

Development Management Sub Committee

Wednesday 23 September 2020

**Application for Planning Permission 19/05923/FUL
at 42 Peffermill Road, Edinburgh, EH16 5LL.**

The development of a Sports village for the University of Edinburgh at Peffermill playing fields to accommodate redeveloped playing surfaces and the erection of a new Sports Centre and student residence incorporating ancillary facilities.

Item number

Report number

Wards

B15 - Southside/Newington

Summary

The proposal is acceptable in principle and the sports village has been designed to a high standard and considers the nature of the site and the end users.

Although the student accommodation does not comply fully with the terms of policy Env 10, the proposal supports certain overarching aims for the green belt set out in Part 1 of the LDP and does not conflict with the other applicable aims. In addition, the proposal does not undermine other applicable green belt aims relating to preserving access to open space and complies with policies Env 18 and Env 19. Therefore, a departure from the policy can be justified in this instance.

On balance, the proposal also complies with the requirements of policy Hou 8 and the associated non-statutory guidance. The design concept for the site ensures that the development can sit comfortably within the landscape and local environment.

The site lies behind a Flood Protection System and just outwith an area of importance for flood management. As a result, it is proposed to raise the finished floor levels to 47.7m AOD which will provide at least 600mm freeboard above the 200 year level with a 40% allowance for climate change. These measures are sufficient for the development to conform to LDP policy Env 21, SPP and CEC guidance in terms of flood risk.

Impacts in terms of transport, ecology and archaeology are all acceptable.

Overall, the proposal complies with the overarching aims of the development plan and there are no material considerations which indicate otherwise.

The application requires to be referred to the Scottish Ministers prior to determination due to the outstanding objection from SEPA.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LDES11, LEN03, LEN08, LEN09, LEN10, LEN11, LEN12, LEN15, LEN16, LEN18, LEN19, LEN20, LEN21, LEN22, LHOU07, LHOU08, LTRA02, LTRA03, LTRA04, NSG, NSGD02, NSGCGB,

Report

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The development of a Sports village for the University of Edinburgh at Peffermill playing fields to accommodate redeveloped playing surfaces and the erection of a new Sports Centre and student residence incorporating ancillary facilities.

Recommendations

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

Background

2.1 Site description

The site is the University of Edinburgh's playing fields and is currently laid out as a number of sports pitches with ancillary spectator and changing facilities. The site measures approximately 20 hectares and is divided into three sections by the South Suburban Rail Line and the Braid Burn.

The main access is from Peffermill Road between some residential properties and a motorcycle garage on the north-west side of the site. Further west along Peffermill Road and within the site is the category C listed Cameron Bank (LB reference: 28163, listed on: 29 March 1996).

A number of residential and commercial properties fronting onto Peffermill Road are located along the north and west sides of the site, with the westernmost corner enclosed by a tree belt. Beyond Peffermill Road is primarily residential with the exception of Prestonfield Primary School to the west and a golf course and industrial area to the north. To the east is Craigmillar Castle Park, which is designated as green belt in the Edinburgh Local Development Plan (LDP). To the south are allotments, residential properties and some commercial units. Beyond this to the south west is Cameron Toll Shopping Centre.

2.2 Site History

21 September 2017 - Planning permission granted for the replacement of existing natural grass pitch with 1 no. new synthetic football pitch and 5 no. 5-a-side synthetic pitches including installation of floodlighting, drainage, fencing, access steps and path and associated hardstanding (reference number: 17/02653/FUL).

26 April 2017 - Planning permission granted for the installation of new floodlights to 2 no. football/rugby pitches (reference number: 17/01320/FUL).

28 March 2015 - Planning permission granted for the installation of floodlighting to 2 no. existing sports pitches (Training Pitch & Rugby Pitch) including associated works at Peffermill Playing Fields (reference number: 15/00693/FUL).

15 August 2006 - Planning permission was deemed to be granted for the construction of floodwall, flood embankment, culvert headwall and scour protection to create flood storage area (reference number: 06/01978/CEC).

15 August 2006 - Planning permission was deemed to be granted for the creation of flood storage area from flood walls, flood embankments and access ramps, utilising the existing playing fields but not changing their use, modification of doorway to existing building (reference number: 06/01922/CEC).

6 May 2004 - Planning permission was deemed to be granted for flood defence walls and embankment, new bridges, flood storage reservoirs (reference number: 03/03979/CEC).

Main report

3.1 Description of the Proposal

The application is for creation of a sports village comprising a sports centre, student residences, improvements and upgrades to existing outdoor facilities and playing surfaces and ancillary facilities.

Sports Centre

The sports centre is intended to be the hub of the complex and will be located centrally within the masterplan area.

The sports centre will have a capacity of 8,700sqm and will contain:

- **A 12-court multi-purpose games hall;**
- **A four-court indoor tennis centre;**
- **A fitness gym;**
- **An elite athletes' performance gym;**
- **Sports treatment and physiotherapy space;**
- **Cafe/bar/social space;**
- **Conference suite;**
- **Staff offices and meeting spaces;**
- **Outdoor seating for 337 spectators and**
- **Changing facilities for both indoor and outdoor activities.**

The sports centre will have a tapered structure, with a maximum height on its north elevation of 21.5m. It will be primarily clad in Western Red Cedar, with a concrete base course. It will have glazed curtain walling and profiled vertical fins on the north façade. The roofing material will be an aluminium trapezoidal sheet in a natural finish that will weather in a similar way to timber cladding. Its west elevation will provide outdoor spectator seating for the hockey pitches.

Student Residences

The student residences will be located in the western corner of the site. The accommodation will be provided in three Y-shaped blocks, containing a total of 573 bed spaces. The height of the residences will vary from six to 10 storeys, with a maximum height of approximately 30m. All of the bedrooms are within cluster flats of eight to 10 bedrooms with ensuite or shared bathrooms and a shared living room with kitchen and dining areas. The residences will be connected at ground floor level with communal areas and colonnades and will provide access to the communal gardens.

Brick will be the primary building material. Light buff, biscuit and soft red are the proposed brick colours, with each block having its own colour. Sandstone coloured pre-cast concrete will be used for the columns and colonnades at ground floor level to articulate the shared communal areas. Metalwork to windows, curtain-walling, downpipes, flashings and screens will be pearl beige and will be consistent across the three blocks.

The residences will also comprise lobbies, study areas, communal and lounge areas, a cinema room, private dining space, leisure areas, plant rooms, a laundry and secure cycle and bin stores. All of the communal facilities will be provided at ground floor level.

The upper levels will contain three cluster flats per floor. The flats will be accessed from a central main stair and lift with a flat in each point of the Y-form. The cluster flats will range from eight to 10 bedrooms and include a shared living space with kitchen and dining area.

Sports Pitches and Facilities

The external sports pitches and facilities will include:

- Two new water-based hockey pitches with event and training areas;
- New 3G pitches for mini-hockey, hockey and football;
- A new archery enclosure and pavilion;
- A new site-wide community access 2.5km trim trail;
- Resurfacing of an existing 3G football pitch;
- Three new beach volleyball courts;
- Two new MUGA pitches;
- 'Walk of Champions' link pathway and
- Retention of various existing pitches.

The existing vehicular access for the site from Peffermill Road will be retained and upgraded.

A new vehicular access will be formed onto Peffermill Road for the student residences. It is envisaged that vehicles utilising this access will be primarily for drop-offs, servicing vehicles or using the parking bays for disabled drivers.

A new pedestrian and cycle access will also be provided on the western corner of the site adjacent to the junction of Peffermill Road and the Cameron Toll Roundabout.

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 the development is acceptable;
- (b) the proposed scale, form, design and landscape impacts are acceptable;
- (c) the proposal will have any flood prevention impacts;
- (d) the proposal will have a detrimental impact upon the setting of a listed building;
- (e) the proposal will provide adequate amenity for residents and will not be detrimental to the amenity of neighbours;
- (f) the proposals will have any transport or road safety impacts;
- (g) the proposal will have any biodiversity impacts;
- (h) the proposals will have any archaeological impacts and,
- (i) material representations or community council comments raise issues to be addressed.

a) Principle

Green Belt

The application site is within the green belt. LDP Policy Env 10 (Development in the Green Belt and Countryside) permits development in the green belt if it meets with one of the criteria (a-d) set out in the policy and would not detract from the landscape quality and/or rural character of the area. Criteria a), b) and d) are not applicable in this instance.

Criterion c) states that the principle of development may be permitted if it is: *For development relating to an existing use or building(s) such as an extension to a site or building, ancillary development or intensification of the use, provided the proposal is appropriate in type in terms of the existing use, of an appropriate scale, of high-quality design and acceptable in terms of traffic impact.*

The Council's non-statutory guideline *Development in the Green Belt, February 2019* expands upon policy Env 10 and provides more detail on the issue of intensification and ancillary development. The guidance explains that, for a proposal to be considered ancillary development, it must be linked to the existing use and be of secondary importance to that principal use. Although many students would use both the accommodation and sports facilities, the erection of blocks of student accommodation is not ancillary to the leisure use of the site, given they represent a different use in planning terms. This reflects the fact that, in practical terms, they serve different purposes and have a differing nature of impact - in terms of amenity as well as in other respects. The accommodation is not subservient or secondary in scale to the leisure use.

Consequently, in terms of intensification, this only applies to the sports aspect of the proposal, given the accommodation comprises a different planning use. The guidance advises that intensification is only acceptable where it would not lead to an increase in activity that would detract from the green belt in terms of amenity or transport impact - either individually or cumulatively. Given the site's location in a relatively urban context, the sports centre and redevelopment of some of the pitches is an acceptable form of intensification subject to its impact in terms of amenity and transport being acceptable. These matters are considered in more detail in the relevant sections of the assessment.

Notwithstanding the other aspects of the development, the inclusion of student accommodation as part of the proposal is not supported by policy Env 10 and associated guidance on development in the green belt. However, it is acknowledged that this site does have practical benefits as a location for student accommodation. In particular, its location is close to several existing and proposed parts of the University campus. The site is also immediately adjacent to the urban edge where it is surrounded on most sides by the urban environment. Therefore, as it is one specific aspect of the proposal (the student accommodation) that conflicts with one particular aspect of the LDP policy and guidance (relating to the green belt), it is necessary to consider the acceptability of the principle of the proposal more holistically.

The spatial strategy of the LDP maps the green belt in a 'high level' strategic form to illustrate the role it serves around and within the city of Edinburgh. This shows the relevant part of the green belt largely relating to the east side of the site, which would contain the sports development, and is more appropriate in the green belt (and with a lesser visual impact). Although this is a consequence of the high level 'smoothing' in the map, this smoothing actually reflects the key strategic aims of the green belt in this location which is to provide the green corridor from the Craigmillar Castle SLA through to the Holyrood, Prestonfield and Duddingston SLA. That the student accommodation lies in the urban area in the context of this spatial strategy map reflects that, in practical terms, the western part of this application site is a spur leading off the main corridor rather than being central to the north-to-south green corridor itself.

In addition, in terms of the 'Aims and Strategy' section of the LDP, the proposal has a degree of compliance with LDP policy and associated guidance. Paragraph 34 of Section 2, Part 1 of the LDP provide further detail on the aims and strategy of the green belt. It states that the purpose of the green belt is to:

- direct planned growth to the most appropriate locations and support regeneration;
- protect and enhance the quality, character, landscape setting and identity of the city and neighbouring towns;
- protect and give access to open space within and around the city and neighbouring towns;
- it can also be used to prevent the coalescence of settlements.

These aims do not arbitrarily preclude certain forms of development from being located in the green belt. Green belt policy and associated guidance generally oppose certain types of development in the green belt based on the above aims because there are often more appropriate sites within settlements to direct these types of development to. This also serves the above aim of preserving the green belt's landscape and recreational amenity value.

In this respect, the proposal supports the above aims in broad terms. In particular, its location is sustainable due to its position close to other aspects of the university campus and sustainable travel links. It also encourages regeneration by improving existing pitches and the small area of brownfield land on which the sports centre is partly proposed.

While the proposal is not supported by policy Env 10, the proposal accords with the LDP green belt aim to protect the quality, character, landscape setting and identity of the city. Therefore, subject to detailed assessment of the visual impact, a departure from the policy is justifiable in this instance.

Protection of Open Space and Outdoor Sports Provision

In relation to the aim for the green belt to protect and give access to open space, the site is designated as Open Space in the LDP as well as being a sports field. Therefore, LDP policies Env 18 (Open Space Protection) and Env 19 (Protection of Outdoors Sports facilities) are relevant. Assessment of these policies also allows consideration of how the proposal shall impact on the aim for the green belt to protect and give access to open space.

Policy Env 18 sets out the criteria that must be demonstrated for proposals involving the loss of open space. The criteria are:

- a) there will be no significant impact on the quality or character of the local environment; and*
- b) the open space is a small part of a larger area or of limited amenity or leisure value and there is a significant over-provision of open space serving the immediate area; and*
- c) the loss would not be detrimental to the wider network including its continuity or biodiversity value; and either*
- d) there will be a local benefit in allowing the development in terms of either alternative equivalent provision being made or improvement to an existing public park or other open space; or*
- e) the development is for a community purpose and the benefits to the local community outweigh the loss.*

In terms of criterion a), the impacts of the proposal on the local environment is considered in detail in the relevant section of the assessment.

In terms of criterion b), the area of the site where the student accommodation itself is proposed is of limited amenity or leisure value, with no specific spatial designation beyond its green belt status according CEC's Open Space 2021. The limited open space value of the site at present combined with the provision of local and large standard open spaces in the wider area means the proposal complies with this criterion.

The majority of the site will be retained as sports pitches and the development proposed will not be detrimental to its role as part of the wide green network. In terms of the site's biodiversity value, an Ecological Appraisal has been submitted in support of the application. This makes a number of recommendations to protect the biodiversity value of the site which are considered in further detail in the relevant section of the report. However, overall the proposal will meet the requirements of criterion c).

Finally, the proposal should comply with either criterion d) or e). The site's value as recreational open space is limited in that it is used solely for playing sport. On this basis, criterion d) is considered to be met given there would be local benefit in terms of the alternative equivalent provision being provided (in this case enhanced provision on the same site).

In addition to the requirements of Policy Env 18, Env 19 (Protection of Outdoors Sports facilities) sets out where the loss of some or all of a playing field or sports pitch will be permitted only where one of four specified circumstances apply.

Criterion b) provides that *'the proposed development involves a minor part of outdoor sports facilities and would not adversely affect the use or potential of the remainder for sport and training'*.

The Peffermill site covers an area of approximately 20 hectares. Following the development, the total built footprint on the site will be 8,862 sqm, which is 4.5% of the total Peffermill site area. Although further land will be allocated for landscaping and other non-sporting uses, a considerable volume of the site will be retained and upgraded for sporting purposes.

The site for the proposed accommodation partly comprises a grassed field used as a pitch, but this field is of a lesser value compared to the other existing purpose-built pitches, which shall be further upgraded. Consequently, the student accommodation is acceptable under justification (b).

Criterion c) states that *'an alternative outdoor sports facility is to be provided of at least equivalent sporting value in a no less convenient location, or existing provision is to be significantly improved to compensate for the loss'*.

The proposal to upgrade the existing outdoor facilities and the provision of a new sports centre will result in a significant increase in the 'hours of play per week' that the site is capable of supporting. At present, the outdoor facilities provide for 1,102 hours of play per week.

The proposal will increase this figure to 1,294. In addition, currently the indoor and outdoor facilities combined can accommodate 1,202 hours of play per week. The proposal will increase this figure to 2,392. The upgrades to existing and provision of new indoor and outdoor facilities will allow the site to be used in a more intensive way, thereby increasing the opportunities for people to participate in sport and leisure activities. Therefore, the proposal complies with criterion c).

Sport Scotland has been consulted and has no objection to the proposals subject to a condition requiring details to be submitted of the phased delivery of the future pitches and sports facilities.

In summary, the proposal - including the student accommodation - is acceptable in principle in relation to LDP policies Env 18 (Open Space Protection) and Env 19 (Protection of Outdoors Sports facilities). As a result, the proposal is considered to accord with the remaining applicable LDP aim for the green belt to protect access to open space.

Student Accommodation

Outwith the urban area, policy Hou 8 (Student Accommodation) does not provide support for the principle of student housing. However, the part of the site where the student accommodation is proposed is located immediately adjacent to, and is partially enclosed by, the urban area. In this context, it is necessary to consider Hou 8 when assessing the acceptability of the proposal.

Hou 8 sets out the following criteria where permission will be granted for purpose-built student accommodation.

- a) *The location is appropriate in terms of access to public transport and university and college facilities and*
- b) *the proposal will not result in an excessive concentration of student accommodation in any one locality.*

Hou 8 a)

In terms of criterion a), the site is served by good access to public transport and thereby to university and college facilities. The site is located approximately 20mins walk/7 mins cycle from Kings Buildings campus, as well as 35 mins walk/12 mins cycle from the Central Area and BioQuarter campus areas. The site is accepted as being well located in a central position between each of these campus areas.

In addition, although not a university campus presently, the sports facilities at Peffermill which are to be significantly expanded and improved shall be immediately adjacent to the student accommodation. The application is considered to comply with this criterion.

The Council's Non-Statutory Student Housing Guidance (SHG) expands upon the requirements of policy Hou 8 and sets out sequential criteria for assessing student accommodation. Criterion a) requires that *'in locations within or sharing a boundary with (or separated only by a road) a main university or college campus, as identified in Map 1, student housing will generally be acceptable'*.

Historic maps identify the site as university playing fields since at least 1932. Despite this, the site is not identified as a campus nor as sharing a boundary with a main university or college campus as indicated on Map 1 of the SHG. However, the accommodation forms part of a proposal involving a significant redevelopment of the sports pitches and erection of a large sports centre. This would mean the accommodation shall be located immediately adjacent to a destination that would be frequently used by many students living there. In fact, the scale and capacity of the proposed sports centre and pitches would have a significantly greater range in its sports offering compared to the existing Pleasance Sports Complex and Gym which is classed as part of the University of Edinburgh in Map 1.

The intended aim of criterion a) is to encourage accommodation to be located near to places frequented by students. Consequently, the proposal complies with the principle of this criterion.

The SHG's criteria for assessing student accommodation is sequential. Therefore, if criterion (a) is complied with, then the development is considered to comply with guidance in principle with no reference needed to criteria (b) and (c).

Hou 8 b)

Criterion b) of policy Hou 8 seeks to limit the concentration of student accommodation where it would have an adverse impact on the maintenance of balanced communities, or to the established character and residential amenity of the locality. The SHG advises that where the student population is dominant, exceeding 50% of the population, there will be a greater potential imbalance within the community.

Based on 2011 census data, approximately 14% of the residents in the immediate data zones were full time students aged above 16. When this figure is adjusted to include consented developments in the area up to 2018, the figure remains at 14%. When the current proposal is included the student population figure would rise to 20%.

This quantity of accommodation proposed would not lead to an over-concentrated student population in the area and meets criterion b) of policy Hou 8 and the SHG.

The student accommodation, on balance, complies with policy Hou 8 and the associated non-statutory guidance.

The accommodation forms part of a proposal which supports certain overarching aims for the green belt set out in Part 1 of the LDP and does not conflict with the other applicable aims. In particular the proposal would contribute to the aim of regeneration, with the student accommodation also according with the aim to ensure development is appropriately located given its position immediately adjacent to the urban area and a university sports complex to be upgraded as part of this application. It is also noted the proposal would not undermine other applicable green belt aims relating to preserving access to open space, as evidenced by the proposal's compliance with LDP policies Env 18 (Open Space Protection) and Env 19 (Protection of Outdoors Sports facilities). Therefore, although the student accommodation does not comply with the terms of policy Env 10, a departure from the policy can be justified in this instance.

The application is supported in principle, subject to the consideration of relevant detailed matters.

b) Scale, Form, Design and Landscape

LDP policies Des 1 to Des 8 set out the policy framework for the design of developments. These policies outline a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of its surroundings, with the need for high quality design which is appropriate in terms of height, scale and form, layout and materials.

The sports centre, accommodation and sports pitch upgrades form part of the overall vision for a sports village through the creation of an integrated sports and residential campus. The site's seclusion with mature woodland, burn and landscape bears similarities to a campus setting rather than an urban location and it is this context that inspired the design concept. The design concept takes a landscape first approach and seeks to connect the development to its immediate landscape setting as well as Arthur's Seat, which forms the backdrop to the site.

The sports centre is intended to be the hub of the complex. It will be located centrally within the masterplan area and will be visible across the site. The layout of the building has been designed to accommodate internal facilities to meet the range of end users and will also provide support and changing facilities for the outdoor playing fields.

The form and massing of the sports centre is determined by the various sports and ancillary uses that it will accommodate, as well as a design response to its natural backdrop of Arthur's Seat.

The multi-purpose games hall will cater to a range of sporting uses including: badminton, basketball, futsal, handball, hockey, korfbal, netball and volleyball. Design guidance for indoor sports recommends that a minimum height of 9m should be maintained. This creates a 9m 'pivot point' around which the pitch is generated.

Similarly, the adjacent indoor tennis hall has an activity envelope with a 9m requirement at the net, reducing to 4m at the edge of the run-off area.

The performance gym requires a minimum clear ceiling height of 4m for the dynamic exercises performed in the space. This requirement has been used to establish a base datum at first floor level.

The high-level plantroom is subsumed within the overall volume to avoid disrupting or complicating the roof profile and allows the creation of a simple and elegant external form.

While the building has been laid out internally to accommodate the volume of space required for the various sports, its overall design is not solely functional. The sport centre's relationship with its natural backdrop is reflected in the design, with the building profile 'lifting its head' towards the views of Arthur's Seat. The angled roof will reflect the sloping profile of Arthur's Seat in some views looking north.

The building will sit prominently in the site and its central location is justifiable by its function as a centre for sporting excellence within the city, replacing the existing Laurie Liddell and McArthur Pavilion with an iconic structure. From Peffermill Road, the building's setback will help to create a welcoming entrance to the site.

In terms of materials, the building will be primarily clad in Western Red Cedar with a concrete base course and glazed curtain walling. Glazing on the north elevation will provide a visual connection with the external environment. Deep profiled vertical timber fins will be located on the north façade of the sports hall to prevent sunlight entering the space in the evening. The roofing material will be an aluminium trapezoidal sheet in a natural finish that will weather in a similar way to timber cladding.

The western corner of the site is currently underused and has been identified as the most suitable location for residential accommodation. The residences are to provide accommodation for under-graduate students, post-graduate students and as an athletes' village and conference accommodation during the summer months.

This part of the site is closest to existing urban areas and the destinations and services that students are most likely to frequent. Cameron Toll and the King's Buildings Campus are within easy walking distance, with the University's Central Campus and the BioQuarter also within reasonable proximity. Bus services to destinations across the city and beyond are provided within close walking distance.

The western corner of the site is bound by stone boundary walls, fencing, mature perimeter trees and the railway embankment. These features mean there is no opportunity to form a definite urban edge to this part of the site, and instead have the effect of isolating it from public view which creates a perception of privacy and detachment from the surrounding public realm.

The design concept is based on a landscape first approach which views the quality of the landscape as being as important as the internal spaces. The arrangement of the Y-form buildings has been developed to connect the interior spaces visually with the landscape around the site. Additional landscaping and external garden spaces have been designed to work with the building layout to enhance the residents' experience.

The three blocks will share the same architectural language. The component parts of the buildings are expressed externally in the façade design. The bedrooms will have repeated windows aligning vertically. The living rooms at the end of each wing are more expressive, with varying window sizes and proportions. The three blocks will be connected at ground floor level with communal areas and colonnades and will provide access to the communal gardens.

It is also proposed to create a pedestrian and cycle access on the corner at Peffermill Road and Old Dalkeith Road to make the site more permeable. This will provide a natural desire line in and out of the site for residents but will also support the stated intention of encouraging local residents to utilise the Peffermill Campus.

A Landscape and Visual Impact Assessment (LVIA) has been submitted in support of the proposal and considers in detail the landscape and visual effects of the development.

The LVIA assessed a number of viewpoints that may be impacted by the development, including key views of Arthur's Seat and Salisbury Crags from Blackford Hill, Braid Hills Drive, Liberton Cemetery, the A7 and Craigmillar Castle. Although visible in some key views, the magnitude of change for each of these views was assessed as being slight or negligible. Therefore, none of the key views assessed would be impacted significantly by the development.

A number of other viewpoints were also assessed as part of the LVIA, this included prominent views over the site, such as the view to the south of the city from Queen's Drive on Arthur's Seat, as well as a number of more localised views.

The relationship of the buildings to the surrounding landscape and Arthur's Seat has been a key driver in the design of the sports centre and residences. The building profile of the sports centre slopes upward towards the views of Arthur's Seat and despite its height and mass, which rises to approximately 21.5m and 8,700sqm, the orientation and tapering form of the facility allows it to sit comfortably within the local landscape.

The design of the student accommodation intentionally responds to view from Arthur's Seat, looking south. The tallest wing of each residence block has been positioned to align their narrowest elevation in this direction. The storey heights of each wing of the three residences have been varied and gaps created between the upper floors. This breaks down the building mass and ensures the buildings do not present a singular horizontal roof line.

The upper storeys of the residences will be in the western extent of the view from Queen's Drive and the northern timbered elevation of the sports centre will be visible in the centre of the site. However, the character of the view will be substantially maintained, with the proposed built form introducing a moderate level of development into the view. The location of the sports centre and residences to the west of the Craigmillar Castle SLA boundary avoids direct landscape severance between it and the Holyrood, Prestonfield and Duddingston SLA. The visual expanse of largely open countryside when viewed from Arthur's Seat will be retained and similarly when viewed in the other direction from Craigmillar Castle. The overall magnitude of the change will be slight and will not be significantly affected by the development.

Five of the viewpoints assessed will be significantly affected by the development. Three of the affected viewpoints are from within Peffermill Playing Fields. The other significantly affected views are from Old Dalkeith Road to the south of the site looking north and from the entrance to Cameron Toll Shopping Centre looking across the roundabout. All of these views are significant due to the proximity of the view point to the proposal.

Considering the scale of the proposal, it is accepted that it will be highly visible within certain views in the immediate area. However, given the existing boundary condition of mature trees, the additional mitigation planting proposed and the setback from the boundaries, the site is capable of accommodating a development of this scale.

Overall, the sports centre and residences demonstrate a clear design concept that seeks to connect the development to its immediate landscape setting as well as Arthur's Seat, which forms the backdrop to the site.

The architecture includes contemporary elements that are appropriate in the context of a new state of the art sport and residential campus. While the residences in particular will be prominent in some local views, the setback of the buildings and the mature trees that enclose the western corner of the site will soften the visual impact. No key views or important views across the site will be significantly impacted. Therefore, development is acceptable in terms of its scale, form, design and landscape and visual impacts.

c) Flood Risk and Drainage

The eastern and southern parts of the site lie within an area of importance for flood management and form part of the functional flood plain. The western section of the site, where the residences and sports centre are proposed, lies behind the Braid Burn Flood Protection System (FPS). LDP policy Env 21 (Flood Protection) states that planning permission will not be granted for development that would increase a flood risk or be at risk from flooding itself. The supporting text accompanying this policy states that proposals will only be favourably considered if accompanied by a flood risk assessment, demonstrating how compensatory measures are to be carried out, and that any loss of flood storage capacity is mitigated.

Also relevant is Scottish Planning Policy (SPP), particularly paragraphs 254 to 268, which relates to managing flood risk and drainage.

SEPA has stated that it has no concerns with the upgrading of the sports pitches. Although located within the functional flood plain of the Braid Burn, this element of the proposal is a water compatible use and is therefore acceptable.

The sports centre and water-based pitches will be located outwith the functional floodplain but are behind the Braid Burn FPS. As this is a least vulnerable use, the FPS has at least a 1 in 200 year standard of protection (SOP) and a downstream overflow level, SEPA has no objection to the proposed location of the sports centre and water-based pitches.

The student residences are also located outwith the functional floodplain and behind the FPS. SEPA considers that, if developing a use which is highly vulnerable to the effects of flooding (such as student residences) behind an FPS, then this must be protected to a 200 year plus climate change standard of protection. SEPA's climate change allowances for FRA guidance generally expects a 20% allowance for climate change. The Braid Burn FPS was designed for a 1 in 200 year flood event with an allowance of 12% for climate change, as that was the understanding of climate change impacts at that time. Therefore, SEPA has objected to this element of the proposal.

The Flood Risk Assessment (FRA) submitted in support of the application indicates that the majority of the land proposed for the student accommodation development is not predicted to flood within the 200 year plus climate change event, but an area at the eastern end of the site is impacted under such conditions. This area of the site will be laid out as landscaping and will not affect the accommodation building itself. As a result, it is proposed to raise the finished floor levels to 47.7m AOD which will provide at least 600mm freeboard above the 200 year level with a 40% allowance for climate change. Topography within the landscaping along and behind the Pow Burn is such that in the event of overtopping, flood waters will flow along low-lying land between the accommodation and the Pow Burn.

However, SEPA considers that land raising behind the FPS does not accord with the principle of avoidance set out in SPP. SPP states that *"a precautionary approach to flood risk from all sources, including coastal, water course (fluvial) should be taken. The planning system should promote flood avoidance by safeguarding flood storage and conveying capacity and locating development away from functional flood plains and medium to high risk areas"*. It further states that *land raising should only be considered in exceptional circumstances"*.

The applicant is of the view that SPP is being complied with and highlights a recent similar case where built development is proposed behind the Water of Leith FPS and where SEPA objected on similar grounds. The matter was referred to the Scottish Government, and their response is below.

"The Scottish Government Flood Policy Team (FPT) highlight that the development is not contrary to SPP as it is a behind a flood protection scheme which the Council say provides defence to a 1 in 200 year event with a 12% allowance for climate change. The FPT highlight that the WLFPS does not include a climate change allowance of 20%, which is what SEPA deem to be required to meet the projected increase in flood risk in future years. However, the FPT also highlight that the development does include mitigation measures which the Council's Flooding Team have deemed adequate and that the development is designed for a 1 in 200 year flood event with a 30% allowance for climate change.

As a result, whilst the FPT do note SEPA's concerns about the uncertainties associated with the standard of protection, they are of the view that the Council have appropriately assessed the issue of flooding at the site and that the proposed mitigation measures are satisfactory.

In light of the above information, it is not considered that this proposal raises any issues of national importance to warrant intervention by Scottish Ministers. It is recommended that this application be cleared back to The City of Edinburgh Council."

The applicant states that the stance taken by the Scottish Government is consistent with what is being proposed behind the Braid Burn FPS.

CEC Flood Prevention is satisfied that the applicant has demonstrated that the proposed development complies with CEC guidance in terms of flood risk, and that appropriate drainage measures have been included in the design to address surface water quality and surface water attenuation.

Therefore, it can be concluded that these measures are sufficient in order for the development to conform to LDP policy Env 21, SPP and CEC guidance in terms of flood risk.

The application requires to be referred to the Scottish Ministers prior to determination due to the outstanding objection from SEPA.

d) Impact Upon the Setting of a Listed Building

Policy Env 3 (Listed Buildings - Setting) advises that development affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

Cameron Bank is a Category C listed (LB no: 28163, date listed: 29 March 1996), late 18th century L-plan villa with a single storey extension to the rear. Included in the listing are the outbuildings and the stone boundary walls onto Peffermill Road. The building is located within the north-western area of the playing fields and is currently used as ground-person's accommodation.

The building is located within the Peffermill campus, but is outwith the application site. It is the intention of the university to retain the listed building and it will remain in use as part of the wider site.

The setting of the listed building is largely defined by its associated historic plantings: a pair of giant redwoods, a mature beech tree, three yew trees and two hollies. These trees are within or close to the building's curtilage and are fully mature, in satisfactory health and condition and are to be retained on site.

The proposed student residences will be located to the south of the listed building. While the residence buildings are of a different scale to Cameron Bank, they are set back from the listed building and will not be detrimental to its setting or historic interest.

It is the university's intention that Cameron Bank will continue to form a productive part of the Peffermill campus. The mature trees that bound its southern elevations will be retained and the siting of the student residences away from the listed building will preserve its setting.

e) Amenity

Noise

A Noise and Vibration Impact Assessment has been submitted in support of the application. This includes a road traffic noise assessment, a railway noise assessment, a railway vibration assessment in accordance with BS 6472: 2008, an assessment of car workshop noise, an assessment of the playing fields, a discussion of the relocated sports pavilion and future plant noise.

The outcome of these assessments conclude that mitigation will be required to ensure that the internal noise levels are acceptable within the proposed student accommodation blocks by way of double-glazed windows with an alternative form of ventilation, such as acoustic trickle vents. This will be required by a condition.

Vibration levels on site were considered to be at a level where adverse impact is not expected.

Daylight, Sunlight and Privacy

The sports centre will be situated over 100m away from the nearest residential properties at Cellar Bank. The point at which daylight would be compromised is approximately 42.5m from the new building. The sports centre will not produce any adverse impact on daylight, sunlight or privacy to any nearby residential properties.

The student accommodation will be sited far enough away from the nearest residential properties across Peffermill Road to comply with the 25-degree method for protecting sunlight. The front gardens of these properties will not be impacted by adverse overshadowing and there are no issues in relation to privacy.

The design and arrangement of the three Y-form buildings have been developed so that the new buildings do not impact on one another in terms of daylighting and overshadowing. Supporting information has been submitted demonstrating compliance with the 'no sky line' method for bedroom and living room spaces.

Some of the space immediately to the north of the residences will be overshadowed for much of the day during the spring equinox. However, this is where the vehicular access and cycle shelter is proposed and will not affect residents' amenity. The garden spaces surrounding the residences are shared, which allows residents to choose where they would like to occupy, which may vary depending on the time of day. Over half of the main garden spaces will receive potential sunlight at the spring equinox for more than three hours, exceeding the minimum EDG requirement.

The layout of the residences ensures that the windows have been angled away from each other, preventing privacy issues. The windows on the east facing gable of Block 1 and the west facing gable of Block 2 will be approximately 14 metres away. The windows in both blocks serve the communal living rooms. These windows are offset and recessed into the façade minimising the potential for any privacy issues.

There are no amenity issues arising in terms of noise and vibration or daylight, sunlight and privacy for existing or proposed residents as a result of the development.

f) Transport and Road Safety

The existing vehicle and pedestrian entrance to the site will be maintained as the access to the sports centre. The existing car park has 146 spaces, which will be increased to 191 and includes 12 spaces for disabled drivers and 10 electric vehicle spaces. This represents an increase of 34%. This increase is justified in the context of the development increasing the site's hours of play capacity by 100% and the desire to avoid overspill parking on Peffermill Road.

Seven coach spaces and six motorcycle spaces will also be provided for the sports centre.

A new vehicular access will be formed from Peffermill Road to serve the student residences and does not connect to any other vehicular routes. This access will be primarily for drop-off/pick-up, taxis, refuse vehicles and university maintenance vehicles. The residences will have zero parking with the exception of six spaces for disabled drivers.

A total of 575 cycle parking spaces will be provided in secure, covered stores across the site. They will be located on the ground floor of the residences, in external stores next to the residences and at the front of the sports centre. An additional store will be provided between the residences and the sports centre, near the new access from Peffermill Road.

A new pedestrian entrance to the site is proposed adjacent to the Cameron Toll roundabout. This entrance is next to the existing pedestrian crossing across Peffermill Road to the north, and also to the footpath which passes under the rail line to the south. This entrance improves connectivity to the site and formalises a desire line for pedestrians and cyclists to the amenities and services to the west of Peffermill.

The site benefits from being near a main arterial route into the city and is well served by public transport. Real-time bus information screens will be provided at both the student residences and the sports facilities.

Overall, the proposed level of vehicle and cycle parking is acceptable. The development is well connected and will have no detrimental impact on traffic or road safety.

g) Biodiversity

The Pow Burn and Braid Burn that run through the site are both designated local conservation sites. Policy Env 15 (Sites of Local Importance) advises that developments likely to have a detrimental impact on a local nature conservation site will not be permitted unless it can be demonstrated that the adverse consequences of allowing the development have been minimised and mitigated in an acceptable manner.

In addition, LDP policy Env 16 (Species Protection) protects against development that would have an adverse impact on species protected under European or UK law.

The Ecological Assessment submitted in support of the application identified the potential presence of a number of protected species within the site, including: otter, bats and badger. Preconstruction surveys will be required to determine the use of the otter holt, Cameron Bank and the use of the badger setts.

Invasive Non-Native Species have also been identified and a method control statement will be required prior to the commencement of development.

In order to ensure that these matters are given due consideration, an informative will be added recommending that a site-specific Construction Environmental Management Plan (CEMP) will be implemented.

The CEMP will seek to ensure that any necessary mitigation measures are implemented, and that the proposal will not lead to any significant adverse residual effects in relation to terrestrial ecology.

h) Archaeology

The site occurs within an area of archaeological potential in terms of medieval and later development of the Cameron House Estate and historic environmental evidence dating back to early prehistory. The City Archaeologist has advised that a condition should be imposed to protect archaeological heritage.

i) Material Representations

Material Objections

- The heights of the accommodation blocks are too high - addressed in 3.3(b);
- Lack of parking - addressed in 3.3(f);
- There is already too much traffic in the area - addressed in 3.3(f);
- Noise and disturbance - addressed in 3.3(e);
- Impact on the listed building - addressed in 3.3(d);
- Impact on privacy - addressed in 3.3(e);
- Does not comply with limits on student numbers - addressed in 3.3(a);
- Impact on flood defences - addressed in 3.3(c); and
- Loss of wildlife habitat - addressed in 3.3(f).

Non-Material Comments

- Loss of cricket facilities - It is not within the remit of the planning system to control what particular sport is played on a playing field.

Grange/Prestonfield Community Council Comments

- Industrialisation of sports pitches does not comply with green belt policy - addressed in 3.3(a);
- Impact on wildlife, trees and biodiversity - addressed in 3.3(g);
- Sports centre and student accommodation is too tall - addressed in 3.3(b);
- Parking arrangements may be inadequate - addressed in 3.3(f);
- Standard housing should be provided as well as student accommodation in line with the SHG - addressed in 3.3(f);
- Student housing is not an appropriate use of green belt land - addressed in 3.3(f);

Gilmerton/Inch Community Council Comments

- Look forward to the benefits that the development will bring to the area;
- Impressed with the way the development will link up with pedestrian and cycle ways;
- The student accommodation is not in keeping with the immediate surroundings - addressed in 3.3(b);

Conclusion

The proposal is acceptable in principle and the sports village has been designed to a high standard and considers the nature of the site and the end users.

Although the student accommodation does not comply fully with the terms of policy Env 10, the proposal supports certain overarching aims for the green belt set out in Part 1 of the LDP and does not conflict with the other applicable aims. In addition, the proposal does not undermine other applicable green belt aims relating to preserving access to open space and complies with policies Env 18 and Env 19. Therefore, a departure from the policy can be justified in this instance.

On balance, the proposal also complies with the requirements of policy Hou 8 and the associated non-statutory guidance. The design concept for the site ensures that the development can sit comfortably within the landscape and local environment.

The site lies behind a Flood Protection System and just outwith an area of importance for flood management. As a result, it is proposed to raise the finished floor levels to 47.7m AOD which will provide at least 600mm freeboard above the 200 year level with a 40% allowance for climate change. These measures are sufficient for the development to conform to LDP policy Env 21, SPP and CEC guidance in terms of flood risk.

Impacts in terms of transport, ecology and archaeology are all acceptable.

Overall, the proposal complies with the overarching aims of the development plan and there are no material considerations which indicate otherwise.

The application requires to be referred to the Scottish Ministers prior to determination due to the outstanding objection from SEPA.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. No development shall commence until details have been submitted to and approved by the Council as planning authority for a scheme; with timings; to deliver all facilities shown in the approved plans.

3. No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, reporting and analysis, public engagement and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
4. Prior to the commencement of construction works on site:
 - a. A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Planning Authority, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b. Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

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

5. Bedroom windows within the proposed students block shall be fitted with window glazing with a sound insulation performance of at least $Rw+Ctr$ 29 dB, with appropriate passive ventilation. Living room windows shall be fitted with glazing with a sound insulation performance of at least $Rw+Ctr$ 28 dB, with appropriate passive ventilation.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In the interests of ensuring that all of the approved development is delivered on site.
3. In order to safeguard the interests of archaeological heritage.
4. In order to ensure that the site is suitable for redevelopment.
5. In order to protect residential amenity.

Informatives

It should be noted that:

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

2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. Uncontrolled drainage towards the railway may have a direct impact on the reliability and frequency of the rail transport in your area. All surface or foul water arising from the development must be collected and diverted away from Network Rail Property. (Any Sustainable Urban Drainage Scheme should not be sited within 5 metres of railway infrastructure and should be designed with long term maintenance plans which meet the needs of the development).
5. All construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.
Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, see contact details below:

Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW
Tel: 0141 555 4352
E-mail: AssetProtectionScotland@networkrail.co.uk

6. The applicant should consider the provision of car club vehicles in support of the Council's LTS Cars1 policy. A contribution of 1,500 per order plus £5,500 per car would be required.
7. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.

8. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.
9. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.
10. No development shall take place until a construction environmental management plan, relating to biodiversity (CEMP:biodiversity), has been submitted to and approved in writing by the planning authority.

The CEMP (biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologist need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of ecological clerk of works (ECoW) or similar competent person.
 - h) The use of protective fences, exclusion barriers and warning signs.
11. The proposed flood-lighting system shall be so designed that there is no direct illumination of neighbouring land, and so that any light spillage onto neighbouring land shall not exceed 25lux.
 12. The design, installation and operation of any lift machinery shall be such that any associated noise complies with NR20 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
 13. The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 17 January 2020 and 21 letters of representation were received. There were 20 letters of objection, including from the Grange/Prestonfield Community Council. There was one letter offering comments in support and against the proposal from Gilmerton/Inch Community Council.

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 lies within the green belt of the adopted Edinburgh Local Development Plan.

Date registered

8 January 2020

Drawing numbers/Scheme

01 - 63,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Alex Gudgeon, Planning Officer

E-mail:alexander.gudgeon@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

LDP Policy Des 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 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

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

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

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

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

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

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

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

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

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

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

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

LDP Policy Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

LDP Policy Env 19 (The Protection of Outdoor Sports Facilities) sets criteria for assessing the loss of outdoor sports facilities.

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

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

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

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

LDP Policy Hou 8 (Student Accommodation) sets out the criteria for assessing purpose-built student accommodation.

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

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

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

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.

Non-statutory guidelines DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

Appendix 1

Application for Planning Permission 19/05923/FUL At 42 Peffermill Road, Edinburgh, EH16 5LL The development of a Sports village for the University of Edinburgh at Peffermill playing fields to accommodate redeveloped playing surfaces and the erection of a new Sports Centre and student residence incorporating ancillary facilities.

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations in respect to this further application for the development of a sports village for the University of Edinburgh at Peffermill Playing fields, to accommodate redeveloped of playing surfaces and the erection of a new sports centre and a student residence incorporating ancillary facilities.

Edinburgh University's Sports centre at Peffermill overlies a large area of ground situated between the historic estates of Cameron House, Inch and Craigmillar Castle. The area is first recorded in the 12th century as in part a peat marsh in the ownership of Kelso Abbey. Water management of the area continues to be a feature of the site with it being historically bisected by the Cameron or Pow Burn (see Fig 1) and the Braid Burn. The Cameron House Estate appears to have been established by the end of the medieval period with its southern boundary formed by the Cameron (Pow) Burn. Kirkwood's 1817 plan depicts several buildings occupying the higher ground to the north of the burn including the surviving listed Georgian Cameron Bank House and a former doocot.

The site is regarded as occurring within an area of archaeological potential in terms of medieval and later development of the Cameron House Estate and historic environmental evidence dating back to early prehistory. Accordingly, this application must be considered under terms of Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and Edinburgh Local Development Plan (2016) polices ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

The site lies across the heart of the historic grounds and estate for Cameron House and includes the former courses of both the braid and Cameron (Pow) Burns. As such the construction of the new sports village and updating of the sports pitches have the potential for disturbing significant archaeological remains dating back not only to the

medieval period but also significant paleo-environmental evidence relating to Edinburgh's' Prehistoric landscapes. Accordingly, it is essential that phased programme of archaeological works is undertaken prior to development in order to fully excavate and recording any surviving archaeological remains occurring on this site.

The first phase of this work will be the undertaking of an archaeological evaluation (max 10%) of the site of the new student village and sports centre to determine scope of additional phases of work. Outwith this an archaeological watching brief will be required to be undertaken during the redevelopment of the sports pitches.

It is recommended that the following condition is attached by the Planning Authority to any granted permission to ensure that undertaking of the above elements of archaeological work:

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

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

Environmental Protection

Environmental Protection has no objections to this application, subject to the attached conditions:

- 1. The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.*
- 2. The design, installation and operation of any lift machinery shall be such that any associated noise complies with NR20 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.*
- 3. Prior to the use being taken up, the applicant shall demonstrate that the proposed flood-lighting system is so designed that there is no direct illumination of neighbouring land, and so that any light spillage onto neighbouring land shall not exceed 25lux, to the satisfaction of the Head of Planning.*
- 4. Bedroom windows within the proposed students block shall be fitted with window glazing with a sound insulation performance of at least $Rw+Ctr$ 29 dB, with appropriate passive ventilation. Living room windows shall be fitted with glazing with a sound insulation performance of at least $Rw+Ctr$ 28 dB, with appropriate passive ventilation.*

5. *Prior to the commencement of construction works on site:*

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

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

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

The proposal is for a new sports centre, redevelopment of existing pitches and sporting facilities and new student residential accommodation with a capacity for over 500 students.

Environmental Protection has concerns about noise and light pollution from the proposal adversely affecting the amenity of both existing and new resident. The above conditions will provide an acceptable level of protection in relation to both these issues and therefore Environmental Protection would have no objections to these proposals if all the above conditions are attached to the permission.

Flood Prevention

15 January 2020- First Response

Thank you for the consultation request. I have reviewed the documents on the portal and have the following comments to be reviewed by the applicant:

FRA Comments

1. *Construction of the bund to the north of the hockey pitches to supplement the flood storage available on the Pow Burn will require input from a Reservoir Engineer - both for the design and construction phases.*

2. *The applicant has not completed a declaration for this application covering the flood risk assessment. As this development is classed as a major development under Planning definition, then an independent consultant is required to check the design and submission. They must then sign the required declaration for inclusion with the application prior to issue to CEC Flood Prevention. I have attached a copy of certificate A1 and B1, to be completed by the applicant.*

Student Residence SWMP Comments

3. *As this is classed as a major development under Planning definition, then an independent consultant is required to check the design and submission. They must then sign the required declaration for inclusion with the application prior to issue to CEC Flood Prevention. I have attached a copy of certificate B1, to be completed by the applicant.*

4. As acknowledged in the report, a qualified Reservoir Engineer will be required to oversee the design and implementation of the surface water outfall through the existing flood defences.

Sports Facility SWMP Comments

5. As this is classed as a major development under Planning definition, then an independent consultant is required to check the design and submission. They must then sign the required declaration for inclusion with the application prior to issue to CEC Flood Prevention. I have attached a copy of certificate B1, to be completed by the applicant.

6. The surface water attenuation calculations use a 30% climate change uplift and references CEC guidance from May 2017. Following the release of UKCP18 and SEPA's revised climate change guidance, CEC Flood Prevention now request a 40% uplift for climate change be considered in Surface Water Management Plans and Flood Risk Assessments. The latest 'Flood Risk and Surface Water Management Plan Requirements' (CEC, 2019) is linked in my signature below.

7. Underground storage tanks are proposed to attenuate surface water. CEC Flood prevention request that surface water assets, in particular attenuation structures, are above ground and not below ground for easier maintenance and identification of potential reduction in storage capacity or blockages. Could the applicant please confirm why above ground storage is not feasible.

8. It is proposed to discharge part of site surface water to the Scottish Water combined system. Please provide written confirmation that Scottish Water agree with the proposed discharge to the combined system.

9. A qualified Reservoir Engineer will be required to oversee the design and implementation of the surface water outfall through the existing flood defences.

14 August 2020 - Second Response

We have received the completed independent checker declaration (Certificate B1). This application can proceed to determination, with no further comments from our department.

Gilmerton/Inch Community Council

Gilmerton & Inch Community Council are looking forward to the benefits that this development will bring to the local community as they will be able to apply to join the sports club and use the facilities.

We are impressed with the way that the development will link up with the pedestrian and cycle ways already there and planned within the Cameron Toll area and beyond. We hope that further progress with this will be considered as the development is perfected.

At ten storeys high the accommodation block is not in keeping with the immediate surroundings and will change the landscape of the area dramatically. The height of these blocks are somewhat off putting and we would hope that perhaps these could be scaled back to a more acceptable height that will blend in and be a much more sympathetic and acceptable addition to the area.

Grange/Prestonfield Community Council

1. Introduction: This is a response to the Request for Consultation from CEC Planning & Transport dated 8 January 2020. It is similar in content to the GPCC comments on this application submitted online during the public consultation on this application, which follows a PAN earlier in 2019 and public exhibition of outline proposals. GPCC considered this application at its meeting on 15th January 2020. A summary of the scheme is:-

i) Conversion of grass pitches to artificial all-weather surfaces allowing more intensive use etc.

ii) Sports Centre offering student, staff and community facilities, indoor sports halls, gymnasia, changing rooms, social and conference spaces and physiotherapy and staff accommodation. This building 's northern elevation towards Peffermill Road would appear about 8 floors high.

(iii) 573 beds of student residence with communal facilities to provide undergraduate and postgraduate accommodation, which can also be used to provide athlete and conference accommodation during the student vacations. The buildings are to be up to 10 storeys high located between Peffermill Road and the railway embankment at the Old Dalkeith Road junction. It will comprise 3 triform towers of 6 storeys, the triform wings reducing to a single wing at 10 storeys.

The application site covers the whole of the University's Peffermill Playing Fields site, within the areas of Craigmillar, Gilmerton/Inch and Grange/Prestonfield Community Councils. However, the proposed development is principally within GPCC area.

2. The PAC Report: 19/05923/FUL is a fully detailed comprehensive application of 144 documents. It includes the required PAC Report, setting out the pre-application consultation process. This report is comprehensive and, from GPCC's perspective, sets out correctly and fully what took place. GPCC has no comments on this PAC Report.

3. Green Belt & Open space: The whole site is designated in the Local Development Plan (LDP) as Green Belt and Open Space. As well as the policies in the LDP, there is also specific CEC Guidance for Development in the Countryside and Green Belt. The planning application has a separate paper on Green Belt and Open Space by Richard Slipper Planning, which is referred to later in these comments.

The main issues report "Choices" of the emerging LDP "City Plan 2030" is currently under consultation and the open space and green network issues therein are of relevance going forward.

4. Flood Management:

i) The Pow Burn and the Braid Burn flow through the site and both catchments have existing flood management schemes with flood storage. As well as the Green Belt and Open Space LDP designations referred to above, the eastern part of the area within GPCC and those parts of the site within neighbouring CCs are also designated as an Area of Importance for Flood Management. The relevant planning consent for the latter is the deemed consent 06/01922/CEC of 15 August 2006.

ii) Application 19/05923/FUL includes a comprehensive Flood Risk Assessment by Kaya Consulting Ltd, into the effect of the proposed development and proposes measures to deal with flooding risk, including setting ground floor levels and providing additional flood storage by the lowering the level of pitches to the west of the proposed sports centre. The Kaya Flood Risk Assessment and the flood management proposals will require careful consideration in the assessment of this application.

5. Outside sports pitches, courts and facilities:

i) Over the years the proportion of artificial surfacing, high fencing and lighting has significantly increased in the Peffermill Playing Fields and, if this new application is approved unchanged, natural playing surfaces would be further reduced, leaving hardly

any in that part within the GPCC area. Overall it seems there would be 4 fewer grass pitches, but 2 extra artificial pitches and other artificial training or playing surfaces. The commercial advantages to operators of artificial pitches are obvious compared with natural and there are benefits to players also in increased availability. A grass pitch may be able to accommodate only 2 or 3 games a week without being degraded, whereas use of artificial surfacing is limited only by operational factors. The environmental and amenity cost can however be very high and in this case what is proposed would depart even further from what most people think of as Green Belt. .

ii) The current LDP regulates what may be acceptable development in the Green Belt, specifically Policy Env10. It has long been accepted that some recreational and sporting activities may be appropriate uses of Green Belt land, with some buildings ancillary and necessary to that activity also being acceptable. At Peffermill artificial lighting, high fencing and artificial surfacing have already been approved, but specifically where these provisions could perhaps still be seen as ancillary to activity still overall on natural pitches or surfaces. We think the creeping industrialisation of sporting facilities which would result from approval of this application, with the increase in artificial and hard surfacing and the increased building footprint, takes this process too far and would not be compliant with LDP Green Belt Policy.

iii) GPCC and local residents are very concerned about the further impact on the environment, wildlife, trees and biodiversity generally of the expansion of artificial pitches and hard landscaping.

6. Sports Centre: This is to incorporate in a single building of 8732sq.m., indoor facilities currently scattered around the site, together with new facilities, such as conference , all under one roof. The new Centre is to be centrally placed on the site and the existing buildings are to be demolished. LDP Green Belt Policy Env10 envisages that buildings may need to be replaced and that there can be an intensification of existing use. Whilst the footprint of the new Centre may broadly be acceptable in relation to what is being demolished, despite a significant increase in total building footprint, we think the height, about 22m equal to 8 storeys on the north side, would not be appropriate. From the Peffermill Road area the building would appear massive and dominant, less so from the south where the wall height steps down to about 14m, but then also it presents a sloping roof. We think this building should be reconfigured to reduce its height and dominant form, perhaps by the elimination of some facilities not directly related to the existing use. This could bring what is proposed more into conformity with Policy Env10 and be more in keeping with the treescape beyond to the southeast.

7. Student Accommodation:

i) As stated above 573 beds of student accommodation are proposed in 3 triform blocks at the western end of the site, close to the Cameron Toll roundabout. These blocks, up to 10 storeys in height, would visually overwhelm nearby dwellings on the north side of Peffermill Road, no more than 3 or 4 floors in height, and dominate near and distant views with significant loss of visual amenity. The impact on nearby residents and infrastructure of an increase in local population of nearly 600 would have to be very carefully evaluated in assessing this application.

ii) The LDP & CEC Guidance do not require car parking for student accommodation to be provided. We consider there should be enough safe layby provision for cars and taxis to pick up and drop off students laden with baggage at peak term times. In a separate communication the University has explained their current regime for managing student arrivals but facilities currently used such as the Cameron Toll

shopping centre car park may not be available if the cinema scheme there goes ahead. We think what is shown could prove to be inadequate.

iii) The CEC Student Housing Guidance stipulates that, for sites above 0.25Ha, 50% of the gross floor area shall be normal housing. The Design and Access Statement appears to consider that this existing site is part of a University Campus and therefore "student housing will generally be acceptable". We think this is stretching meaning too far and does not accord with actuality. If student accommodation is to be acceptable on this Green Belt site, then also would normal housing, in the proportion stipulated by the Guidance, so as to help create a balanced community. The Design and Access Statement with this application refers to LDP Policy Hou8 on Student Accommodation, but this LDP Policy should not be used to override other LDP Policies on Green Belt and Open Space and other environmental concerns.

iv) The Green Belt and Open Space Paper with this application considers that this proposed student accommodation on Green Belt land should be approved, because it can be occasionally used by visitors to the adjacent athletic facilities. Most of the time however this accommodation would be occupied by students not studying in the sports facilities, but elsewhere in the University. We do not agree with statements in the Green Belt and Open Space paper, specifically 2.33 on LDP Policy Env10. Student accommodation is an alien use of Green Belt land not justified by also occasionally being occupied by athletes using the sports facilities. The same paper in 2.49 and 2.50 emphasises the commercial imperatives driving the proposal for student accommodation, but these do not justify this use

v) GPCC does not agree with Paragraph 2.51 of the same paper that, because there are already non-compliant uses of Green Belt land on the northern periphery of the Peffermill Playing fields, "this is clearly a precedent of buildings being acceptable in the green belt at this location etc". Rather it should be a reason to halt this degradation and consider how other relevant LDP Policies could be fulfilled, including Env9 Urban Edge Development.

vi) At the southern end of Mayfield Road there are 2 consents for a total of 237 beds of student accommodation (with 19/04858/FUL to take the total to 298 having been withdrawn on 4th February 2020). Between Mayfield Road and Cameron Toll the Good's Corner site offers about 107 beds of student accommodation. King's Buildings is the nearest University Campus to the Peffermill Road site, with the central study area of the City further away, and neither would be particularly convenient for students living in this proposed student accommodation. It has not been demonstrated that there is going to be a continuing long term demand for this total amount of student housing in this part of Edinburgh. Furthermore it has not been shown how the proposed student accommodation could be adapted for future use as required by 2.8 Adaptability of the Edinburgh Design Guidance and LDP Policy 5b. Any adverse impacts of market change would fall on the local community.

vii) In the view of GPCC, student housing would be an inappropriate use of this Green Belt land and not justified by limited use by visiting athletes when not in use by students on vacation. This housing should not be in the Green Belt and we disagree with the rather special pleading in the Green Belt and Open Space Paper accompanying this application.

8. Public Transport: The Transport Assessment with this application rather overstates the convenience of bus services, the only available form of public transport. The nearest bus stop to the proposed student residences offers only a half-hourly service to the city centre (Route 42) and bus stops for other routes are some distance away, some across busy roads. If this project is to go ahead in some form there would have to be greatly improved bus services if public transport is to have a greater role in reducing

reliance on car travel. The proposed tram extension is an unscheduled long-term aim with no firm date in sight. .

9. Parking and Traffic:

i) It is proposed to expand the car park to 191 spaces. At present there are 146 car spaces, 5 for coaches and 2 for minibuses. This rather minimal increase would be inadequate to meet current demand on event or match days when parking facilities are already over-stretched and would in no way meet the expected demand if the expansion envisaged in this application takes place.

Currently, when popular matches are on, Peffermill Road and adjacent streets suffer from large numbers of parked cars, some irresponsibly parked causing problems for residents. Any changes to the current B7 RPP parking regime, which may become necessary, could put further pressure on any remaining unrestricted on-street parking.

ii) Peffermill Road is a busy route heavily used by emergency services and the local road infrastructure is already under stress. On Peffermill Road westbound, close to the Cameron Toll roundabout, there is a no right turn into Cameron House Avenue, just opposite to where it is proposed to have the access road to the student blocks. This needs to be rethought.

iii) It is clear that firmly grounded traffic and parking management plans would be required for match and competition events if there is to be any increase in facilities at Peffermill playing fields and this would have to be conditioned in any further planning consent. It would not be acceptable to proceed as at present on a "case by case" basis, as these arrangements have been shown to fail on occasions.

iv) As part of the assessment of this application, we think there is a need for a comprehensive CEC led traffic study of the Lady Road/Cameron Toll/Peffermill Road network taking into account existing pressures and the impact of all the various proposals in this area, as set out in our response to the cinema proposal 19/06001/FUL.

10. Summary: For the reasons set out above, GPCC objects to this application as submitted and asks that it be refused.

Historic Environment Scotland

Thank you for your consultation which we received on 08 January 2020. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:

Ref LB28106 SM90129 SM13032

Name Peffermill House Craigmillar Castle, castle and gardens Holyrood Park

Designation Type Listed Building Scheduled Monument Scheduled Monument

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 have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments 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.englished.org.

Please contact us if you have any questions about this response. The officer managing this case is Tom Gardner who can be contacted by phone on 0131 668 8835 or by email on tom.gardner@hes.scot.

Natural Environment

The site has been assessed for habitats and species, as a result of the findings of these assessments, I make the following recommendations.

Otter: A preconstruction survey for otters should be undertaken to determine the use of the otter holt identified and therefore any licence requirements.

Bat: No bats were found to be roosting in the buildings surveyed however it is considered highly likely they are roosting in the Caretakers House. however this is not a constraint to development. Recommendations are made:

- o Within the design of the new development, the tree identified as having bat roost potential is retained along with the vegetated boundaries. If possible, these areas should be enhanced through appropriate planting of a range of ground, understory and trees. The 2012 Bat Conservation Trust guidance maybe of use when choosing species (Bat Conservation Trust, 2012).*

- o Following best practice guidance (Bat Conservation Trust, 2011, 2014), the design of the new residential development and its associated lighting in proximity to the Caretaker's House should be done sympathetically with regards to bat species. All bats are affected by lighting of commuting and foraging areas. While these areas (the linear areas of vegetation and tree lines) on site are currently not completely dark, the design should seek to minimise lighting and should not increase levels over those currently experienced.*

Badger: A preconstruction survey for badgers should be undertaken to determine the use of the badger setts and therefore any licence requirements.

Breeding Birds: All scrub and vegetation clearance should be undertaken out-with the bird breeding season (March to August inclusive). If vegetation clearance within the bird breeding season cannot be avoided, checks for nesting birds will be necessary to locate any active nests. An exclusion zone should be marked around any active nests and work should not resume until it has been confirmed by a suitable person that birds are no longer nesting in the exclusion zone.

Invasive Non Native Species (INNS): There are INNS in the area of the development. Therefore, in-order to protect the nature conservation value of the site, in particular the water courses, a Method Statement for the control of INNS, should be submitted prior to development commencing site.

Biodiversity Enhancements: This development has the potential to enhance the site for biodiversity with the inclusion of features such as bat and swift bricks and green/ blue roofs. This would be in accordance with policy Des 3, the Edinburgh Design Guidance and Edinburgh Biodiversity Action Plan 2019-21 and should be given due consideration as part of the scheme design.

Condition: Construction Environmental Management Plan (CEMP)

In order to ensure that all the above matters are given due consideration, I would advise that a condition requiring the submission of a CEMP is included with nay consent given:

No development shall take place until a construction environmental management plan, relating to biodiversity (CEMP:biodiversity), has been submitted to and approved in writing by the planning authority.

The CEMP (biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of "biodiversity protection zones".*
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.*
- d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) The times during construction when specialist ecologist need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*
- g) The role and responsibilities on site of ecological clerk of works (ECoW) or similar competent person.*
- h) The use of protective fences, exclusion barriers and warning signs.*

Network Rail

Thank you for consulting Network Rail regarding the above development.

Whilst Network Rail has no objections in principle to the development, due to its close proximity to the operational railway, we would request that the following matters are taken into account, and if necessary and appropriate included as advisory notes, if granting the application:

Uncontrolled drainage towards the railway may have a direct impact on the reliability and frequency of the rail transport in your area.

o All surface or foul water arising from the development must be collected and diverted away from Network Rail Property. (Any Sustainable Urban Drainage Scheme should not be sited within 5 metres of railway infrastructure and should be designed with long term maintenance plans which meet the needs of the development).

All construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

o Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, see contact details below:

*Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW
Tel: 0141 555 4352
E-mail: AssetProtectionScotland@networkrail.co.uk*

We trust full cognisance will be taken of these comments. We would be grateful if Local Planning Authorities would provide a copy of the Decision Notice.

Scottish Water

Scottish Water has no objection to this planning application; however, the applicant should

be aware that this does not confirm that the proposed development can currently be serviced

and would advise the following:

Water

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

Foul

- This proposed development will be serviced by EDINBURGH PFI Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website at the following link [www.scottishwater.co.uk/business/connections/connecting-your-property/newdevelopment-](http://www.scottishwater.co.uk/business/connections/connecting-your-property/newdevelopment-process-and-applications-forms/pre-development-application)

process-and-applications-forms/pre-development-application

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

Infrastructure within boundary

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

The applicant must identify any potential conflicts with Scottish Water assets and contact our

Asset Impact Team directly at service.relocation@scottishwater.co.uk.

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

Scottish Water Disclaimer

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon . When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection

for brownfield sites only, however this will require significant justification taking account of

various factors including legal, physical, and technical challenges. However it may still be

deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

In order to avoid costs and delays where a surface water discharge to our combined sewer

system is proposed, the developer should contact Scottish Water at the earliest opportunity

with strong evidence to support the intended drainage plan prior to making a connection

request. We will assess this evidence in a robust manner and provide a decision that reflects

the best option from environmental and customer perspectives.

General notes:

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

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

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

pressure in the area then they should write to the Customer Connections department at the above address.

- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-yourproperty/new-development-process-and-applications-forms>

Next Steps:

- Single Property/Less than 10 dwellings

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- 10 or more domestic dwellings:

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- Non Domestic/Commercial Property:

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

- Trade Effluent Discharge from Non Dom Property:

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email

TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/ourservices/>

compliance/trade-effluent/trade-effluent-documents/trade-effluent-noticeform-h
Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at planningconsultations@scottishwater.co.uk.

SEPA

12 February 2020 - First Response

Thank you for your consultation email which SEPA received on 09 January 2020.

We previously offered advice on the proposed development at pre application stage (emails dated 17 December 2018 (PCS/162409), 09 August 2019 (PCS/166352) and letter dated 23 August 2019 (PCS/166352). At that time, given the intention to develop the student residences behind the Braid Burn Flood Protection Scheme (FPS), we highlighted our position on development protected by a FPS. In line with our guidance, if developing a use which is highly vulnerable to the effects of flooding (such as student residences) behind a FPS then this must be protected to a 200 year plus climate change standard of protection. As previously advised, and set out in our recent climate change allowances for FRA guidance, we generally expect a 20% allowance for climate change.

We have considered the planning application, including the Flood Risk Assessment (dated October 2019) prepared by Kaya Consulting Ltd, and require additional flood risk information to assess the appropriateness of siting the student residence behind the FPS. We therefore object on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy and Policy Env 21 Flood Protection of the Edinburgh Local Development Plan. We will review our objection if the issues detailed in Section 1 below are adequately addressed. We also recommend you consult with your flood risk management colleagues regarding the planning application.

In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

Advice for the planning authority

1. Flood Risk

1.1 In summary, we wish to receive clarification on the following points before we consider removing our objection to the planning application:

- The FRA and hydraulic modelling are updated to exclude the embankment along the Pow Burn. The student accommodation should be located outwith the 1 in 200 year functional floodplain;
- Further information on the accuracy of the LiDAR data in this area compared to topographic level information;
- The mass balance error and Manning's *n* values provided for the 2D domain; and
- The standard model parameters that have been used for the 2D domain.

1.2 We have considered the proposals and note that the redevelopment of playing fields are located within the functional floodplain of the Braid Burn. This element of the development is classed as a water compatible use, as set out in our Flood Risk and Land Use Vulnerability Guidance, and therefore are appropriate to be located here. The sports facilities are located outwith the functional floodplain but are behind the Braid Burn FPS. As this is considered to be a least vulnerable use, and we understand that the FPS to have at least a 1 in 200 year standard of protection (SOP) and a downstream overspill level, we have no objection to the proposed location of the sports centre.

1.3 Student residences are proposed within the south western corner of the site, to the north of the Pow Burn. As this introduces overnight accommodation onto the site a Flood Risk Assessment (FRA) (dated October 2019) has been undertaken in support of the application.

1.4 The Braid Burn FPS includes an embankment to the north of the Pow Burn, which is located to the south of the proposed development site. The FRA indicates that the SOP of the FPS is 1 in 200 year plus 12% climate change. As set out in our position on development protected by a FPS, we require a minimum of 1 in 200 year plus climate change SOP for highly vulnerable uses and we generally expect a 20% allowance for climate change. The SOP provided by the current scheme is insufficient. Therefore, for us to be satisfied the development is not at flood risk, we request that the FRA and hydraulic modelling is updated to exclude the embankment along the Pow Burn. The student residences should be located outwith the 1 in 200 year functional floodplain, which may require a modification of the development layout. We would also note that flood schemes are primarily built to protect existing development from flood risk rather than to facilitate new development. Flood schemes can still overtop, fail, or be breached and subsequent flooding can be more hazardous in nature due to the rate of onset and velocity of inundation.

1.5 It is stated within section 4.1 of the FRA that the Liberton Gauging Station data was not fit for use at this time. Therefore, flows for the Braid Burn were based of the hydrological assessment made within the Braid Burn FPS. The final design flow used within this FRA has not been detailed and we would have expected to have seen this. We are satisfied with the decision to look at an alternative to using Liberton Gauge data. However, we have concerns with regards to the use of the Braid Burn FPS design flows as we believe these were also based on this gauging station data. As described within the FRA an overspill, over Peffermill Road, is at a level of 44.5mAOD. Due to this overspill level on the Braid Burn the student residences finished floor levels are set above this level, we are satisfied there is no risk from the Braid Burn.

1.6 Hydrological analysis of the Pow Burn has been undertaken separately by a modelling study undertaken by Caley Water within Infoworks ICM. This assessment

looked at the Scottish Water sewer model within the Pow Burn catchment. It states within the FRA that the Caley Water report is available within Appendix B. This has not been submitted to SEPA. Upstream of the site it has been shown that there are two inflows to the Pow Burn from Scottish Water network. The first is from the Jordon Burn/Pow Burn which discharges flows within the Morningside area of Edinburgh and discharges into an open channel upstream of the Cameron Toll Roundabout. The second is a discharge at the Cameron Toll roundabout from the Dalkeith road, draining from the Commonwealth Pool area. A range of storms were simulated based on FEH13 parameters, which we support the use of, and were developed for a return period of 200 year and a climate change uplifts of 20% and 35%. The overland flows from the contributing catchment, Dalkeith Road culvert inflow and the Jordon Burn/Pow Burn inflows were totalled to give a 1 in 200 year design flow estimate of 7.06m³/s. Unfortunately, due to the methodology used in determining these estimates design flows we are unable to comment on the results given and can only base our response on the accuracy and information supplied within the FRA.

1.7 LiDAR data was used for the 2D domain within the hydraulic model. We request further information on the accuracy of the LiDAR data in this area compared to topographic level information. We also request the mass balance error and Manning's *n* values provided for the 2D domain. It is also stated that standard model parameters have been used for the 2D domain. We request this information.

1.8 Figure 12 shows the predicted 1 in 200 year flood extent along the Pow Burn. This indicates that the site is not at risk during a 1 in 200 year event with the current FPS in place. The flood mechanism shown indicates that the channel upstream of the Cameron Toll roundabout is under capacity and therefore out of bank flooding occurs. This then spills onto the roundabout and heads southwards away from the proposed development site. We would highlight that if the council decide to upsize the culverts underneath Cameron Toll roundabout the proposed development site may be put at risk of flooding during the 1 in 200 year event. Should the council consider upsizing the culverts underneath Cameron Toll roundabout the site has the potential to be used to provide flood storage to mitigate flood risk to existing properties to the south of the proposed development and downstream. In summary, should planning approval be granted for the application the opportunity to reduce flood risk to existing nearby properties will be lost.

1.9 Figure 13 shows the 1 in 200 year plus climate change flood extent within the site from the Pow Burn. It is detailed that this flooding on site occurs due to the increased flow under Cameron Bridge. It is proposed to lower the ground level of the hockey pitch to the east of the student residences to contain the additional flows during a climate change event. It is unknown whether lowering the sports pitches for use as flood storage is a sustainable solution as there may be consequences for the effective drainage of the sports pitches.

1.10 In summary, the student residences finished floor level is a significant height difference above the overspill level for the Braid Burn and is therefore at little flood risk from this source. To the south of the proposed student residences lies the Pow Burn and an embankment, which is a part of the Braid Burn FPS. It is stated that this scheme has a SOP of 1 in 200 year plus 12% climate change. We require a minimum of 1 in 200 year plus 20% climate change to allow the proposed student residences to be located behind the FPS. Therefore, we request the FRA and hydraulic model is updated to exclude the Pow Burn embankment from the model to understand the area of potential flood risk. All built development should be located outwith the 1 in 200 year functional floodplain.

1.11 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 Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/planning/flood_risk.aspx.

2. Air Quality

2.1 The local authority is the responsible authority for local air quality management under the Environment Act 1995 and therefore recommend that your Environmental Health colleagues are consulted. They can advise on the need for this development proposal to be assessed alongside other developments that could contribute to an increase in road traffic. They can also advise on potential impacts such as exacerbation of local air pollution, noise and nuisance issues and cumulative impacts of all development in the local area. Further guidance regarding these issues is provided on the Scottish Government's Planning website entitled Air Quality and Land Use Planning.

Detailed advice for the applicant

You will note that we have objected to this planning application and recommend that you take account of the advice and requirements detailed above. You should also take cognisance of the advice below.

3. Surface Water Drainage

3.1 We understand surface water from the student residences will discharge to the Pow Burn (Drainage Strategy & Surface Water Management Plan by Etive Consulting Engineers dated December 2019) and surface water associated with the sports centre will discharge to the Braid Burn, Pow Burn and combined public sewer (Drainage Statement by Engenuiti dated December 2019).

3.2 The discharge of surface water to the water environment must be in accordance with the principles of the SUDS Manual (C753) and comply with the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR). Further information on this matter can be found on our website and our CAR Practical Guide. The design of the drainage system must be site specific and dependent upon the contaminants at the site, the remediation strategy and the risks posed by any residual contamination, in addition to the normal design considerations.

3.3 We note that the discharges points to the Pow Burn from the tennis hall and student residences are to be routed through the bunds associated with the FPS. We recommend you engage with the flood risk management authority to ensure these can be accommodated without compromising the operation of the FPS.

3.4 We also recommend you engage with Scottish Water regarding the proposed surface water discharge to the combined sewer.

4. Foul Water Drainage

4.1 We understand that foul drainage from the student residences will discharge directly to the public combined sewer and the buildings associated with the sports centre will connect to existing private foul sewer (which is already connected to the public sewer). We recommend you liaise with Scottish Water to ensure that the additional flow arising from this development can be accommodated in the sewer network without causing or contributing to the premature operation of consented storm overflows.

5. Pollution Prevention and Environmental Management

5.1 Construction works must be carried out with regard to the guidelines on avoidance of pollution. Reference should be made to the relevant Guidance for Pollution Prevention (GPPs) Notes, which are available via our website, and to the CIRIA publication C715 "Environmental Good Practice On Site - Pocket Book".

5.2 You should be aware that a construction site licence under CAR may be required for the management of surface water run-off from the construction site. These apply to sites 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

5.3 Given the overall size of the site, it is likely that a construction site licence will be required. We therefore recommend that you engage in pre-CAR discussions with a member of our regulatory function (contact details in Section 9.1 below). Further information is available on this in our Sector Specific Guidance: Construction Sites (WAT-SG-75) and on our construction site licence webpage.

5.4 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.

6. Waste Management

6.1 Any waste materials imported to the site during construction must be stored and used only in accordance with a waste management licence or exemption under the Waste Management Licensing (Scotland) Regulations 2011. Similarly, any waste materials removed from the site must be disposed of at a suitably licensed or exempt waste management facility in accordance with these Regulations. The applicant should also be fully aware of the relevant requirements relating to the transport of controlled waste by registered carriers and the furnishing and keeping of duty of care waste transfer notes.

7. Invasive Non-Native Species (INNS)

7.1 We the Ecological Appraisal (dated November 2018) has identified the presence of INNS on site. Any INNS present on site must be managed in line with our guidance. SEPA Waste Policy provides guidance on the disposal of invasive non-native species and contaminated soils. Further information on invasive non-native species is available on our website.

8. Flood Risk

8.1 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/flooding/flood_maps.aspx.

8.2 We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from www.sepa.org.uk/flooding/planning_flooding.aspx. Please note that this document should be read in conjunction with Policy 41 (Part 2).

8.3 Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to

complete and will assist our review process. It can be downloaded from www.sepa.org.uk/flooding/planning_flooding/fra_checklist.aspx.

8.4 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.

Regulatory advice for the applicant

9. Regulatory requirements

9.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at Edinburgh Office, Silvan House, 231 Corstorphine Road, Edinburgh EH12 7AT (Tel: 0131 449 7296).

If you have any queries relating to this letter please contact me by telephone on 01738 448 155 or e-mail at planning.se@sepa.org.uk.

7 May 2020 - Second Response

Thank you for approaching SEPA for further flood risk advice on 15 April 2020 following receipt of the letter report (dated 01 April 2020) from Kaya Consulting Ltd.

We have previously highlighted (emails dated 17 December 2018 (PCS/162409), 09 August 2019 (PCS/166352) and letter dated 23 August 2019 (PCS/166352)) our position on development protected by a Flood Protection Scheme (FPS) given the given the intention to develop student residences behind the Braid Burn FPS. If developing a use which is highly vulnerable to the effects of flooding (such as student residences) behind a FPS then this must be protected to a 200 year plus climate change standard of protection (SOP). As previously advised, and set out in our recent climate change allowances for FRA guidance, we generally expect a 20% allowance for climate change in these circumstances.

In our response dated 12 February 2020 (PCS/169431) we confirmed we had no concerns with the redevelopment of the playing fields and proposed location of the sports centre but requested more information to assess the appropriateness of siting the student residence behind the FPS. We have considered the letter from Kaya Consulting Ltd and understand that the SOP offered by the Braid Burn FPS is not 1 in 200 year plus climate change. Therefore, in line with the avoidance principle, we require a modification to the layout of the student residences to either avoid the 1 in 200 year flood extent without the bund, as shown in Figure 1 of the letter, or the 1 in 200 year plus 20% climate change with the bund in place.

We therefore maintain our objection to the planning application on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy, our guidance and Policy Env 21 Flood Protection of the Edinburgh Local Development Plan. We will review our objection if the issues detailed in Section 1 below are adequately addressed.

In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish

Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction

Advice for the planning authority

1. Flood Risk

1.1 In summary, we require clarification on the following points before we would consider removing our objection to the proposed development:

- Student residences are outwith either; the 1 in 200 year flood extent without the bund, as shown in Figure 1 of the letter, or the 1 in 200 year plus 20% climate change with the bund in place. For either option there should be no modifications to existing ground levels within the flood extent.

1.2 We previously commented on this application on the 12 of February 2020. We objected and requested the following:

- The Flood Risk Assessment and hydraulic modelling are updated to exclude the embankment along the Pow Burn. The student accommodation should be located outwith the 1 in 200 year functional floodplain,

- Further information on the accuracy of the LiDAR data in this area compared to topographic level information,

- The mass balance error and Manning's n values provided for the 2D domain, and

- The standard model parameters that have been used for the 2D domain.

1.3 Following review of the letter from Kaya Consulting Ltd (dated 01 April 2020) we accept the use of LiDAR DTM data within the hydraulic model as it has now been demonstrated that this data set is within acceptable limits for the proposed 2D domain.

1.4 We accept the Manning's n roughness values used within the 2D domain and the resulting mass balance error. We also accept the standard model parameters used within the 2D hydraulic model domain.

1.5 Hydraulic modelling has been undertaken to demonstrate the 1 in 200 year flood extent with the FPS removed, shown in Figure 1 within the letter. It is stated that the SOP of the scheme is not to a 1 in 200 year plus climate change as originally built. As previously stated we require a minimum of 1 in 200 year plus 20% climate change. Therefore, we request that the proposed development is either; outwith the 1 in 200 year flood extent without the FPS as shown within Figure 1 of the letter, or the proposed development is outwith the 1 in 200 year plus 20% climate change flood extent with the FPS in place along the Pow Burn. In either scenario there should be no modification to existing ground levels within the flood extent used. This should then be used to inform development layout.

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

Caveats & Additional Information for the Applicant

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

1.8 We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments. Please note that this document should be read in conjunction with Policy 41 (Part 2).

1.9 Our Flood Risk Assessment Checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process.

1.10 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.

If you have any queries relating to this letter, please contact me by e-mail at planning.se@sepa.org.uk.

23 June 2020 - Third Response

Thank you for your letter dated 22 May 2020 in response to our recent representation to the City of Edinburgh Council regarding the above planning application (dated 07 May 2020). We note this sets out a proposed strategy to enable the development of the student residences behind the Braid Burn Flood Protection Scheme (FPS), within which you have raised a number of points to which we respond in turn below.

FPSs can reduce flood risk but cannot eliminate it entirely (Scottish Government Online Planning Advice on Flood Risk, para 21) and their primary purpose is to protect existing development. For this reason the policy principle of avoidance should be promoted for any proposed new development in areas protected by such schemes, even those designed to the appropriate standard. As set out in our guidance, and advised since pre application stage, we will not object to development in these areas where a scheme is built to the minimum appropriate standard for the land use vulnerability category of the proposed development (in this instance 1 in 200 year plus a 20% allowance for climate change). Additionally, the protection offered by schemes diminishes over time and the predicted effects of climate change, as set out in your letter, can have an impact on the standard of protection of a FPS over its lifetime too. Schemes also have a finite design life, which may not be in alignment with that of the proposed development.

The proposal to raise the existing FPS level to improve the standard of protection it offers is a measure that, if it is to be considered formal to meet with our current guidance, must be brought forward through the relevant legislation as part of the established Flood Risk Management Planning process. This option should be explored with The City of Edinburgh Council in the first instance to understand the extent to which the existing scheme is capable of being modified and the appetite of the local authority to undertake such a project.

As indicated above, the primary purpose of a FPS is to protect existing development and so that should be the key driver in any proposals to improve the standard of protection of this scheme. We agree that the ability to modify FPSs to take account of future climate change uncertainty is consistent with the managed adaptive approach, which we actively encourage with regard to flood risk management measures.

We do not support land raising behind the FPS as this does not align with the avoidance principle. Furthermore, in some instances, landraising behind a scheme may only serve to exacerbate local ponding of surface flood water/ diversion of surface flood water, increasing flood risk elsewhere.

We therefore maintain our objection to the planning application on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy, our guidance and Policy Env 21 Flood Protection of the Edinburgh Local Development Plan. We will review this objection if the development is modified to ensure the layout of the student residences either avoids the 1 in 200 year flood extent without the bund, as shown in Figure 1 of your letter dated 01 April 2020, or the 1 in 200 year plus 20% climate change with the bund in place. There should be no modification to ground levels within the flood extents shown by the scenario that you propose to use to inform the site layout.

As highlighted by the example in your letter, if the planning authority proposes to grant planning permission contrary to our advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases.

If you have any queries relating to this please contact us by e-mail at planning.se@sepa.org.uk.

Sport Scotland

7 May 2020 - First Response

I refer to the planning consultation dated 17th April 2020, and also to previous correspondence in regard to this application.

I had previously set out some concerns that, whilst the overall sporting capacity of the site will increase due to new facilities including additional synthetic surfaces; this is focussed on hockey, and it appears that there is or may be a loss in provision for football, rugby, lacrosse and cricket.

I asked for information around how playing capacity will be retained or improved, and whether there have been discussions with the user groups (University and Community), and if so; the views of those users.

I was not able to speak to the agents, however I see in the 'Response to Consultations' document now submitted; that the above Governing Bodies for football, ruby and lacrosse (amongst others), as well as the Club's University teams, including cricket, have been consulted. The document advises that, "the responses to our proposals have been universally welcomed; save one mitigated reaction from cricket."

On this basis it is my understanding that the user groups of the site are amenable to the proposals. In our statutory consultee role we must consider playing capacity. To do this and to ensure that no user groups are prejudiced; I request that the 2 following conditions be attached to any approval of planning permission (I would note that the basis of our non-objection is the imposition of these 2 conditions):

1. No development shall commence until details have been submitted to and approved by the Council as planning authority in consultation with sportscotland for a scheme to support EUCC (men and women) in relocating their practices and games to one or more local cricket facilities.

Reason: In the interests of maintaining playing capacity and access to sports facilities for all user groups.

2. No development shall commence until details have been submitted to and approved by the Council as planning authority in consultation with sportscotland for a scheme; with timings; to deliver all facilities marked "Future pitches and sports facilities" on drawing 4418(PL)003 B. This scheme shall thereafter be adhered to.

Reason: In the interests of maintaining playing capacity and access to sports facilities for all user groups.

16 July 2020

Further to our recent discussions and emails about this planning application; I note that you have concerns about our suggested planning condition - copied below:

1. No development shall commence until details have been submitted to and approved by the Council as planning authority in consultation with sportscotland for a scheme to support EUCC (men and women) in relocating their practices and games to one or more local cricket facilities.

Reason: In the interests of maintaining playing capacity and access to sports facilities for all user groups.

I note your concern that this condition may go beyond planning's remit and ultimately cannot be enforced. You commented that a sports field is a class 11 use regardless of what particular sport is being played on it.

In response; we previously noted that we have been consulted in relation to development affecting an outdoor sports facility. We noted that artificial surfaces do not always offer the same flexibility (as regards users) as grass playing fields; and in this case a grass area which accommodates cricket use will no longer be available. We consider that given the construction of a synthetic pitch is generally classed as development, that the impact on how the area is currently used or could be used is something that should be considered.

We also note that development within the one Use Class can be controlled through the planning system - for example restriction of householder permitted development rights; or restricting types of retail.

We remain of the view that this issue can be considered through the planning system; although we do recognise this particular scenario is unusual.

However it has proved difficult to have further discussions with other parties at the present time; and in this instance we feel we may be able to discuss cricket position directly with the University of Edinburgh.

As a result; we accept if this condition is not attached to any grant of planning permission.

We do however suggest that some form of assessment regarding supply and demand for cricket is undertaken to consider whether there is sufficient provision for cricket in this area of Edinburgh; given the SPP policy presumption against loss of outdoor sports facilities.

We would also restate our opinion that differing uses for sports grounds can be addressed through the planning system and we do not consider that our response to this planning application should or will prejudice our approach to any future planning applications.

Transport

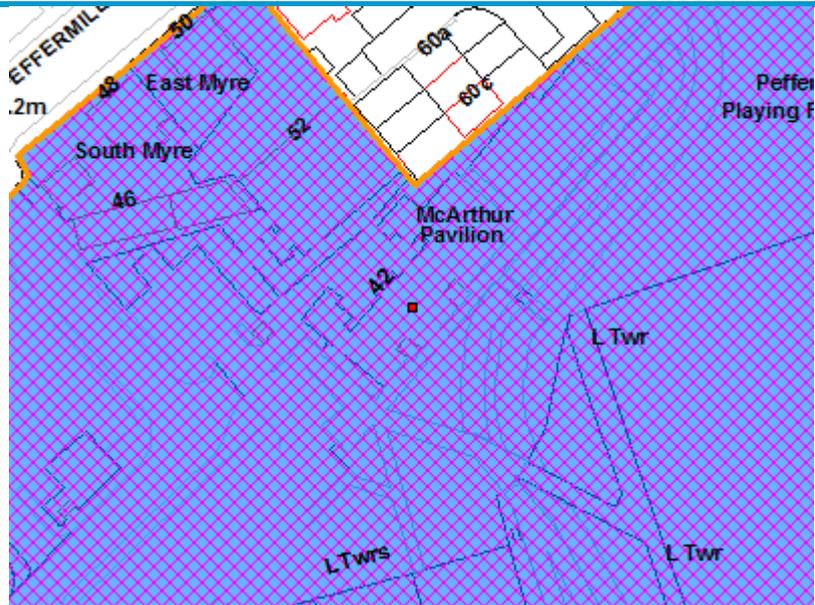
No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. The applicant should consider the provision of car club vehicles in support of the Council's LTS Cars1 policy. A contribution of 1,500 per order plus £5,500 per car would be required;*
- 2. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*
- 3. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.*
- 4. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.*

Note:

- o Other than 6 disabled spaces, zero car parking provision will be made for the 573 bed student accommodation;*
- o A total of 575 cycle parking spaces will be provided across the site;*
- o A total of 191 car parking spaces will be provided for the sports facility, an additional 45 spaces, 34%, on the existing 146 spaces. This is considered acceptable in the light of the approximately 100% increase in hours of play and the desire to avoid overspill parking on Peffermill Road;*
- o The 191 spaces include 12 spaces for disabled drivers and 10 electric charging spaces;*
- o 7 coach spaces and 6 motorcycle spaces are to be provided.*

Location Plan



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