belt and Countryside) only permits new development for the purposes of agriculture, woodland and forestry, or where a countryside location is essential. Development of this site for housing would not comply with policy Env 10.

The greenspace proposal (GS4) seeks to retain the land around Craigmillar/Greendykes in the green belt, in order to provide a landscaped multi-functional parkland, woodland and country paths, linking to Midlothian. In assessing the proposal against GS4, the applicant has asserted that the ground levels and poor environmental management have previously prevented this area of land from realising its full potential as a parkland. In addition, the site has been subject to large amounts of fly-tipping in the past, which has prevented it from being utilised to its full extent.

However, the parkland has undergone a series of recent improvements and investment, and is now being utilised for its intended purpose by the new population in the surrounding Greendykes housing developments. The representations submitted by surrounding residents demonstrates how the parkland is becoming a valuable asset for the surrounding communities.

In this context, it is important to consider that the wider area is undergoing considerable amounts of regeneration. At Greendykes there are over 1000 homes with planning permission under construction, as well as the development of the BioQuarter and new Royal Hospital for Sick Children. The character and function of the area will intrinsically change as a result of all this development. This will have a consequential impact on the function, use and need of the parkland.

Although the application site is not within Council ownership, and the land which is in Council ownership is still undergoing a transition from unmaintained land to parkland, housing development on this site would remove this land from the green belt in perpetuity. This would prevent the site from realising its full potential in the future as a multi-functional parkland which would benefit the new residents of the adjoining housing areas and the wider city, as well as providing a landscape setting for the city. Due to the other uses along The Wisp, and difficult ground levels between the parkland and The Wisp, development of the land would also prejudice the green link from Holyrood Park to Shawfair and hence prejudice the function of the green belt at this location as it would be severing the green connection from the site to Midlothian.

During the LDP examination process, the Reporter concluded that whilst the planned open space will be substantially reduced by the housing allocations to the north and south of this site, the site forms part of a continuous green wedge running from the wider green belt westwards between Greendykes and the BioQuarter. The Reporter considered that its retention is important in providing open space and recreational routes connecting through these areas, and that development of this site would effectively dislocate the green belt to the west with the wider countryside in Midlothian to the east, to the significant detriment of green belt objectives. This remains true, as development of this site would create an island of development that is not particularly well connected to the housing developments to the north, and would erode this important area of green space.

Furthermore, whilst development at The Wisp results in a consequent change to the green belt to the north, the Reporter stated the circumstances for this site are different given that the objective of open space proposal GS4, South East Wedge Parkland, is described as multifunctional parkland, woodland and country paths linking with parallel developments in Midlothian. The site forms part of the city's green network in the Open Space Strategy and secures a green link through to Midlothian. Development of the sites to the north and south will accentuate the importance of this remaining area in maintaining continuity of this green corridor and its contribution to green belt objectives in terms of recreational access. Consequently, the Reporter concluded that he did not consider the site should be identified for housing and that it should be retained in the greenbelt and as open space.

Therefore, at this stage, the proposal cannot be justified in terms of policy Env 10 and greenspace proposal GS4 on the basis that it is not an appropriate form of development in the green belt and is removing the opportunities for a multi-functional strategic parkland.

Scottish Planning Policy 2014 (SPP)

SPP introduces a presumption in favour of development that contributes to sustainable development. Paragraph 110 of SPP states that the planning system should:

- Identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a five-year supply of effective housing land at all times;
- Enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and
- Have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

SPP Paragraph 29 lists a number of sustainable development principles which should be used to guide decisions. It states that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.

In terms of assessing the proposal against the principles of SPP, the applicant has provided justification as to why this site is suitable for development based on the fact that the adjacent developments have diluted the original setting of the parkland from a remote countryside location to a strategic investment area. The applicant also asserts that the aspirations and proposals for the parkland should be revisited and that it should become a more formal parkland setting, as opposed to a country park-type aspiration. The applicant also states that since the land ownership is not with the Council, the applicant's land will never become integrated into the park unless development potential is realised.

While it is acknowledged that the land is not within the control of the Council, this site has been considered in line with green belt objectives and SPP. The key aim of SPP is to deliver sites in a plan-led manner and as SPP sets out, the aim is to achieve the right development in the right place; it is not to allow development at any cost. The potential economic benefits of developing this site cannot outweigh the environmental cost and irreversible impact on the landscape setting of the city. The land was formerly part of a designed landscape, providing setting for Craigmillar Castle and the views outward from the castle can still be appreciated from an historical viewpoint as the structure of the designed landscape can still be seen.

Housing Land Supply

The applicant has asserted that the Council area currently does not have an adequate five-year housing land supply and that the current local development plan is out of date, and therefore paragraphs 32-35 and 125 of SPP apply.

This is not the case. LDP Policy Hou 1 relates to the location of housing development and consists of two parts. The first part gives priority to housing development in the urban area as defined in the LDP.

The application site lies in the green belt as defined in the LDP and so is not supported by part 1 of Policy Hou 1. Should there be a deficit in the maintenance of the five year housing land supply, the site may be assessed in terms of part 2 of Policy Hou 1.

Policy Hou 1 Housing Development (part 2) states that where a deficit in the maintenance of the five year housing land supply is identified (as evidenced through the housing land audit) greenfield/greenbelt housing proposals may be granted planning permission where:

- a) The development will be in keeping with the character of the settlement and the local area;
- b) The development will not undermine green belt objectives;
- c) Any additional infrastructure required as a result of the development and to take account of its cumulative impact, including cross boundary impacts, is either available or can be provided at the appropriate time;
- d) The site is effective or capable of becoming effective in the relevant timeframe;
- e) The proposal contributes to the principles of sustainable development.

The latest assessment of the housing land supply in the City of Edinburgh is the 2018 Housing Land Audit and Completions Programme (HLACP), which was reported to Planning Committee on 3 October 2018. The capacity of effective housing land and the anticipated programme of completions within the HLACP were agreed as reasonable with Homes for Scotland.

The HLACP examines both the supply of effective housing land (an input) and the expected delivery of new homes (the output). The 2018 HLACP demonstrates that there is more than sufficient effective housing land to meet the housing land requirements set by the SDP. The HLACP also demonstrates that the five year completions programme (previously referred to as the five year effective land supply) is above the five year completions target.

There is, therefore, no shortfall in either the supply of effective housing land or the expected delivery of new homes over the next five years. As there is no deficit in the maintenance of the five year land supply, Policy Hou 1 part 2 does not apply. Paragraphs 32-35 of SPP are also not relevant.

The landscaping and landscape setting is examined further below. At this stage, development of the site is not in accordance with the principles of the SDP, LDP or SPP.

Craigmillar Urban Design Framework (Updated 2013) and the BioQuarter and South East Wedge Parkland Supplementary Guidance

The Craigmillar Urban Design Framework (CUDF) sets out a vision and planning principles for development of the Craigmillar area. This application site is within the CUDF and is identified as a being retained as a parkland.

Similarly, the BioQuarter and South East Wedge Parkland Supplementary Guidance contains development principles which relate to the parkland. These detail that the parkland should have a clearly defined landscape structure; maximise biodiversity throughout the design; be a visually stimulating environment which provides a clear transition between the urban area and Edinburgh's rural hinterland; and through its design, walkways and planting, protect views to Craigmillar Castle, Arthur's Seat and Edinburgh Castle.

The proposal to build houses on the parkland does not accord with the CUDF or the Supplementary Guidance.

Conclusion

The principle of residential development is not acceptable on this site. It is therefore important to assess whether there are other material considerations which could indicate acceptability of the proposal. These are examined below.

b) Design, Scale and Layout

In assessing the design, scale and layout of the proposals, there is a framework of design policies contained with the LDP, as well as the requirements of the Craigmillar Urban Design Framework, the BioQuarter and South East Wedge Parkland Supplementary Guidance, the Edinburgh Design Guidance, Designing Streets: A Policy Statement for Scotland and PAN 67 (Housing Quality).

Design

Policy Des 1 (Design Quality and Context) states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design, or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.

Policy Des 4 (Development Design: Impact on Setting) states that development will be permitted where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form; scale and proportions; position of buildings; materials and detailing.

Similarly, the CUDF states that "The design of new areas should be conceived as a whole rather than as a collection of disparate housing estates and business parks. Dwellings, shops and public and private institutions should be located close to each other, within the same building or block or with easy access between these... The relationship between built form and the public realm allied to landscape character should generate a lively, distinctive character. It is the design of the space between the buildings which helps to give a place its character, and determines whether or not people feel comfortable within that space. There must be careful and considered design of various elements - street type, building type and the treatment of the public realm."

PAN 67 (Housing Quality) states that the design of new housing should reflect a full understanding of its context, in terms of both its physical location and market conditions.

In assessing this proposal against this framework of policies and guidance, the proposed buildings along the edges of the site do not address any of the surrounding streets or parkland in a positive way. Along the northern boundary, this is partly due to the ground levels between the proposed development and the new Greendykes housing to the north. Here, the land falls considerably over a short distance. This means that in long views (as demonstrated in the Landscape and Visual Impact Assessment (LVIA) that accompanied the application), this site is particularly prominent on the ridge. It appears that little consideration has been given to its location sitting higher than the surrounding existing properties at Greendykes, and therefore gives the proposed development the appearance of being disjointed and not relating to surrounding housing. This is particularly clear in relation to the flats along the northern boundary, which will appear incongruous on the skyline and within the streetscape.

The housing along the western boundary does not address The Wisp, and the proposal forms an awkward boundary with this road. Similarly, the proposed housing along the southern and eastern boundaries fails to provide a suitable edge to the park. The proposed houses on the southern boundary do not address the park, while the houses on the eastern boundary are set behind a road. The flats along part of the eastern boundary provide a fragmented urban form.

Across the site, the levels plan shows the extent of the retaining walls, underbuilding and embankments. In some areas, there is a level difference in the finished floor levels of up to 4.5 metres. The underbuilding is also substantial, where there can be up to a metre of underbuilding on the plots. While retaining walls and underbuilding is not uncommon on new housing sites, this proposal presents an engineering solution to the development of the site and takes little cognisance of the unique topography and landscape quality.

In the absence of a detailed landscape plan, it is difficult to assess whether there is any mitigation proposed, or whether the boundary treatments are suitable.

Policy Des 2 (Co-ordinated Development) states that planning permission will be granted for development which will not compromise the effective development of adjacent land, or the comprehensive development and regeneration of a wider area.

In this instance, Midlothian Council has expressed concern at the reduction in green space and narrowing of the corridor which would be caused by the development.

The location of this site is important in strategic terms due to the proximity of the boundary with Midlothian Council (MLC). Immediately across The Wisp are housing allocations within Midlothian for an extension to Danderhall and a new development at Cauldcoats. In addition, the Shawfair development site lies to the east.

The 2002 masterplan for the Shawfair development (which forms part of the outline application for Shawfair, planning application 02/00660/OUT, approved in 2014) contains a landscape framework which considers linkages between Shawfair and the surrounding area. The landscape concept is to provide a strategic green link between Holyrood Park and Dalkeith Park and the overall aspiration for this large green network is to provide safe off-road routes from Midlothian through to Edinburgh and into the City Centre.

While this aspiration could still be achieved through the delivery of a housing proposal if appropriate paths and connections were provided, these are not provided in this proposal. In fact, no green connections are proposed through the site.

The visual impact of this is seen to the greatest extent from viewpoints on the north east of the site. According to the applicant's Landscape and Visual Impact Assessment, views from Queen's Drive and Craigmillar Castle are where the greatest impact on the narrowing of the green link is particularly prevalent. The visual impression of the green space is that of a considerably narrowed area. This would discourage walkers or cyclists from utilising the green link.

In summary, there are significant implications for allowing housing development on this site, including the impact on the potential for good visual and physical connections and the removal of the strategic green link. While the connectivity impacts could be mitigated if paths and networks from the site are connected to Midlothian at appropriate locations, the contextual and visual impact cannot be mitigated and there is no compelling argument to suggest that the narrowed green link is appropriate.

Layout

LDP Policy Des 7 (Layout Design) states that planning permission will be granted for development where it meets a number of criteria relating to issues of the layouts of buildings, streets, footpaths and taking an integrated approach to new streets, and whether the development will encourage walking, cycling and the use of public transport.

There are very few amenities for residents within a 10 minute walking distance. This would suggest that the site is not suitable for a predominantly residential development with the obvious result being high car dependency and a negative impact on infrastructure and air quality.

In addition, the applicant is not proposing footpath links to connect the site to the main Greendykes access road which is served by a bus route. There is also no provision for path connections to the active travel route. Therefore the proposal is contrary to policy Des 7.

In terms of the details of the layout, Designing Streets offers guidance on the importance of creating successful places through good streets design. One example is given as to how street length can have a significant effect on the quality of a place. Acknowledging and framing vistas and landmarks can help bring an identity to a neighbourhood and orientate users. However, long straights can encourage high traffic speeds, which should be mitigated through careful design.

With regards to the proposed layout, there appears to have been little consideration given to how the streets could be used to frame vistas and landmarks. The surrounding landmarks include Arthur's Seat, Craigmillar Castle and the Firth of Forth. Neither the orientation of the buildings, nor the street layout pays cognisance to these features. Similarly, the long stretches of road within the site give priority to the car, and the pedestrian routes are compromised by the driveways that cross the footway. These are not principles which are supported by Designing Streets.

Scale

LDP Policy Des 4 (Development Design: Impact on Setting) states that development will be permitted where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form; scale and proportions; position of buildings; materials and detailing.

In assessing whether this scale of development is appropriate, the Craigmillar Urban Design Framework states that the edge of the housing areas facing parklands should be well designed and should take into account the surrounding landscape. The proposal in this case does not appropriately address the park, as the edge is formed by fragmented blocks of flats set behind a road, or houses with their backs to the park or set behind a road. This does not create a strong or attractive urban edge, and the lack of a comprehensive landscape plan makes it difficult to assess how the buildings will sit within the landscape.

With regards to policy Des 4, the scale and proportions of the proposed development do not sit comfortably within the landscape. The areas of parking are dominant across the development, and the scale and massing of the flats are incongruous at this location.

Design Conclusion

The finer details of the design have not been adequately considered. The streets are not legible for pedestrians, the massing of the flats is inappropriate and the layout does not present any innovative ways of addressing pedestrian or cycle movement, or the unique landscape and topography of this site.

c) Amenity and Affordable Housing

The design policies in the LDP are supported by the Edinburgh Design Guidance, which provides more specific advice on site development with regards to providing appropriate levels of amenity. LDP Policy Des 5 (Development Design - Amenity) is relevant for assessing the impact of proposals on amenity for existing and new residents.

Existing Residents

The residents most affected by the proposals are located to the north in the New Greendykes development. However, due to considerable distances between the properties, there would be no impact on privacy or amenity. There would be some loss of immediate outlook as the existing properties sit lower than the floor levels of the proposed properties, however the green buffer would remain, and the height of this would retain an immediate green outlook for existing residents.

However, the proposal to remove an area of parkland, will have an impact on the wider area. The areas around the site are within the most deprived areas in Scotland (the immediately adjoining areas in Craigmillar and Niddrie are in the 10% most deprived communities in Scotland, based on 2016 SIMD deciles). Reducing the parkland would remove the potential for these deprived communities to access a strategic area of countryside parkland.

New Residents

The main impact on new residents will be noise arising from road traffic and nearby hospital operations.

The development is proposed to be situated directly beneath an existing flight path as presently utilised by the emergency helicopters coming to and going from the hospital. The new Royal Hospital for Sick Children (RHSC) includes a new helipad. The new helipad is likely to increase the number of flights over the proposed development albeit two other routes to and from the hospital are available for use by the helicopter pilots.

Therefore in summary, the applicant must submit further detailed assessments in relation to industrial, commercial and general hospital operations, helicopter and road traffic noise with mitigation measures designed and recommended at a further detailed stage, if planning permission was granted.

In relation to community facilities, the applicant has indicated that there is a site commercial/local shop of up to 350 square metres within the site. This would be secured through conditions if planning permission was granted.

The applicant has also indicated that 25% of the total number of dwellings on site will be affordable.

In conclusion, the amenity of existing and future residents is adequate.

d) Transport Impacts

This proposal requires to be assessed against relevant transport policies in the LDP, primarily Tra 8 (Provision of Transport Infrastructure).

This site is not an allocated housing site within the LDP and, therefore, its transport impact on the strategic road network has not been assessed cumulatively. The LDP states that development proposals relating to major housing or other development sites which would generate a significant amount of traffic must demonstrate that individual and cumulative transport impacts can be timeously addressed.

The Roads Authority has advised that the submitted Transport Assessment does not include specific figures for committed development outside the City of Edinburgh Council area. A high NRTF growth rate is used as a proxy instead, but it is unclear whether this adequately reflects the likely traffic impact from development in Midlothian and elsewhere.

Midlothian Council (MLC) has notable concerns regarding the cumulative impact on the transport network arising from this proposal. MLC is concerned to ensure that the road network in the locality of development continues to operate efficiently if the proposed development is added to committed developments. It is particularly important to fully assess proposals such as this, which have not come through the plan-led system and do not benefit from a development plan transport assessment. The recent Scottish Ministers' decision on SDP2 indicates the strong concern of the Scottish Government that interactions between transport and land use planning are taken into account.

The applicant makes points relating to: adequacy of using NRTF growth rates in lieu of assessment of committed development in a neighbouring authority; need for improvements at The Wisp junction/ Old Dalkeith Road in advance of the development; and significance of traffic impact on junctions.

Midlothian Council is concerned that the NRTF growth rate (given as 1.045% between 2018 and 2021) does not adequately reflect the quantity of growth associated with Midlothian's share of the South East Wedge development, which will lead to a near four-fold increase in housing numbers from the part of Midlothian adjacent to the development. The applicant's Transport Assessment has incorporated assessment of significant committed developments in the CEC area in proximity to the development site, and Midlothian Council wishes this approach extended to the developments in the Shawfair area so that the whole of the south east wedge is accounted for in the TA.

The Shawfair new settlement (3423 units) and Danderhall South extensions (351 units) have planning permission and have commenced construction. The 2017 Midlothian Local Development Plan (MLDP) allocation at Newton Farm has planning permission (622 units). Although not yet consented, the 2003 Shawfair Local Plan allocation at North Danderhall (190 units) and the 2017 MLDP allocation at Cauldcoats (350 units) are committed sites and should be taken into account in assessing future transport impacts.

In reference to the significance of traffic growth on junctions, the significance of a traffic impact depends not only on the percentage increase but the available capacity. A 10% increase on a lightly trafficked road may not be significant whereas a 1% increase on a congested road will be. This approach is supported in Transport Scotland's Transport Assessment Guidance.

Transport Scotland also made comments on the proposal. It stated that although it would not propose to advise against the granting of planning permission, Transport Scotland's response is provided on the understanding that the City of Edinburgh Council will make provision (should the application be recommended for approval and if deemed necessary as a consequence of the SESplan Cross Boundary Transport Appraisal) for an agreement with the applicant to make appropriate and proportionate contribution to address cumulative impact on the strategic transport network and for a related action to be incorporated within the Council's Local Development Plan.

Transport Scotland also advised that with regards to LDP Policy Tra 8, the Transport Assessment (TA) does not undertake a cumulative and a cross boundary transport assessment. The assessment has included a number of committed developments in the immediate vicinity to the proposed development (New Greendykes; the new hospital for sick children; Edmonstone Policies & Walled Garden); Edinburgh BioQuarter and Shawfair but does not appear to include allocations in the adopted LDP that have not yet obtained consent. The road network considered only extends as far south as the A7 Old Dalkeith Road/Link Road/Shawfair Park and Ride roundabout and does not go as far south as the A720 Sheriffhall Roundabout.

Transport Scotland notes that the site is not allocated in the LDP and the related policy requires the applicant to do a cumulative, cross boundary transport assessment. Transport Scotland considers that this hasn't been undertaken. However, it is difficult to conclude that this development has an effective role in delivering the cumulative, cross boundary transport assessment referred to in LDP Policy Tra 8, given the fact it contributes only 1.6% of the traffic on the A7 and therefore significantly less than this in terms of overall impact on Sheriffhall.

Transport Conclusion

Overall, the junction of Old Dalkeith Road and The Wisp is currently operating over capacity at present and would be worsened when all the committed developments in the area are fully constructed and operational. The proposed development would have an impact on this junction. Midlothian Council have requested a number of improvements and these could be secured by a legal agreement if planning permission was issued.

e) Infrastructure Constraints

Education

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

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

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

This site falls within Sub-Area C-2 of the 'Castlebrae Education Contribution Zone'. This site is not supported by the LDP and therefore was not accounted for in the Council's Education Appraisal. Using the pupil generation rates set out in the Appraisal, the development would be expected to generate 44 additional primary school pupils and 28 additional secondary school pupils.

In terms of secondary school provision, the replacement Castlebrae High School will have an expansion strategy so additional capacity could be delivered if this was required. Contributions towards the provision of additional secondary school capacity would therefore be required to mitigate the impact of the proposed development. As per the Council's Supplementary Guidance, this should be £980 per flat (as at Q4 2107) and £6,536 per house (as at Q4 2017).

In terms of primary school provision, the site is within the catchment area of Castlevue Primary School. The school's catchment area is undergoing significant change with new housing development progressing quickly. School roll projections indicate that the roll of this school will exceed its current capacity in 2021.

The Council's Action Programme identifies a requirement for a three-class extension to mitigate the impact of housing development proposed by the LDP. This action will not mitigate the impact of this additional development.

In addition to the new housing proposed in the LDP there is significant previously committed development still to be completed in the area. Therefore longer-term projections indicate that the school roll could rise above 630 pupils. This is the normal capacity of a three stream (21 class) school. The Council does not have a primary school bigger than three streams.

Communities and Families cannot therefore support new development over and above what is already committed or proposed in the Local Development Plan in this area at this time as sufficient infrastructure is not already available and it has not been demonstrated that an appropriate solution to delivering additional primary school capacity can be provided at an appropriate time.

If planning permission was to be granted despite an appropriate solution to delivering additional primary school capacity not being identified, the Council would then have to consider if a new primary school was required. In line with the Supplementary Guidance, the development would be required to make a financial contribution that is sufficient to cover the costs of any education infrastructure action that is required because of that new development, including a new primary school.

If planning permission was granted, the contributions would be required under LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) and this would require to be negotiated under the terms of a legal agreement.

Transport

The site does not constitute planned development and therefore is not included within a contribution zone of the approved Developer Contribution and Infrastructure Delivery Supplementary Guidance.

Nevertheless, the Council's Transport Action Programme indicates that any development in this area will require to contribute to transport measures. However, it is unclear whether the additional traffic from this site can be accommodated within the improvement works set out in the Action Programme. Additional information will be required if planning permission was granted, and will be developed in conjunction with Midlothian Council. Potential improvement works include a contribution to the Sheriffhall Transport Contribution Zone; contribution towards the upgrading of the The Wisp/Old Dalkeith Road signals (including MOVA); installation of traffic signals at the northern and southern ends of The Wisp (including The Wisp/Millerhill Road as necessary) and appropriate toucan crossings.

These requirements could be negotiated through a legal agreement if planning permission was granted.

Health Care

The site is within the north east contribution zone for health care. This requires contributions towards a new medical practice at Niddrie/Craigmillar. The cost of this is set out in the approved supplementary guidance and is at a cost of £945 per dwelling.

Conclusion

The educational infrastructure for the site requires a potentially significant financial contribution, as well as transport and health care contributions. If the costs as above can be met fully by the applicant, this is acceptable.

f) Landscape Impact

LDP Policy Des 4 (Development Design: Impact on Setting) states that development will be permitted where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form; scale and proportions; position of buildings; materials and detailing.

In assessing this application against Policy Des 4, there is the consideration of the impact of development on the landscape character of the site, and also the impact of the development on the wider landscape setting of the city, as well as the impact of the development at a more local level.

LDP Policy Des 9 (Urban Edge Development) states that planning permission will only be granted for development on sites at the green belt boundary where it conserves and enhances the landscape setting and special character of the city, promotes access to the surrounding countryside, and includes landscape improvement proposals that will strengthen the green belt boundary and contribute to multi-functional green networks by improving amenity and enhanced biodiversity.

Landscape Character

The landscape has the potential to provide many services for the population of Craigmillar and beyond. It is part of a strategic network of green corridors and parks, designed to complement existing and new urban development. Currently, the character of the landscape is semi-rural and whilst development has encroached into the parkland, this section of the parkland remains intact. The semi-rural nature of the character has the potential to provide an open landscape that is characterised by wildlife that is associated with the countryside. This will be damaged by the loss of parkland area. In the future, a large park would allow for recreational activities to be developed for the benefit of local residents and other residents of Edinburgh and the loss of this landscape to development prevents the creation of a semi-rural park.

The applicant has commented that the semi-rural nature of the park is not appropriate in this location and that the character of the park should change to become more of a managed urban parkland. The applicant has stated that it will contribute towards the management and maintenance of the park if planning permission was granted, on the basis of an urban park. However, this is not the Council's aspirations for this land, and as noted in the letters of representation, this semi-rural parkland is already providing a valuable area for the new residents of Greendykes.

In addition, as this large-scale landscape character is part of the setting of the city, the reduction in the parkland would impact on the setting of the city and the remaining setting of Craigmillar Castle.

Therefore, the proposal does not conserve or enhance the landscape setting and special character of the city. It also does not include landscape improvement proposals that will strengthen the green belt boundary, or contribute to multi-functional green networks by improving amenity and enhanced biodiversity, as required as part of LDP Policy Des 9.

Scottish Natural Heritage (SNH) commented on the application. SNH acknowledge that this is a new application encompassing several changes from previous proposals on this site. It is noted that the extent of development proposed on the parkland has been reduced and that there may be scope that the development could partially contribute to Plan objectives providing information on the detail and delivery of the parkland proposal and the green infrastructure is secured by the Council in the most appropriate manner.

Nevertheless, SNH note that there remains adverse impacts. The introduction of housing to areas of proposed parkland as set out in the LDP will have adverse impacts on local landscape character and visual amenity, as well as the resulting scale and diversity of uses for the parkland. Reducing the size of the parkland will affect its intended role as a large multi-functional open space serving neighbouring and wider communities in south east Edinburgh, compromising to some extent, the Council's ambitions for the creation of a strategic open space as set out in the various Plans and Strategies for the area.

LDP policy Des 1: 'Design Quality and Context' states that planning permission will not be granted for '...proposals that would be damaging to the character or appearance of the area around it particularly where this has special importance.'

The proposals would damage the open landscape character that is important as a location for recreation and amenity and is part of the National Planning Framework 3. Part of the landscape character is the experiential aspects of the character.

It is acknowledged that the site is surrounded by urban interventions and encroachment, and views across the site looking west are interrupted by urban developments such as the hospital, BioQuarter and Greendykes. However, from higher viewpoints looking eastwards, there are sweeping views of greenspace and countryside beyond. A development of the extent proposed would have a detrimental impact on these important views and the landscape setting of the City.

The proposal is therefore contrary to policies Des 1 and Des 9.

Visual Amenity

The sweeping views across the landscape from Craigmillar Castle and Hawkhill Wood draw the eye to the green areas beyond. These would be affected by the development on this site, particularly given its placement on the ridge. The undeveloped landscape connection between Craigmillar Castle parkland and the ridge is a strong visual characteristic and the views lead the eye down into the valley and then back up to the ridge. The proposal narrows this green space and it no longer appears as a strategic landscape between developments.

The existing development at Greendykes nestles into the valley bottom and its setting is the landscape that surrounds it.

LDP policy Des 4: 'Development Design: Impact on Setting' states that development will be permitted where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form; scale and proportions; position of buildings; materials and detailing.

The proposals do not have a positive impact on the views and do not enhance the setting of the city. This is noted in the applicant's Landscape and Visual Impact Assessment, which shows that it will not have a positive impact on the landscape character. This is due to the fact that as, for a large part of the site, the open landscape is lost and replaced with an urban character that is not suitable for this area of landscape due to its function as potential parkland and part of the setting of the city and the role it plays in providing strategic green infrastructure.

The proposal is therefore contrary to policy Des 4.

Future Potential of the Site to Deliver Parkland

The LDP Action Programme, adopted in December 2016, identified specific funding towards the delivery of the parkland. It states that the delivery of an 86 hectare multi functional parkland, woodland and country paths will be carried out by the Council in collaboration with the Edinburgh and Lothians Greenspace Trust and would link in to parallel developments in Midlothian.

LDP Policy Des 2: 'Co-ordinated Development' states that planning permission will not be granted for development which might compromise the effective development of adjacent land or the comprehensive development and regeneration of a wider area as provided for in a masterplan or development brief approved by the Council.

The Craigmillar Urban Design Framework showed this area for the future development of parkland to provide recreation and a setting for the designed development of Greendykes, the BioQuarter and the City. There is no open space provision within the New Greendykes development as it was envisaged that the open space for this development would be provided by the parkland. It was never envisaged that this would be lost.

While it is acknowledged that the majority of parkland is proposed to be retained as part of the proposals, the key location of this site is strategic in providing connections through to Midlothian. It would remove the potential to provide useable open space on the site for the benefit of New Greendykes or the strategic parkland as envisaged in the Craigmillar Urban Design Framework, nor the multi-functional parkland/woodland, linking with parallel developments in Midlothian, as stated in Greenspace Proposal (GS 4) of the LDP.

The proposal is therefore contrary to policy Des 2.

Historic Landscape

The Council's 2013 Craigmillar Urban Design Framework recognises the significance of the historic landscapes occupying this site, identifying them as an area of valuable open space and parkland. This is the last piece of landscape setting that was part of the original setting for Craigmillar Castle.

As noted previously, there are a number of urban interventions that are prevalent in various views across the site towards the castle. However, the sweeping nature of the remaining landscape forms an appropriate visual link to the castle and the urban developments around the castle reinforces the need to retain a substantial landscape setting.

Policy Env 7 (Historic Gardens and Designed Landscapes) states that development will not be permitted if it has a detrimental impact upon views to and from the site.

Historic Environment Scotland (HES) commented on the application in relation to the scheduled monument adjacent to the site. Although HES did not object to the proposed development in principle, it held some concerns regarding the applicant's overall methodology of measuring the impact of the development on the scheduled monument.

HES made no comment regarding the impact on views from Craigmillar Castle. Previous comments received from HES in relation to development on this site also do not consider that the proposal would challenge the castle for dominance within its setting or disrupt the key relationship between the castle and its policies. While acknowledging that there will be an impact on setting, HES does not consider that this impact will raise issues of national significance.

Landscape Conclusion

It is acknowledged that the landscape has been eroded by urban developments surrounding the site. However, this reinforces the strategic importance of the parkland in delivering an appropriate landscape setting for these urban developments and the wider city.

The proposal does not demonstrate how it can comfortably sit in this important landscape and therefore cannot be supported.

g) Biodiversity and Ecology

Policy Des 3 (Development Design) and the Edinburgh Design Guidance (Chapter 3) aim to identify opportunities, through development, to enhance local biodiversity.

Little France Park is a key strategic location in Edinburgh's habitat network. The park is a link between the rural setting in adjacent Midlothian and a habitat node along a green corridor to important sites such as Duddingston Loch SSSI (1.5 kilometres to the north-west), Bawsinch and the wider Holyrood Park. It is also well linked with three adjacent smaller Local Nature Conservation Sites - Edmonstone, Hawkhill Wood and the green corridor of Niddrie Burn. This green wedge creates a crucial link in the wider habitat network in Edinburgh and has been identified as a priority area by the Edinburgh Living Landscape, the Local Development Plan (GS4) and North East Open Space Action Plan.

The Scottish Wildlife Trust (SWT) made representations regarding the impact of the development on the opportunities for the continued delivery of Little France Park. SWT stated that with the arrival of the new buildings at the BioQuarter and a range of other new developments, Little France Park provides a valuable green asset to new and existing communities. The Edinburgh Living Landscape partners (including the City of Edinburgh Council) have been working to create Edinburgh's biggest new park in a generation. Transport Scotland awarded £662,000 to the Edinburgh and Lothian Greenspace Trust to deliver two phase of a new high-quality walking and cycling network through the park. This was supported with additional funding from City of Edinburgh Council, EDI, Scottish Enterprise and NHS Lothian. The park is now well used by local people as an active travel route, and as a place to relax and a place to enjoy wildlife watching. Further investment is planned and there is currently a £174,000 application to the Scottish Natural Heritage Biodiversity Challenge Fund to address habitat loss in a fragmented urban environment.

The Edinburgh Biodiversity Action Plan 2019-2021 sets out a vision with Edinburgh as the Natural Capital of Scotland: "To make Edinburgh a greener city with more opportunities for wildlife, enabling people to engage with nature." A management framework commissioned by the Edinburgh and Lothian Greenspace Trust in 2019 identified that the diversity of natural habitats and size of the park make it ecologically valuable in the urban context.

The site benefits from a wide range of plant species that supports a number of wildlife habitats, foraging and commuting. While the impact of development on these habitats can be alleviated to some degree by appropriate mitigation (such as replacement habitats and appropriate landscaping), the remaining parkland would not provide the same level of biodiversity that is currently supported on the site.

Within the context of the development of other greenfield sites, and subsequent loss of biodiversity and habitats across the city, development on this site would further erode the City's biodiverse landscape. On a site that is not allocated for development, and where there is no justification for housing development, the loss of biodiversity and habitats is unacceptable and the development is therefore contrary to policy Des 3 (Development Design).

h) Drainage, Flooding, Ground Stability and Contamination

Drainage and Flooding

A Flood Risk Assessment (FRA) was submitted as part of this planning application.

Review of the SEPA Flood Map indicates that the site lies outwith the 0.5% annual probability (1 in 200-year) flood extent and may therefore be at low risk of flooding. SEPA holds no records of flooding at this location. A Flood Risk Assessment (FRA) has been provided in support of this application and covers a wider site extending west to Pringle Drive. SEPA agrees that the site is sufficiently elevated above the Niddrie and Magdalene Burns that it is unlikely at flood risk from these watercourses. However, the site lies on sloping ground and the FRA notes that a flood risk from higher ground to the south of the site may exist. It is proposed to capture any runoff from the south and route it round the site to the existing drainage to the north constructed as part of the adjacent development which in turn conveys runoff to the Magdalene Burn.

Ground levels are elevated above the drainage channel for the site to the north and finished floor levels appear to be elevated above ground levels which should reduce any risk of surface water flooding. SEPA recommends that ground levels slope away from properties to ensure no water can pond against property.

SEPA notes that the upstream catchment is small at approximately 0.05 square kilometres and the existing site is steep so will provide limited attenuation, but SEPA would recommend that any surface water to the south is attenuated prior to discharge to the existing drainage network.

Therefore, at this stage, it can be concluded that issues of flood risk have been addressed, although further details would be required in future applications in relation to ground levels and SUDS, if permission was granted.

Contamination

The Environmental Statement submitted with the application contained information regarding ground conditions. It found that the site is underlain by strata that has been extensively worked in the past.

Environmental Assessment recommends that a condition is attached to any consent to ensure that contaminated land is fully addressed.

Ground Stability

The application site falls within the defined Development High Risk Area. Therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth. Records also indicate that thick coal seams outcropped across the site and the presence of one recorded mine entry within, or within 20 metres of the planning boundary.

The Coal Authority notes the supporting information from Mason Evans (April 2018), the content of which confirms that as a result of preliminary site investigations shallow coal mine workings have been identified, which pose a risk to ground stability and which will require stabilising.

On account of the above, The Coal Authority has no objection to this planning application, subject to a condition to ensure the remediation of the shallow coal mine workings.

i) Air Quality

LDP Policy Env 22 requires that new development will not have a significant adverse effects on air quality.

Due to the size and density of the development, Environmental Protection would require a detailed air quality impact assessment before full comments can be made on the application. However, it should be noted that Environmental Protection have serious concerns with the principle of the proposed development on allocated greenspace. This greenspace is in a location which has significant levels of development committed in the area, including in the neighbouring local authority. Environmental Protection has also highlighted the potential impacts the works on the Sherrifhall Roundabout will have on traffic flows on The Wisp. The levels of traffic will likely increase and lead to congestion on the Wisp. The site is not well linked to public transport or high-quality pedestrian/cycling routes for commuting.

The proposal for 310 car parking spaces is excessive for a development of 199 residential units, and Environmental Protection would also request confirmation that this parking number includes all driveways and proposed double/single garages. Environmental Protection have stated that the applicant should address the local air quality impacts this proposal will have, and to justify the development of greenspace with such a car-centric development.

Environmental Protection recommends the application is refused on adverse impact this proposal will have on local air quality.

j) Archaeological Impacts and Impact on Scheduled Monument

In terms of archaeology, LDP Policies Env 8 (Protection of Important Remains) and Env 9 (Development of Sites of Archaeological Significance) are relevant, as well as the 2013 Craigmillar Urban Design Framework. 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.

Archaeological evidence shows that the area has been occupied since the prehistoric period, with the nationally important Home Farm Enclosure (Ref 6038) located immediately to the south west on Edmonstone ridge plus the site of Woolmet Iron Age Fort located to the south on the opposite side of the Wisp. Roman occupation is possible with Roman finds discovered nearby in from Hawkhill Wood.

The Council's 2013 Craigmillar Urban Design Framework identifies this site as forming part of an area of valuable open space and parkland in part due to its surviving post-medieval landscape.

Further details would be required in order to understand how the proposals would impact upon archaeological remains and what level of mitigation would be appropriate. This could be dealt with as a condition of planning permission if it was granted.

k) Sustainability

The applicant has completed the Sustainability Statement form, indicating the measures taken to contribute towards sustainability. The applicant has indicated that there will be gas saver-type boilers and roof-mounted photo voltaic panels on the flats, as well as ground source heat pumps for the houses.

However, the applicant has not committed to using an alternative to uPVC on the windows. The applicant has also stated that the site is located in a sustainable location that will assist in the delivery of improvements to the park. As noted above, the proposed site layout does not discourage the use of cars and it is not the Council's strategy to develop this area as it offers a valuable resource for surrounding properties and the wider city.

Although the materials could potentially be a matter for conditions if planning permission was granted, the principle of development on this site is not sustainable.

I) Representations

Material Objections

- Not in accordance with green belt policy;
- There is no need for additional houses;
- Removal of the park would be detrimental to the community;
- Lack of services and amenities to support the development;
- Loss of green space and wildlife habitat;
- Impact on traffic and congestion;
- The retail unit is unnecessary;
- Too many blocks of affordable housing in one area; and
- The heights of the blocks are inappropriate.

Support Comments

- Development would help the local economy and would help tidy the area.

General Comments

- There should be connections to the new active travel route to the site.

The Danderhall Community Council made comments with regards to the loss of greenbelt and parkland, traffic impact, the damage to the appreciation of Edinburgh's setting and the effect on landscape character and visual amenity both external to and internally within the Little France Park and along The Wisp. The consenting of such a proposal would give rise to the fundamental erosion of the City of Edinburgh's credibility in promoting the South East Wedge Parkland within the South East Scotland Plan's Strategic Green Network Priority Area.

Conclusion

The proposal would deliver 199 residential units, of which 25% would be affordable and this would help contribute towards meeting Edinburgh's affordable housing needs.

The application raises a number of issues which will require to be negotiated through a legal agreement if planning permission was granted. These relate to infrastructure issues including education, transport and healthcare. Further information would be required regarding noise, biodiversity, some design elements and cumulative transport impacts.

However, the principle of housing on this site is not supported and the development is contrary to the Edinburgh Local Development Plan (LDP).

The land is allocated as green belt in the LDP and has been identified as a greenspace proposal in order to provide a landscaped, multi-functional parkland, woodland and country park, linking to Midlothian. Although the applicant is proposing to deliver and maintain the remainder of the site as a parkland, the construction of houses would result in the loss of a significant part of the park in perpetuity. This would remove the opportunity to provide a strategic parkland for the benefit of the city as well as the immediately adjoining neighbourhood areas.

The development is also not supported by the Strategic Development Plan (SESPlan) in that it would prejudice the delivery of the green network.

In terms of the landscape, it is acknowledged that the site is not in Council ownership, and that there are a number of urban interventions around the site that impact on the overall landscape setting and character of the site. However, this reinforces the site as an area of strategic importance in providing parkland and cycle/footpath links between the Edinburgh BioQuarter and new housing developments at Greendykes/Craigmillar and forms an important visual link to Craigmillar Castle and beyond. This would be impacted to a significantly detrimental degree if the site was developed.

Furthermore, the design, scale and layout of the proposal does not accord with policies and guidance.

Therefore, on balance, the principle of the development is not supported. Development of this site would prejudice the development of the parkland, which would be detrimental to the future communities in the area. The visual impact on the landscape has been assessed and is not acceptable. This site was assessed during the preparation of the LDP and it was not supported due to its importance as a strategic green space. There are no overriding material considerations which outweigh this conclusion.

It is recommended that planning permission is refused subject to referral to Council.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal is contrary to SDP Policy 12, Edinburgh Local Development Plan Policies Env 10 and Hou 1 as there are no compelling reasons to override the strong policy presumption against development in the Green Belt.

2. The proposal is contrary to policy Des 2 of the Edinburgh Local Development Plan as it would compromise the comprehensive development and regeneration of the wider area, specifically the South East Wedge Parkland, as provided for in the Local Development Plan and the Craigmillar Urban Design Framework.
3. The proposals are contrary to Greenspace Proposal GS4 of the Edinburgh Local Development Plan which states that the land around Craigmillar/Greendykes is retained in the green belt and will be landscaped to provide multi-functional parkland, woodland and country paths, linking with parallel developments in Midlothian. This proposal would not support GS4 and would prejudice the delivery of the parkland.
4. The proposal is contrary to Edinburgh Local Development Plan Policies Des 1, Des 3, Des 4 and Des 9 as the development will not have a positive impact on its setting, the wider landscape and views.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

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

A Proposal of Application Notice was submitted and registered on 1 February 2018. Copies of the Notice were also issued to:

- Craigmillar Community Council;
- Gilmerton and Inch Community Council;
- Danderhall and District Community Council;
- Craigmillar Neighbourhood Alliance;
- Portobello and Craigmillar Neighbourhood Partnership;

- Liberton and Gilmerton Neighbourhood Partnership;
- Ward Councillors, including Midlothian Council; and
- Local MSPs.

Public events were held on 27 February and 21 March 2018.

Full details can be found in the Pre-Application Consultation report, which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards online services.

A pre-application report on the proposals was presented to the Committee on 7 March 2018. The Committee noted the key issues in the report.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 29 March 2019 and 47 letters of representations were received. This comprised 45 letters of objection, one letter of support and one general comment.

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

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 within the green belt and is in an area designated for a greenspace proposal (GS4).

Date registered

1 March 2019

Drawing numbers/Scheme

01-22,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lesley Carus, Senior Planning Officer

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

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

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

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

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

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

Appendix 1

Application for Planning Permission 19/01032/FUL At South East Wedge, Old Dalkeith Road, Edinburgh Erection of 199 residential dwellings, public open space and associated infrastructure.

Consultations

Environmental Protection - 19 March 2019

The site is to be developed to include up to 199 residential dwellings, with 310 associated parking spaces and landscaping. The site is currently undeveloped land with existing residential properties located to the north with other residential units to the north under construction. To the south of the proposed development site there is a builder's yard. The site is bounded to the east by The Wisp. To the west is open green space with the Royal Infirmary located just beyond. The applicant should note that the proposed level of development exceeds the level set out in the Local Development Plan (LDP) and associated Transport Appraisal. It is understood that this land is classified as Greenspace in the LDP

With regards some of the neighbouring committed development, on the north side of Wisp 2a there is currently a large residential development of some 1200 houses known as New Greendykes under construction. Planning permission has also been granted for residential development of the Edmonstone Policies, Edmiston House, Walled Garden and Eight Acre Field, with potential for a combined total of over 800 houses. It is also noted that upgrades to the Sherrifhall Roundabout have begun which will likely result in increased traffic along The Wisp in the future.

Environmental Protection raise concerns regarding this development including the impacts the development may have on local air quality, noise impacts on future residents, and contaminated land. The applicant has not addressed all these areas and has only submitted a contaminated land supporting document. Nothing has been submitted regarding noise and local air quality impacts.

Local Air Quality

Due to the size and density of the development Environmental Protection would require a detailed air quality impact assessment before we could even consider supporting such an application. However, it should be noted that Environmental Protection have serious concerns with the proposed development on LDP allocated Greenspace. This Greenspace is in a location which has significant levels of development committed in the area, including in the neighbouring local authority. Environmental Protection have also highlighted the potential impacts the works on the Sherrifhall Roundabout will have on traffic flows on The Wisp. The levels of traffic will likely increase and lead to congestion on the Wisp. The site is not well linked to public transport or high-quality pedestrian/cycling routes for commuting. The applicant's proposal for 310 car parking

spaces is excessive for a development of 199 residential units, we would also request confirmation that this parking number includes all driveways and proposed double/single garages. The applicant has not submitted an air quality impact. Such an assessment would be required to address the local air quality impacts this proposal will have and to justify the development of Greenspace with such a car centric development.

Local Air Quality is a material planning consideration. Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation 3 sets out the Scottish Executive's core policies and principles with respect to environmental aspects of land use planning, including air quality. PAN 51 states that air quality is capable of being a material planning consideration for the following situations where development is proposed inside or adjacent to an Air Quality Management Area (AQMA):

- Large scale proposals.
- If they are to be occupied by sensitive groups such as the elderly or young children.
- If there is the potential for cumulative effects.

The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in AQMAs or, by cumulative impacts, lead to the creation of further AQMAs (areas where air quality standards are not being met, and for which remedial measures should therefore be taken).

Reducing the need to travel and promoting the use of sustainable modes of transport are key principles as identified in the second Proposed Edinburgh LPD. The LDP also states growth of the city based on car dependency for travel would have serious consequences in terms of congestion and air quality. An improved transport system, based on sustainable alternatives to the car is therefore a high priority for the Council and continued investment in public transport, walking and cycling is a central tenet of the Council's revised Local Transport Strategy 2014-19.

Environmental Protection recommends the application is refused on adverse impact this proposal will have on local air quality.

Noise

The application is juxtaposing The Wisp which is a considerable source of transport noise that affects the development site. The applicant should have assessed the noise impacts and how it affects the proposed development site. It should also consider the potential for increased traffic and noise on The Wisp due to committed development and Sherrifhall Roundabout works. Environmental Protection requires a noise impact assessment that demonstrates that satisfactory outdoor and internal noise levels can be achieved. It's likely an acoustic barrier will be required to protect garden areas proposed along The Wisp. Furthermore, upgraded glazing for the same affected proposed residential properties will be required. A noise impact assessment would also need to address the potential for noise from the neighbouring builders yard located to the south of the proposed development. The Royal Infirmary development has almost been completed and once operational there will be an increase in helicopter movements. The application site is in an area that may be affected by increased helicopter movements. Helicopter noise is impossible to mitigate with regards impacts on outdoor areas such as gardens.

As the applicant has not submitted a noise impact assessment it is not possible to support this application based on the submitted information. There are no noise mitigation measures proposed. Therefore, Environmental Protection recommend the application is refused due to the potential noise impacts transport and the builders yard may have on the proposed residential development.

Contaminated Land

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

Environmental Protection have concerns with the overall level of car parking, development of Greenspace, cumulative levels of development and the related adverse impact this shall have on local air quality. The poor standard of amenity proposed for the future occupant with regards noise. Based on the current submissions Environmental Protection recommend refusal based on the potential adverse impacts the development may have on local air quality and noise impacts.

Historic Environment Scotland - 15 April 2019

Thank you for your consultation which we received on 14 March 2019. We have considered it and its accompanying EIA Report in our role as a consultee under the terms of the above regulations and for our historic environment remit as set out under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Our remit is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We do not object to the proposed development. We note that in our scoping response, dated 21 August 2018, we identified the potential for impacts on Home farm scheduled monument (SM 6038). As the development boundary has now been altered, we are content that such impacts are unlikely.

From the details provided it appears that any impacts on the setting of historic environment assets covered by our interests will not be significant. We therefore have no further advice to offer on specific impacts. However, we do have some comments on the assessment provided.

We note that table 9.1 of the assessment states that impacts of a moderate adverse magnitude should be avoided where possible, and those of a major adverse magnitude should be avoided. We do not see how it is possible to make statements of this nature without taking into account the sensitivity of the asset affected, which is key in considering the significance of effect. This criteria appears to effectively skip a step in the assessment process.

We welcome the fact that reference is made to our Managing Change guidance note on Setting. However, we do not consider the methodology to be in line with this guidance.

The assessment is structured around three types of value - intrinsic, contextual and associative. These appear to be based on the scheduling criteria used to determine national importance. As such, these categories may not apply as clearly to other asset types, such as gardens and designed landscapes.

Laying out the assessment in this way does not lead to a simple and clear conclusion on levels of impact. This is particularly the case as all of these value types may contribute to the setting of a historic asset. There is therefore no clear overall narrative supporting the conclusions on impacts on setting.

We are content that none of the predicted impacts will be significant for our interests. However, we recommend that these comments are taken into account when considering the weight to be given to the conclusions of the assessment.

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.

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.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Please contact us if you have any questions about this response. The officer managing this case is Ruth Cameron, who can be contacted by phone on 0131 668 8657 or by email on Ruth.Cameron@hes.scot.

SEPA - 10 April 2019

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

Flood Risk

We have no objection to the proposed development on flood risk grounds. Notwithstanding this we expect the City of Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority.

Review of the SEPA Flood Map indicates that the site lies outwith the 0.5% annual probability (1 in 200-year) flood extent and may therefore be at low risk of flooding. We hold no records of flooding at this location.

A Flood Risk Assessment (FRA) has been provided in support of this application and covers a wider site extending west to Pringle Drive. We agree that the site is sufficiently elevated above the Niddrie and Magdalene Burns that it is unlikely at flood risk from these watercourses. However, the site lies on sloping ground and the FRA notes that a flood risk from higher ground to the south of the site may exist. It is proposed to capture any runoff from the south and route it round the site to the existing drainage to the north constructed as part of the adjacent development which in turn conveys runoff to the Magdalene Burn.

Ground levels are elevated above the drainage channel for the site to the north and finished floor levels appear to be elevated above ground levels which should reduce any risk of surface water flooding. We would recommend that ground levels slope away from properties to ensure no water can pond against property.

We note that the upstream catchment is small at approximately 0.05km² and the existing site is steep so will provide limited attenuation, but we would recommend that any surface water to the south is attenuated prior to discharge to the existing drainage network.

Given the site lies outwith the flood map and we hold no additional information on flood risk we have no objection to the application. Surface water management is primarily a matter for the Local Authority, and Scottish Water, to consider and they should ensure measures are put in place to ensure there is no increase in runoff to existing development.

Caveats & Additional Information for Applicant

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. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>

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.

The 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 City of Edinburgh Council as Planning Authority in terms of the said Section 72 (1).

Groundwater

(Ref 1: Wisp 2 - Environmental Impact Assessment Report, Waterman, March 2019)

We have no objection to this proposed development on the grounds of impacts to groundwater. We note that in section 10.107 (Ref 1) that once ground investigations are completed remedial works may be required to stabilise former mine workings. It is stated that this 'would most likely take the form of grouting up any former workings identified.' As such, please see below SEPA's standard advice on grouting.

We recommend that if stabilisation works are identified as being required to facilitate the development then an appropriate risk assessment for the proposed stabilisation of mine workings with pulverised fuel ash (PFA) grout is produced prior to this activity being undertaken on site.

The pouring of grout below the water table is a controlled activity under General Binding Rule (GBR) 16 of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). GBR 16 includes a requirement that no material coming into contact with groundwater shall cause pollution of the water environment. SEPA considers that an assessment should be undertaken to assess whether the use of PFA grout will meet the requirements of GBR 16. If the activity causes pollution, SEPA may take enforcement action in accordance with these regulations.

SEPA recommends, therefore, that the assessment is undertaken in line with the guidance document: Stabilising mine workings with PFA grouts. Environmental code of practice. 2nd Edition, BRE Report 509.

In general, a detailed review of the assessment by SEPA is not considered necessary and the document should primarily serve the developer, to ensure no pollution occurs as a result of the activity. If the preliminary and simple risk assessments identify that the site is higher risk and conceptually complex, then a complex risk assessment is required. At this stage it may be prudent for the developer to highlight this to SEPA through additional consultation.

Additional Information

Further details relating to CAR requirements can be found on SEPA's website at; http://www.sepa.org.uk/water/water_regulation/regimes.aspx

Consultation with The Coal Authority is recommended.

Key points to note in relation to the water environment when undertaking mine workings grouting:

An adequate hydrogeological conceptual model is required (e.g. an assessment of ground conditions, depth to groundwater, likely flow of groundwater, depth/size of old mines workings etc). Ideally, the conceptual model would be backed up with site specific ground investigation and monitoring data.

It is recommended that the applicant/agent carries out an appropriate water features survey to identify what there is in the surrounding area that might be affected by the grout.

Note that potential hazards and impacts may not necessarily be confined to the proposed development site. Applicants should consider and mitigate as necessary risks both within and outwith the development site.

It should be noted that even if mine waters are currently low (i.e. below workings to be grouted), groundwater levels might, in the future, rebound into the grouted zone if mine water pumping were to cease. SEPA would recommend that both scenarios are considered.

If the excavation works require dewatering, the applicant may be required to demonstrate that this will not adversely affect the hydrogeological regime. Any adverse effects will depend on the size and duration of the excavation works.

Regulatory advice for the applicant

Regulatory requirements

Management of surplus 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.*

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

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

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

Silvan House, SEPA 3rd Floor, 231 Corstorphine Road, Edinburgh EH12 7AT.

Tel: 0131 449 7296.

Parks and Greenspace - 29 May 2019

Parks, Greenspace and Cemeteries object to the siting of housing in Little France Park for the following reasons:

- 1. Little France Park (LFP) is a Council maintained public park, having been officially publicly opened by the Convenor of the Transport & Environment Cttee on 28/09/2018.*
- 2. LFP's green space importance to the local community and wider city has been recognised by the Council following its agreement at the Transport & Environment Cttee to execute a protective Minute Of Agreement with Fields in Trust. This is now in process. This will make it necessary that the owner (the Council) seeks permission from Fields in Trust before unsympathetic developments can take place.*
- 3. Significant capital and revenue sums have already been invested in creating park and access infrastructure in LFP. This includes contributions from third-party funders.*
- 4. Parks are important public health solutions in urban communities. Research evidence confirms that nearby parks, gardens, and other green spaces support human health and wellness. Active living opportunities that reduce the likelihood of obesity and chronic diseases (such as diabetes, heart disease and respiratory problems) are particularly improved where people can enjoy walking, cycling, play, and other physical recreation in their local park or green space. Little France Park is situated in a deprived area that has high levels of obesity and ill-health as reflected in the latest Scottish Index of Multiple Deprivation figures.*
- 5. The Council's Open Spaces Strategy, as approved by the Planning Committee in 2016, makes it clear that green spaces that are cared for and well-connected matter for our health, wildlife and economy and that new parks and green spaces are to be created as the city grows, as they help people get to know each other, grow food, play, keep fit, see nature, get around by foot and by bike. Parks will also be improved and made wildlife friendly, helping the city to be ready for changes to our climate. LFP is now being improved and cared for by the Council and partner organisations (including Edinburgh & Lothians Greenspace Trust and Scottish Wildlife Trust) as a "Living Landscape", with management emphasis on physical and mental health, recreation, nature and accessibility to nature, and as a critical green reservoir/corridor within Edinburgh's green space network.*

Location Plan



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