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**Decision date: 3 September 2020**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS  
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Planning permission is sought to demolish existing buildings and redevelop the site for mixed, predominantly residential use, with flatted development and retail floor space. At 52 Saughton Mains Gardens Edinburgh EH11 3QE

**Application No:** 20/01318/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 27 March 2020, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

**Reasons:-**

1. The proposal is contrary to LDP Policy Des 2 a) Co-ordinated Development and Edinburgh Design Guidance, in that it has failed to satisfactorily consider the effective development of the adjacent land and regeneration of the wider site as part of a coordinated design and development proposal.
2. The proposal is contrary to LDP Policies Des 1 Design Quality and Context, in that it has not been demonstrated that the development will create or contribute towards a sense of place. The proposed design has not been based on an overall concept that draws upon the positive character of the surrounding area.

3. The proposal would be contrary to LDP Policy Des 4 - Development Design - Impact upon Setting, parts a) b) c) and d) and the Edinburgh Design Guidance by virtue of the proposed height and form, scale and proportions, position of buildings on the site and materials and detailing. The proposal would not result in a positive impact to the surroundings and has not sought to draw upon the positive characteristics of the locality and wider townscape.

4. The proposal would be contrary to LDP Policy Des 7 a) and Des 8, Public Realm and Landscape Design and the Edinburgh Design Guidance in that the proposed design has not demonstrated a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces and services. The proposal has failed to consider the planting of trees to provide a setting for buildings, boundaries and road sides and create a robust landscape structure, as stipulated through LDP Policy Des 8 c).

5. The proposal would be contrary to LDP Policy Hou 4 a) and b) Housing Density and the Edinburgh Design Guidance in that the design and development concept has not adequately considered the characteristics of the surrounding area nor would it result in an attractive residential environment and safeguard living conditions within the development.

6. The proposal is contrary to LDP Policy Hou 3 a) and the Edinburgh Design Guidance in that the proposals do not make adequate provision for private greenspace and would fail to achieve a standard of 10 square metres per flat. The location, quality and detail of the various spaces is inadequate for the scale and nature of the proposed development.

7. The proposal is contrary to LDP Policies Hou 2, Hou 6 and Edinburgh Design Guidance in that it has not been demonstrated through an Affordable Housing Statement that the requirements of the Council's Affordable Housing Policy have been fully addressed, that the homes have been designed to RSL standards and requirements or that the proposed house types will meet a range of housing needs, including those of families, older people and people with special needs and having regard to the character of the area and its accessibility.

8. The proposal is contrary to LDP Policy Des 5 a) and Edinburgh Design Guidance in that it has not been demonstrated that future occupiers will have acceptable levels of amenity in relation to noise, daylight, sunlight and immediate outlook. The proposals do not address requirements of the Edinburgh Design Guidance in relation to the proportion of single aspect flats. No Noise Assessment has been provided to demonstrate impacts arising from the proposed commercial retail premises at ground floor level and other potential noise sources.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-02, 03A-07A, 08B, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The principle of housing development and redevelopment of the existing retail space as part of a mixed use scheme would be acceptable in principle.

However, this application has not been promoted as part of a coordinated development proposal which fully considers adjacent areas of land. Given the poor environmental quality of the application site and its immediate surroundings, this location could benefit from a more comprehensive approach to design and placemaking and this was not explored through pre-application discussions.

The proposal represents a poor quality design response to the site and local context, by virtue of its siting, layout, height, form, scale, proportions, material finishes, architectural detailing, design of private greenspace, public realm and landscaping. There are concerns regarding the quality of amenity for future residents including the large proportion of single aspect flats, level and nature of private greenspace and operation of commercial retail space at ground floor level.

The design proposals are weakly developed detail for a scheme of this scale and nature. A Noise Assessment and Affordable Housing Statement have not been provided and given the broader issues relating to design, amended information has not been requested from the applicant.

The proposal fails to meet relevant policy requirements of the Local Development Plan and Edinburgh Design Guidance.

It is recommended the application be Refused. There are no material considerations which outweigh this conclusion.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Francis Newton directly at [francis.newton@edinburgh.gov.uk](mailto:francis.newton@edinburgh.gov.uk).

*D R Leech*

**Chief Planning Officer**

**PLACE**

**The City of Edinburgh Council**

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at [www.eplanning.scot](http://www.eplanning.scot) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

**Application for Planning Permission 20/01318/FUL  
At 52 Saughton Mains Gardens, Edinburgh, EH11 3QE  
Planning permission is sought to demolish existing  
buildings and redevelop the site for mixed, predominantly  
residential use, with flatted development and retail floor  
space.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	20/01318/FUL
<b>Wards</b>	B07 - Sighthill/Gorgie

## Summary

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The principle of housing development and redevelopment of the existing retail space as part of a mixed use scheme would be acceptable in principle.

However, this application has not been promoted as part of a coordinated development proposal which fully considers adjacent areas of land. Given the poor environmental quality of the application site and its immediate surroundings, this location could benefit from a more comprehensive approach to design and placemaking and this was not explored through pre-application discussions.

The proposal represents a poor quality design response to the site and local context, by virtue of its siting, layout, height, form, scale, proportions, material finishes, architectural detailing, design of private greenspace, public realm and landscaping. There are concerns regarding the quality of amenity for future residents including the large proportion of single aspect flats, level and nature of private greenspace and operation of commercial retail space at ground floor level.

The design proposals are weakly developed detail for a scheme of this scale and nature. A Noise Assessment and Affordable Housing Statement have not been provided and given the broader issues relating to design, amended information has not been requested from the applicant.

The proposal fails to meet relevant policy requirements of the Local Development Plan and Edinburgh Design Guidance.

It is recommended the application be Refused. There are no material considerations which outweigh this conclusion.

### Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDEL01, LDES01, LDES02, LDES04, LDES05, LDES06, LDES07, LDES08, LDES13, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LRET06, LRET11, LTRA02, LTRA03, LTRA04, NSGD02, NSHAFF,
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# Report of handling

## Recommendations

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

## Background

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### 2.1 Site description

The application site is situated in a predominately residential area located approximately 250 metres north of Calder Road.

The application site (0.37 hectares) is bounded by Saughton Mains Gardens to the north and south, with a crescent lying to the east. An unused surface car park and public house with function suite, currently vacant, are situated to the west.

The site is occupied by 5 retail units (total floorspace 935 square metres) this forming a small neighbourhood shopping precinct. The buildings, dating from the 1960's, are flat roofed, single storey with retail frontages oriented towards a walkway lying to the west. Three of the units, including the larger unit to the north are currently vacant. The two remaining units are occupied by a convenience store and hot food takeaway.

The site includes service access with surface parking to the rear of retail units. An area of open space defined by the crescent lies immediately to the east. A sub-station is located to the south west corner of the site, this separated from the pedestrian precinct by low sections of retaining wall. To the west, the application boundary also includes the eastern half of the disused surface car park, this contained by various areas of grassy verge.

The topography of the site rises towards the south eastern corner, resulting in level difference of approximately 2 metres from the northern and eastern site edges.

The site is located within an area of low rise suburban housing - this was originally developed as Council housing from the 1950's although many of these properties have been subject of modern refurbishment. Many of the front curtilages to these properties are defined by hedgerows with Saughton Mains Avenue to the north and south lined by street trees.

Since the Millennium, infill development including 2-3 storey suburban housing has been erected to the west of the site. A further 2-3 storey residential scheme has been developed at Saughton Mains Bank lying to the east.

### 2.2 Site History

Various historic applications for the existing retail units including changes of use, minor works, advertisement consents and certificates of lawfulness.

## Main report

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### 3.1 Description Of The Proposal

#### Scheme 2

The application proposes the redevelopment of the existing retail units with a mixed, predominantly residential development, this comprising 38 flatted units with 3 commercial units situated at ground floor level at the south west corner of the site.

The proposed building footprint would broadly be defined by the extents of the existing buildings to the north and south, the existing car park and service area to the east, with the precinct walkway defining the western edge. The sub-station, sections of retaining wall, grassy verge and car parking would be retained as existing.

The development would comprise a single block, this being broadly 'U' shaped in configuration, occupying maximum extents of 38 x 39 metres.

The block would be predominantly 4 storey to the east and west, with localised 2 and 3 storey elements to the centre. The higher parts of the development would be separated by a proposed roof terrace at second floor level. The principal roof areas would comprise a mix of flat roof and mono pitch sections, these featuring splayed wall heads to a maximum 13.3 metres height. Other parts of the development would range from 11.2 metres (4 storey) to 6.7 metres (2 storey) in height. Photo voltaic panels would be installed to the south facing mono pitch and flat roof areas, these partially contained by the wall head features. Existing site levels to the south west corner of the site, including that of the existing precinct would be lowered to create a larger development platform.

Of the proposed 38 residential units, 29 are identified as private with 9 units for Housing Association. These would be composed of:-

12 x 1 bedroom (5 x Housing Association)  
23 x 2 bedroom (4 x Housing Association)  
3 x 3 bedroom

The proposed accommodation would be arranged around two entrances and stair cores, one from the amenity space to the south west corner and a second being accessed via the walkway situated to the west.

In terms of open space provision, an area of private greenspace (200 square metres) would be situated to the south west corner of the site, this enclosed by wall/railings. A communal roof terrace is identified at second floor level (240 square metres). The application site also includes the existing crescent shaped area of publicly accessible open space to the east, this comprising mown grassland.

Dedicated parking provision (13 spaces) would be provided within the eastern section of the existing car park situated to the west. Three internal cycle stores (79 spaces) and

waste storage area are identified at ground floor level. Amended plans show additional waste storage situated at the main entrance to the south

The proposed commercial floorspace would comprise 3 units x 80 square metres (240 square metres). Information supplied as part of the application, indicates that two of the units would be deemed to be Class 1 - Shops. The third unit would operate as a Hot Food Takeaway (Sui Generis). These premises would be oriented towards the crescent open space lying to the east, with service access from the proposed walkway and open space situated to the rear.

The elevations identify two tone brick façades, of red and buff. Fibre cement infill panels and ceramic tiling are identified to the shopfronts. Other than porous block paving to the perimeters, minimal further detail on material finishes and treatments, including landscaping and public realm has been provided.

Subsequent amendments have been supplied by the applicant in relation to waste, cycle and motorcycle storage, a ramped access linking the walkway with the car parking area, design of the rooftop flue and window specification to the west elevation. Further information also provided in respect of drainage including a surface water management plan.

### Scheme 1

As above, prior to amendments being supplied.

## **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, it needs to be considered whether:

- a) The principle of development is acceptable;
- b) The proposal would result in coordinated development;
- c) The proposal would achieve an acceptable quality of design;
- d) The proposal would achieve appropriate levels of open space and landscaping;

- e) The proposal raises issues in respect of transport, including parking and road safety;
- f) The proposal would address requirements of housing policy and guidance, including the Council's affordable housing policy;
- g) The proposal would result in acceptable standard of amenity for future residents;
- h) The proposals would be detrimental to the amenity of neighbours;
- i) The proposed arrangements for waste storage and collection are acceptable;
- j) The proposals raise issues in respect of flooding and drainage;
- k) The proposals raise issues in relation to archaeology;
- l) The proposals raise requirements in respect of developer contributions;
- m) The proposals address issues raised in representations.

### **a) Principle of Development**

The site is designated in the Local Development Plan as Urban Area.

The application identifies the redevelopment of the site for mixed use. This would be predominantly residential with an element of commercial use at ground floor level, this situated to the south east corner of the site.

The proposed commercial floorspace would comprise 3 units x 80 square metres (240 square metres). Information supplied as part of the application, indicates that two of the units would be deemed to be Class 1 'Shops'. The third unit would operate as a Hot Food Takeaway (Sui Generis).

The principle of these proposed uses are assessed as follows:-

#### Housing

LDP Policy Hou 1, Housing Development states that priority will be given to the delivery of the housing land on d) on other suitable sites in the urban area, provided proposals are compatible with other policies in the plan.

The locality of the site is predominately residential and low-rise suburban in character. The principle of housing development would be supported in principle subject to satisfactorily addressing requirements of relevant policy and guidance, particularly in relation to design and the quality of amenity for future residents.

The Council would also support the principle of housing development on brownfield land, including derelict land and land occupied by redundant buildings.

#### Retail

The existing retail units and precinct do not form part of a Local Centre as designated in the LDP.

LDP Policy Ret 6, Out-of-Centre Development, recognises there are benefits in providing small scale, convenience stores (up to 250 square metres gross floorspace) to complement the role of identified centres. In such cases, it is not necessary to

demonstrate the availability of suitable sites in or adjacent to an identified centre (criterion b) in Policy Ret 6).

Although much of the existing commercial retail floorspace is vacant and underutilised, the principle of retail is established through the existing uses on the site. The proposal is effectively a re-provision of this floorspace, amounting to a reduction of 75% over the existing levels.

The key considerations are therefore the siting of the proposed retail uses within the site, the nature and operation of these uses and their potential impact to the amenity of existing residents and the occupiers of the proposed development.

The existing shopping precinct presents a poor quality environment for users, being oriented away from the adjacent streets, with the mainly shuttered facades to the vacant units offering little in terms of activity and passive surveillance. The general principle of redeveloping the site for mixed uses would therefore be broadly supported. However, the proposed commercial retail units would occupy a new location to the south eastern part of the site, these being oriented to the east towards the crescent and existing residential uses.

The proposed commercial floorspace would comprise 3 units x 80 square metres (240 square metres). Information supplied as part of the application, indicates that two of the units would be deemed to be Class 1, Shops. The third unit would operate as a Hot Food Takeaway (Sui Generis).

Whilst the proposed commercial uses would broadly reflect the existing mix, there is concern that the proposed location of commercial retail uses, particularly Hot Food Takeaways, could present new issues in respect of residential amenity. In the absence of further information, it is not possible to fully assess the impact of such uses against relevant policies, including LDP Policy Ret 11, Food and Drink Establishments. The proposed units would also be accessed via a relatively narrow 1.5 metre wide walkway lying adjacent to the crescent open space, this being detached from the principal street frontages situated to the north and south. In view of this, the location of the commercial retail is not considered to be optimally located within the development or in relation to the wider site context.

In summary, given the relatively poor physical condition of the existing buildings and surrounding environment, the principle of redevelopment of this site for residential use with an element of commercial retail use would be broadly supported as per the requirements of LDP Policies Hou 1 and Ret 6. However, inadequate information has been provided to demonstrate that the proposed commercial retail uses will not adversely affect the amenity of neighbouring residents and future occupiers of the development.

## **b) Coordinated development**

LDP Policy Des 2, Co-ordinated Development, states that planning permission will be granted for development which will not compromise the effective development of adjacent land. The Council also encourages a comprehensive approach to

redevelopment and regeneration with piecemeal development less likely to lead to the creation of well-defined streets and spaces.

The Edinburgh Design Guidance states that a comprehensive approach to development is important with smaller developments, where there is a possibility that neighbouring sites will be developed in the future. Applicants may be asked to demonstrate sketch layouts of how neighbouring sites could be developed. This will ensure that the future development of neighbouring sites are not compromised.

There is concern regarding the scope of this application proposal, particularly the exclusion of land and buildings situated to the west which are currently vacant or underused, including the former public house and western part of the existing car park.

This proposal would only result in partial redevelopment of a larger landholding, which the Council considers should be subject to a comprehensive redevelopment proposal. Whilst it understood the areas lying to the west of the application site are out with the control of the applicant, this should not preclude a more comprehensive approach to the planning and development of the wider site including land assembly, particularly where this might result in piecemeal development. Were permission to be granted for the development as proposed, the future of this area would remain unresolved until such a time that a proposal came forward to redevelop these site(s).

The design approach would not result in a coherent form of development, e.g. a concept based around a perimeter form, with a clear hierarchy of defined access routes, streets and spaces.

The Council recognise that the environmental quality of the site and its immediate surroundings are currently poor. However, this application has not promoted any enhancements to the adjacent public realm or landscape to address these deficiencies.

The proposal has failed to satisfactorily resolve level changes within the site, particularly as levels have been lowered to the south west corner of the site to create a larger development platform. This has resulted in the car parking to the western side of the site being detached and poorly integrated with the main part of the development. It has also necessitated the requirement for several ramped accesses across the development, which could have been eliminated through a more comprehensively designed scheme.

This application was lodged without pre-application discussion, to discuss possible alternative design approaches to the redevelopment of the site and its surroundings.

The proposal fails to comply with Des 2 a) compromise the effective development of adjacent land particularly in relation to the land to the west. The proposal would result in a piecemeal development, which could have implications for the potential redevelopment of adjacent land and buildings.

### **c) Quality of Design**

#### Design Concept

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

LDP Policy Des 4 - Development Design - Impact on Setting, notes that where surrounding development is fragmented or poor quality, development proposals should help repair urban fabric, establish model forms of development and generate coherence and distinctiveness, i.e. a sense of place. These requirements are further reinforced through the Edinburgh Design Guidance.

LDP Policy Des 7 - Layout Design, part a) requires that a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces, services and SUDS features has been taken.

The Edinburgh Design Guidance establishes key aims for new development including:- the need to have a positive impact on the immediate surroundings; the wider environment; landscape and views, through its height and form; scale and proportions; materials and detailing; positioning of buildings on the site, integration of ancillary facilities; and the health and amenity of occupiers.

The prevailing site context is of a relatively uniform, low rise suburban character. This mostly comprises 2 storey residential development, with occasional 3 storey elements. Pitched roof forms predominate. The spatial character features a clear distinction between public and private space with strong defensible boundaries to property frontages. The area is also characterised by tree and hedge lined streets.

In contrast the existing shopping precinct is inward facing, the buildings presenting largely inactive facades to the surrounding streets. The built form and public realm are poor quality and potential redevelopment would present an opportunity for these issues to be addressed.

The proposed design concept is felt to be one which is strongly urban in character, rather than one that has sought to respond to the low-rise suburban character and immediate context of the site. Limited analysis has been provided as part of the application to demonstrate how the proposed design concept has sought the respond to the prevailing context and character.

Edinburgh Design Guidance states that buildings should be positioned to create interesting and attractive streets and spaces. Where building lines do not exist, new development should be positioned to engage positively with streets and spaces.

The proposed footprint would appear arbitrary and it is not apparent how the site layout has sought to reference surrounding building lines and street pattern, particularly those established by the residential development lying to the west of the site and the alignment of the streets to the north and south.

Although the southern and northern edges of the development relate to existing streets, the position of the principal entrances to the development would not be clearly legible

from the street. The main entrance is situated towards the centre of the site, with the second opening directly onto the walkway to the west, neither of which respond closely to the adjacent streets. The location of the proposed commercial retail frontage is not felt to occupy the optimal position within the site and would be better situated directly towards the principal street frontages to the north or south.

There is concern that the scale and position of the block, could appear visually incongruous and detached from the existing residential development to the west. Also, given its current condition of the land and building to the west, this would potentially form a poor setting for the proposed development, also affecting the outlook and quality of amenity for both existing and future residents. The scale of the block could also visually dominate the crescent open space to the eastern edge of the site.

In this instance, a development concept based around a perimeter form, in the range 2-3 storeys, could offer a more appropriate response to the prevailing character of the locality. Private greenspaces and potentially car parking could then be located to the rear. Such an approach could also allow for a range of unit types including terraced housing and flats. It could also facilitate a stronger relationship with the adjacent streets through clearly defined frontages and threshold spaces, with potential to form a new street along the line of the existing precinct and car parking. It could also present an opportunity for the re-provision of commercial retail floorspace within the site.

In summary, the proposal fails to address the requirements of LDP Policies Des 1, Design Quality and Context, Des 4 Development Design - Impact on Setting, part c) position of buildings on the site, Des 7, Layout Design and the Edinburgh Design Guidance.

The proposed design has not been based on an overall concept that draws upon the positive character of the surrounding area and reinforce a sense of place. The proposal would not establish a model form of development, generate coherence, being disruptive and potentially damaging to the character of the locality.

The proposed design has not demonstrated a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces.

### Height, form and massing

LDP Policy Des 4, Development Design -Impact on Setting, states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape, having regard to; a) height and form and b) scale and proportions.

Edinburgh Design Guidance advises that development should seek to match the general height and form of buildings prevailing in the surrounding area. Where new developments exceed the height of neighbouring buildings there is a need to ensure they enhance the skyline and surrounding townscape.

The proposed development would be predominantly 4 storey to the east and west, with localised 2 and 3 storey elements to the centre. The roofline would be defined by

splayed wall head features, in some cases these adding a further 2 metres to the overall height and mass.

This proposed height and scale would be greater than that lying within the immediate context of the site. This is low rise and domestic in character, comprising a relatively uniform two storey suburban development with pitched roofs. Recent residential developments including the 2 storey suburban housing situated to the west and a 2-3 storey residential infill scheme at Saughton Mains Bank lying to the east have sought to respond to this prevailing character.

The applicant has cited examples of flatted development in the wider area to justify the development approach, including the housing scheme at Stenhouse Drive lying to the north, which includes 1,2,3 and 4 storey elements with distinctive saw tooth roof form. However, this is visually separate and distinct from the context of the application site. The various blocks are also characterised by a range of heights, these set within areas of generous open space.

The proposed height, form and scale of the development would essentially be 'urban' in character, this being incongruous to the predominantly suburban nature of the surroundings.

The proposed massing, including the heights and roofline have not sought to respond positively to the topography of the site which slopes gently to the north, rather the proposed development platform has been partially sunk beneath the existing site levels, further increasing the overall bulk and height.

The proposed splayed wallhead features would accentuate the feeling of height and mass, offering little positive benefit to the skyline or surrounding townscape.

No visualisations have been submitted to demonstrate potential impacts to the skyline and surrounding context. However, it is considered that the overall mass and height of proposal would result in a dominant element within the townscape, particularly when viewed from the north, east and west.

The height, scale and proportions of the proposal have not sought to draw upon the positive characteristics of the locality and wider townscape. The proposal would not help repair the urban fabric or establish a model form of development which would generate coherence and a sense of place.

The proposal would fail to comply with LDP Policy Des 4 a) and b).

### Density

LDP Policy Hou 4, Housing Density, requires that the Council will seek an appropriate density of development on each site having regard to; a) its characteristics and those of the surrounding area and b) the need to create an attractive residential environment and safeguard living conditions within the development.

The proposed development density (including car parking but discounting the commercial floorspace) has been calculated at 115 dwellings per hectare. Excluding car parking, which is slightly detached from the main part of the site, this would equate

to a higher 163 dwellings per hectare. Such densities would be comparable to a colony style development but also that of higher density tenemental areas.

The prevailing context comprises mainly semi-detached and short terraces, most featuring generous front and rear gardens. This produces a medium density suburban character with typical densities in the range of 50-60 dwellings per hectare.

The Edinburgh Design Guidance outlines that where appropriate, high density, low rise building types like colony or terraced housing could be inserted into some low density/low rise areas without adverse impact on amenity or character.

However, this proposal comprises a relatively dense flatted scheme of urban character, in a context which is low rise suburban. Whilst the Council would support higher densities, this should not be to the detriment of the local environment and living conditions within the development. The scheme is poorly detailed, features a high proportion of single aspect flats and poor internal planning. There are also concerns regarding the nature and quality of private greenspace with minimal enhancement to adjacent public realm.

The proposed development has not adequately considered the characteristics of the surrounding area nor would it result in an attractive residential environment and safeguard living conditions within the development. As such the proposal fails to comply with LDP Policy Hou 4 a) and b) and the Edinburgh Design Guidance.

#### Architectural treatments

LDP Policy Des 4, Development Design - Impact on Setting, states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape, having regard to; d) materials and detailing.

The proposed elevations identify the use of two tone brick facades, comprising buff and red brick. Prevalent material finishes in the area comprise render and cladding. Whilst buff brick could complement this general character, there are no examples of red brick in the vicinity of the site nor is it prevalent in an Edinburgh context.

In general, design details have not been developed to the level normally expected for a scheme of the scale and nature. Numerous issues remain unresolved with minimal information provided in relation to window and cladding systems, doors, entrances, rainwater goods, roof finishes, the proposed roof terrace and boundary treatments. PV Panels are identified to mono pitch and flat roofed areas. Whilst the inclusion of such features would be welcomed in respect of promoting sustainable design, this should not distract from the numerous deficiencies in this proposal.

There are also several sections of blank wall at ground floor level, which would result in dead frontage and poor levels of animation at street level. Such matter could easily have been avoided had the scheme been underpinned by a stronger design concept and internal planning.

Limited details have also been supplied in relation to the proposed shopfront design. LDP Policy Des 13, Shopfronts, states the shopfronts should relate harmoniously to the

building as a whole. Whilst this may broadly have been achieved, this is notwithstanding broader concerns regarding the position of the proposed commercial retail within the development and potential impact of such uses to the amenity of future residents.

The proposed materials and detailing do not address the requirements of LDP Policy Des 4 d) in that they would not result in development which would have a positive impact on its surroundings, including the character of the wider townscape and landscape.

#### **d) Open space, including private greenspace, landscaping and public realm**

##### Private Green Space

LDP Policy Hou 3, Private Green Space in Housing Development states that planning permission will be granted for development which make adequate provision for green space to meet needs of future residents. In flatted or mixed housing/flatted developments where communal provision will be necessary, this will be based on a standard of 10 square metres per flat (excluding any units which are to be provided with private gardens). A minimum of 20% of total site area should be useable greenspace.

The Edinburgh Design Guidance seeks to provide well defined, functional, good quality private gardens to all houses and ground floor flats. Private and communal gardens should be designed for use by residents for a range of functions, including space for play, seating, food growing, tree planting and drying laundry. Ground floor flats should generally be provided with private gardens of a minimum depth of 3m, which open directly onto communal gardens. Where this is not the case, patio doors and defined threshold space should be provided. Private front gardens also provide an intermediate space between the public realm and the privacy of dwellings.

The application proposes an area of communal greenspace space to the south western corner of the site (200 square metres) with an accessible roof terrace at second floor level (approximately 210 square metres). The application site also includes an existing area of public open space bounded by the crescent to the east (980 square metres). The proposal identifies a single private garden (60 square metres) relating to Flat 6, a 2 bedroom unit situated at the ground floor. No further areas of private external space to any of the units, including balconies are identified.

In terms of addressing the requirements of LDP Policy Hou 3 a), a flatted proposal of this scale would require a minimum 370 square metres communal provision (e.g. 37 units/10 square metres per flat excluding the single unit with private garden).

There are a number of concerns regarding the nature and quality of the various open spaces identified within the site and whether these constitute useable greenspace, as required by this policy.

The area of communal greenspace to the south western corner of the development would only represent 5.4% of the total site area. Whilst this would be enclosed by railings, minimal landscape details have been provided. This area would also form the

principal access route to the main entrance. The presence of rear service doors for the commercial development facing on to this area and the proximity of both waste and cycle storage would impinge upon the quality of this space.

There is a lack of detail to how the proposed second floor roof terrace would be implemented as a usable greenspace. The Edinburgh Design Guidance states that where it is difficult to achieve the areas normally required for open space ' for example, because of the need to adhere to a spatial pattern in the area, the inclusion of balconies or roof terraces may be seen as a mitigating measure. In this instance roof terracing is not seen as characteristic of the spatial pattern of the area. There are concerns there may be insufficient floor depth to establish a high quality landscaped deck and in the absence of such information this area should not be regarded usable private greenspace. The terrace would also be heavily overlooked by adjacent flats including bedroom windows, which would further diminish its quality and usability.

The existing area of open space defined by the crescent to the east has also been included in the application boundary. This would represent 26% of the total site area. Whilst this is in control of the applicant and privately maintained, it also serves a broader function as public amenity space for the existing houses around the crescent and should not therefore be a substitute for the provision of useable greenspace within the site. No enhancements are identified to this area as part of the proposal. It is also noted that, the height and mass of the proposal would result in much of this area being overshadowed by the buildings during the late afternoon and evening.

The applicant has identified that the existing footpath around crescent be converted to extended lawn with defensive edge to avoid tyre damage. Although this lies immediately outside the red line boundary, the Council would consider this measure to be unnecessary and this is not supported by the Roads Authority.

Although existing areas of grass, which currently separate the precinct from the car park would appear to be retained as part of the proposal, these are of a poor quality and could not be regarded as useable open space.

Only a single ground floor unit have been identified with a private garden. The design approach has not sought to introduce private threshold space to the ground floor units. Several of the ground floor flats also feature patio doors opening directly onto the public footway, which would create an unsatisfactory arrangement for residents of those units and is unlikely to satisfy requirements in respect of any Secure by Design accreditation. Given broader concerns regarding the overall design concept, further details have not been sought from the applicant in this regard to these issues.

The proposal does not address requirements of LDP Policy Hou 3 a) in that communal private greenspace does not achieve a standard of 10 square metres per flat, nor does it address requirements of the Edinburgh Design Guidance. Although a quantum of private open space may have been achieved within the application boundary, the quality and detail of these various spaces is considered inadequate for the scale and nature of the proposed development.

### Public Realm and Landscape

LDP Policy Des 7, Layout Design, part a) identifies that a comprehensive and integrated approach should be taken to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces.

LDP Policy Des 8, Public Realm and Landscape Design, states that planning permission will be granted for development where all external spaces including streets, footpaths, green spaces, boundary treatments have been designed as an integral part of the scheme as a whole. Part c) of the policy outlines that particular consideration should be given, if appropriate, to the planting of trees to provide a setting for buildings, boundaries and create a robust landscape structure.

The existing precinct serves a public function this also providing pedestrian access through the site. The site also includes publicly accessible open space, e.g. the crescent to the east. However, the precinct and walkways are of a poor environmental quality with existing areas of hardstanding at the site margins being utilitarian in nature.

The redevelopment of this site could provide an opportunity to enhance the quality of the public realm in the immediate vicinity, including public access routes through the site.

However, it has not been demonstrated that the proposed site layout has been developed as part of an integrated design approach nor has the application been supported by a comprehensive landscape design proposal. Whilst the flooding and drainage information refers to the use of permeable block paving, this is not reflected in any detailed landscaping proposal.

Tree-lined avenues and hedgerows to the front curtilage of properties are evident in the locality of the site. Such measures could enhance the environmental quality of the location and the amenity of local residents, yet no tree planting, new landscape structure or clear enhancement proposals for adjacent public realm in and around the site have been identified.

In summary, the proposal has not addressed the requirements of LDP Policy Des 7a) Layout Design and Des 8, Public Realm and Landscape Design. The application has not demonstrated a comprehensive and integrated approach to the layout of buildings, streets, footpaths, public and private open spaces nor has the design of all external spaces been considered as an integral part of the scheme as a whole. The proposal has failed to consider the planting of trees to provide a setting for buildings, boundaries and road sides and create a robust landscape structure, as stipulated through LDP Policy Des 8, Part c).

## **e) Transport, including access and parking**

### Proposed access arrangements

The development would be situated within the existing street pattern. In terms of vehicular access, the proposal would utilise the existing access to the car park from Saughton Mains Gardens to the north. The existing on-street layby's and adjacent areas of footway to the north and south would be retained. The two pedestrian routes across the site including the pedestrian precinct would also remain, although their overall widths would be reduced due to the extents of the proposed building footprint.

Amended proposals supplied by the applicant have included a number of ramped accesses to the pedestrian routes. However, it has not been assessed whether these would address the requirements of the Equality Act 2010 - in that reasonable adjustments have been made. The proposals indicate steps on the pedestrian route to the west of the site with an accessible ramp linking to the car parking and a diversion around the steps. This is not considered acceptable as the convoluted route will create mobility issues.

Transport have remarked that the applicant should seek to improve the pedestrian environment around the site, particularly where existing vehicle access points are to be removed. Further clarification was also sought in respect of areas which would be put forward for adoption by the Council as Roads Authority. This information, including a clear proposal for the upgrading and enhancement of public realm in and around the site, has not been provided by the applicant.

These aspects of the proposal fail to address requirements of LDP Policy Des 7, Layout Design.

### Car Parking

The application site is located in Parking Zone 3a, as defined in the Council's 2017 parking standards. These would permit a maximum of 38 car parking spaces (1 space per unit).

The application proposes 13 car parking spaces, including 4 spaces for electric vehicles, which would be located within the eastern section of the existing car park, this situated to the western edge of the development. The justification for the proposed level of car parking is related to the site's accessibility to public transport and the provision of on-street parking for any parking overspill.

The proposed level of car parking would address the requirements of LDP Policy Tra 2, Private Car Parking, in that provision complies with the current parking standards and based on the justification provided is considered acceptable.

LDP Policy Tra 4, Design of Off-Street Car and Cycle Parking, outlines various design considerations including the need for structural planting to minimise visual impact. Edinburgh Design Guidance outlines that proposals for parking within new developments should be design-led and reflect the positive characteristics of place. In all new developments, car parking should be designed to have a minimal impact on the site and surrounding area.

Although the proposal would seek to re-use part of the existing surface car park, there is concern that the proposed car parking is detached and poorly integrated in to the overall site layout. The proposed access ramp would result in a convoluted route to the main entrances and could easily have been eliminated had a more holistic design approach been taken to addressing level differences across the site. The proposed car parking has not included landscape enhancements and structural planting to minimise visual impact.

In view of these issues, the design of proposed car parking is not considered to fully address the requirements of LDP Policy Tra 4 and the Edinburgh Design Guidance.

### Cycle and Motorcycle Parking

A total of 79 cycle and 2 motorcycle spaces are proposed.

Cycle parking would be provided through three internal cycle stores situated at ground floor level, with motorcycle storage situated at the main southern entrance to the site. Design amendments have been supplied by the applicant in relation to this matter, with the density of cycle storage being increased through the use of two-tier racking within the proposed cycle stores.

The proposed level of cycle parking and storage provision would address the requirements of LDP Policy Tra 3, Private Cycle Parking, in that provision complies with the standards set out in the Council guidance and is considered acceptable.

In summary, the proposed car, cycle and motorcycle parking provision would meet requirements of LDP policies Tra2 and Tra3 and the Council's parking standards 2017. However, the design of the proposed car parking would fail to fully address requirements of LDP Policy Tra 4 and the Edinburgh Design Guidance.

### **f) Housing policy and guidance, including the Council's affordable housing policy**

LDP Policy Hou 6, Affordable Housing, requires that planning permission for residential development, consisting of 12 or more units should include provision for affordable housing.

The applicant has identified a total of 9 affordable units, this constituting 25% of the total units proposed. These would comprise a mix of 1 and 2 bed units and accessed from a single stair core. However, although reference has been made within the supporting information to discussions with various Registered Social Landlords (RSL's), no confirmation has been given that homes will be designed to RSL design standards and requirements or whether the proposal would be representative of the provision of homes across the area.

The Council's Affordable Housing team have been consulted in relation to the application. They have advised that in order for the proposal to be fully assessed, the applicant should submit an 'Affordable Housing Statement' setting out their approach, this also being available as a public document. This document has not been submitted by the applicant.

LDP Policy Hou 2 - Housing Mix, states that the Council will seek the provision of a mix of house types and size where practical, to meet a range of housing needs, including those of families, older people and people with special needs, and having regard to the character of the surrounding area and its accessibility.

The Edinburgh Design Guidance further outlines that in schemes with 12 units or more, 20% of the total number of homes should be designed for growing families. These

types of homes should have three or more bedrooms with direct access to private gardens or safe play areas for children and have a minimum internal floor area of 91 square metres. In order to meet the 20% requirement, it would be expected that a minimum of 7 units should meet this standard for a scheme of this size.

The application proposes a range of flatted units, these ranging from 1-3 beds. These would all achieve minimum internal floorspace requirements as per the Edinburgh Design Guidance. However, the proposal has not included a sufficient level of accommodation which would be suitable for growing families, with only 3 x 3 bedroom units (85-86 square metres) being identified, none of which contain private gardens.

In the absence of Affordable Housing Statement, it is not possible to assess whether the requirements of the Council's Affordable Housing Policy (LDP Hou 6) has been fully addressed or whether proposed housing mix is appropriate for the area. The application has not addressed the requirements of LDP Policy Hou 2 and the Edinburgh Design Guidance.

#### **g) Amenity for future residents**

LDP Policy Des 5, Development Design - Amenity, part a) states that planning permission will be granted for development where it is demonstrated that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight and immediate outlook.

The Edinburgh Design Guidance states that in order to ensure a good standard of overall amenity for new development, there is a presumption towards dwellings with two (dual) or more aspects. The provision of more than one aspect can result in multiple benefits for internal amenity. These benefits include opportunities for better daylight and sunlight, and in providing greater flexibility as to the use of such spaces, such as positioning bedrooms towards a quieter aspect. Single aspect flats should not make up more than 50% of the overall dwelling numbers and developments should avoid single aspect dwellings that are north facing, exposed to noise sources or contain three or more bedrooms. Where single aspect dwellings are proposed, the applicant should demonstrate that they meet requirements for daylight, sunlight and privacy for each living space and provide good levels of ventilation and internal amenity space.

The proposal identifies that of the 38 units, 22 of these would be single aspect flats which represent 57% of the total number of units. Of the single aspect units, 7 of these are also north facing this representing 18% of the total units within the scheme. It is also noted that several of these single aspect units are relatively deep plan in nature, with minimal fenestration. The applicant has not provided information, e.g. Vertical Sky Component analysis to demonstrate whether levels internal daylighting would be achieved.

There are also further concerns regarding potential impacts to the amenity of occupiers of the proposed development.

Environmental Protection requested that a Noise Assessment be provided to consider potential noise sources from nearby commercial premises including the public house and provide mitigation where mitigation where required. Confirmation of the proposed

commercial use classes and proposed hours of operation was also requested, with assessment required to ensure that the ground floor commercial premises will not affect the proposed residential uses above by recommending mitigation including plant, ventilation, trolley moving and deliveries.

Whilst some information has been provided by the applicant in relation to proposed use classes, no further details have been on proposed hours of operation for the commercial premises. Design amendments have been supplied in relation to a flue extraction to serve ground floor commercial uses and window specification in those properties oriented towards the public house, however, no Noise Assessment has been submitted. Such information is considered essential for a mixed-use scheme of this nature, to establish that commercial retail and residential units can be successfully integrated and all potential noise sources affecting the proposed development site have been fully considered.

Environmental Protection identified potential issues regarding the presence of a Sub Station to the west of the site and the need to ensure the site is assessed for potential contamination. Given that the Sub Station is proposed for retention, this matter could be satisfactorily addressed through condition.

In summary, the high proportion of single aspect dwellings proposed including the number of north facing units do not satisfactorily address the requirements of the Edinburgh Design Guidance. The failure to provide a Noise Assessment and develop the design proposal to take account of its findings is unsatisfactory.

In view of these matters, the proposal would fail to satisfy LDP Policy Des 5 a) in that amenity of future occupiers of those units would not be afforded with acceptable levels of amenity in relation to noise and daylighting.

## **h) Amenity of neighbours**

LDP Policy Des 5, Development Design - Amenity, Part a) states that planning permission will be granted where the amenity of neighbouring developments is not adversely affected.

The applicant has submitted a 25 degree daylighting assessment in relation to the existing residential properties located to the north and south. Given the spatial character of the surroundings, the proposed development would not result in a loss of daylight to adjacent properties

No assessment has been provided by the applicant in relation to sunlighting. Edinburgh Design Guidance states that applicants should assess the availability of sunlight for all open spaces which could be created or affected by new development. There is concern that the proposed height, mass and form of the building could result in level of overshadowing, particularly the street space to the north the crescent shaped area of open space to the east.

The proposed location of the commercial retail premises within the site and their orientation towards residential properties could result in noise arising from their operation including deliveries. It has not been possible to assess potential impacts

given the absence of a Noise Assessment and limited information to the precise nature of the proposed commercial uses.

These aspects of the proposal would also fail to address LDP Policy Des 5 a) in that it has not been demonstrated that the amenity of neighbouring developments would not be adversely affected by noise and potential impacts of overshadowing to existing public amenity space.

### **i) Waste storage and collection**

Waste and Cleansing were consulted as part of the application, providing advice regarding waste storage and collection arrangements for a development of this type and scale. They have remarked that a Waste Strategy for development would need to be agreed with the Council prior to completion.

Design amendments were submitted by the applicant in relation to these matters. The proposed flats would be served by an integral bin store situated at ground floor level, although it has not been confirmed by Waste and Cleansing whether this proposed store would be of sufficient size. A refuse collection point, whereby bins would need to be moved prior to collection, has been identified at the main entrance to the south.

LDP Policy Des 5 e) Development Design - Amenity, states that refuse and recycling facilities, plant and services should be sensitively integrated into the design.

A suitable strategy for waste collection and storage has not been fully demonstrated. There are concerns regarding that the location of the waste storage particularly that at the main entrance could be detrimental to the amenity of residents. There are also concerns regarding storage and collection of trade waste from the commercial units, with no dedicated storage provision identified. Waste storage and servicing to the rear of the units could impinge on the quality of adjacent private greenspace, unless fully considered from the outset.

The proposals would therefore fail to address requirements of LDP Policy Des 5 e) and the Edinburgh Design Guidance.

### **j) Flooding and drainage**

A Surface Water Management Assessment, Management Plan and Checklist have been submitted as part of the application, this information being reviewed by the Council's Flood Prevention team.

The applicant has advised that the site has no evidence of flooding as depicted through the SEPA flood maps. The site is not located in proximity to a watercourse and there are no localised surface water issues. The Surface Water Management Plan has advocated the use of porous paving across the site and attenuation to the proposed roof terrace. The Assessment concludes that proposed surface water management arrangements would result in an improvement over the current situation.

However, the Council's Flood Prevention Team have remarked that Scottish Water have not provided confirmation of their agreement to the proposal or that water can be

discharged into their system. The flooding information has not been prepared by a suitably qualified person as identified in the Council's Self Certification requirements.

Whilst the proposal would broadly address the requirements of LDP Policy Env 21, in that it would not increase flood risk or be at risk of flooding itself, given that the proposal, including layout, is not considered acceptable for other reasons, further information has not been requested from the applicant.

## **k) Archaeology**

The Council's Archaeological Officer has advised that the site occurs at the centre of a 1950's housing estate constructed on farmland surrounding the former Saughton Mains Farm and Saughton House. However, it is concluded that there are no, known archaeological implications regarding this application.

## **l) Developer contributions**

Various consultees have commented on particular requirements for developer contributions. Should a subsequent decision be taken to approve the application, the following contributions would to be included as part of a S.75 agreement:-

### Affordable Housing

The application is for a development of 38 homes and as such the Council's Affordable Housing Policy (AHP) will apply. Should consent be granted, there would be an AHP requirement for a minimum 25% (9) homes of approved affordable tenures.

The Council's Affordable Housing Team requested that this applicant should submit an 'Affordable Housing Statement' setting out their approach, including the Registered Social Landlord (RSL) that will deliver the affordable homes and confirmation that the homes will be designed to RSL standards and requirements.

Whilst 9 affordable homes have been identified, the applicant has not submitted an Affordable Housing Statement and as such there is insufficient information to establish that proposal would address all requirements of LDP Policy Hou 6, Affordable Housing.

### Education

The site falls within Sub Area T1 of the 'Tynecastle Education Contribution Zone'.

Using the pupil generation rates set out in the Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery', the development is expected to generate at least one additional primary school pupil but not at least one additional secondary school pupil. The Guidance states that where this is the case, only a contribution towards new primary school infrastructure may be required.

No additional primary school infrastructure has been identified as being required to mitigate the impact of this development. No contribution towards additional education infrastructure is therefore required.

## Transport

Contribute the sum of £2000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development.

Contribute the sum of £2000 to progress a suitable order to introduce waiting and loading restrictions as necessary

In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £12,500 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area.

## Edinburgh Tram

Contribute the sum of £6,147 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from the date of payment.

## Green Space Actions

No specific green space provisions apply.

However, should permission be granted, it is recommended that adjacent areas of open space and public realm be upgraded in conjunction with the development. The scope of any such works would need to be agreed with the Planning Authority.

## Health Care

The application site is not located within a Healthcare Contribution Zone as defined in the Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery'. As such no healthcare contributions would be sought.

## **m) Issues raised in material representations**

The application proposals were made publicly available for comment via the Council's Planning Portal on 27 March 2020. However, due to the Covid19 situation, the application was not formally notified until 30 April 2020, this being followed by an extended 21 day period for public comment. One representation was received in support of the application

### Scheme 1

- Proposal should include adjacent public house, if and when this is possible ' adjacent public house is not within the scope of this application, issue re. coordinated development addressed in section 3.3 b)
- Location is in need of regeneration and current structure not fit for purpose ' issues addressed in section 3.3 b)

The applicant has commented that a supporting statement contained various letters of support. These comments were submitted prior to the application being submitted and cannot be considered as valid representations to the application.

## **Conclusion**

The principle of housing development and redevelopment of the existing retail space as part of a mixed use scheme would be acceptable in principle.

However, this application has not been promoted as part of a coordinated development proposal which fully considers adjacent areas of land. Given the poor environmental quality of the application site and its immediate surroundings, this location could benefit from a more comprehensive approach to design and placemaking and this was not explored through pre-application discussions.

The proposal represents a poor quality design response to the site and local context, by virtue of its siting, layout, height, form, scale, proportions, material finishes, architectural detailing, design of private greenspace, public realm and landscaping. There are concerns regarding the quality of amenity for future residents including the large proportion of single aspect flats, level and nature of private greenspace and operation of commercial retail space at ground floor level.

The design proposals are weakly developed detail for a scheme of this scale and nature. A Noise Assessment and Affordable Housing Statement have not been provided and given the broader issues relating to design, amended information has not been requested from the applicant.

The proposal fails to meet relevant policy requirements of the Local Development Plan and Edinburgh Design Guidance.

It is recommended the application be Refused. There are no material considerations which outweigh this conclusion.

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

### **3.4 Conditions/reasons/informatives**

#### **Reasons:-**

1. The proposal is contrary to LDP Policy Des 2 a) Co-ordinated Development and Edinburgh Design Guidance, in that it has failed to satisfactorily consider the effective development of the adjacent land and regeneration of the wider site as part of a coordinated design and development proposal.
2. The proposal is contrary to LDP Policies Des 1 Design Quality and Context, in that it has not been demonstrated that the development will create or contribute towards a sense of place. The proposed design has not been based on an overall concept that draws upon the positive character of the surrounding area.
3. The proposal would be contrary to LDP Policy Des 4 - Development Design - Impact upon Setting, parts a) b) c) and d) and the Edinburgh Design Guidance by virtue of the proposed height and form, scale and proportions, position of buildings on the site

and materials and detailing. The proposal would not result in a positive impact to the surroundings and has not sought to draw upon the positive characteristics of the locality and wider townscape.

4. The proposal would be contrary to LDP Policy Des 7 a) and Des 8, Public Realm and Landscape Design and the Edinburgh Design Guidance in that the proposed design has not demonstrated a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces and services. The proposal has failed to consider the planting of trees to provide a setting for buildings, boundaries and road sides and create a robust landscape structure, as stipulated through LDP Policy Des 8 c).

5. The proposal would be contrary to LDP Policy Hou 4 a) and b) Housing Density and the Edinburgh Design Guidance in that the design and development concept has not adequately considered the characteristics of the surrounding area nor would it result in an attractive residential environment and safeguard living conditions within the development.

6. The proposal is contrary to LDP Policy Hou 3 a) and the Edinburgh Design Guidance in that the proposals do not make adequate provision for private greenspace and would fail to achieve a standard of 10 square metres per flat. The location, quality and detail of the various spaces is inadequate for the scale and nature of the proposed development.

7. The proposal is contrary to LDP Policies Hou 2, Hou 6 and Edinburgh Design Guidance in that it has not been demonstrated through an Affordable Housing Statement that the requirements of the Council's Affordable Housing Policy have been fully addressed, that the homes have been designed to RSL standards and requirements or that the proposed house types will meet a range of housing needs, including those of families, older people and people with special needs and having regard to the character of the area and its accessibility.

8. The proposal is contrary to LDP Policy Des 5 a) and Edinburgh Design Guidance in that it has not been demonstrated that future occupiers will have acceptable levels of amenity in relation to noise, daylight, sunlight and immediate outlook. The proposals do not address requirements of the Edinburgh Design Guidance in relation to the proportion of single aspect flats. No Noise Assessment has been provided to demonstrate impacts arising from the proposed commercial retail premises at ground floor level and other potential noise sources.

## Risk, Policy, compliance and governance impact

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

## Equalities impact

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

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

## Consultation and engagement

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### **6.1 Pre-Application Process**

There is no pre-application process history.

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

The application proposals were made publicly available for comment via the Council's Planning Portal on 27 March 2020. However, due to the Covid19 situation, the application was not formally notified until 30 April 2020, this being followed by an extended 21 day period for public comment. One representation was received in support of the application

## Background reading / external references

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- To view details of the application go to
- [Planning and Building Standards online services](#)

## **Statutory Development**

**Plan Provision** The site is located within the urban area.

**Date registered** 27 March 2020

**Drawing numbers/Scheme** 01-02, 03A-07A, 08B,

David R. Leslie  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Francis Newton, Senior Planning Officer  
E-mail: francis.newton@edinburgh.gov.uk

## **Links - Policies**

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### **Relevant Policies:**

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

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

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

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

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

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

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

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

LDP Policy Des 13 (Shopfronts) sets criteria for assessing shopfront alterations and advertising proposals.

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

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

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

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

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

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

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

LDP Policy Ret 6 (Out-of-Centre Development) identifies the circumstances in which out-of-centre retail development will be permitted.

LDP Policy Ret 11 (Food and Drink Establishments) sets criteria for assessing the change of use to a food and drink establishment.

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.

**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** - on affordable housing gives guidance on the situations where developers will be required to provide affordable housing.

# Appendix 1

## Consultations

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### Archaeology comment

*The site occurs at the centre of a 1950's housing estate constructed on farmland surrounding the former Saughton Mains Farm and Saughton House. Historic maps indicate that the site remained farmland since the mid-18th century and out with the footprint of the historic farm. Given this location outwith the historic footprint of Saughton Mains Farm and likely impacts of the 1950's housing scheme and current buildings it is considered unlikely that significant archaeological remains will have survived insitu.*

*Accordingly it has therefore been concluded that there are no, known, archaeological implications regarding this application.*

### Communities and Families comment

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

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

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

### Assessment and Contribution Requirements

*Assessment based on:*

*26 Flats (12 one bedroom flats excluded)*

*This site falls within Sub-Area T1 of the 'Tynecastle Education Contribution Zone'.*

*Using the pupil generation rates set out in the Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery', the development is expected to generate at least one additional primary school pupil but not at least one additional secondary school pupil. The Supplementary Guidance states that if a development is expected to generate at least one primary school pupil but less than one secondary school pupil, only a contribution towards new primary school infrastructure may be required.*

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

*No additional primary school infrastructure has been identified as being required to mitigate the impact of this development. No contribution towards additional education infrastructure is therefore required.*

### **Waste Services comment**

*As this is to be a residential development, Waste and Cleansing would be expected to be the service provider for the collection of domestic waste (only).*

*We understand there are a total of 38 units. These flats will be served by a full range of communal bins, from an integral bin store. However, the bin store shown in draft floor plan 10181-03-01 is not of sufficient size to accommodate the required number of bins, as the flats would require 5 non recyclable waste 1280L bins, 3 mixed recycling 1280L bins, 1 glass 660L and 2 food waste 500L bins. Appropriate vehicle access still needs to be demonstrated. Furthermore, I would recommend that developers ensure that all details are in accordance with Instructions For Architects Guidance so that we can agree a waste collection service.*

*Please note that the detailed arrangements regarding the provision of waste collection services must be agreed at later stage, particularly as due to changes within the service over the next three years, the bin requirements will change, and you should review these with us prior to starting work. We can then agree a waste strategy, which would then be confirmed at completion with an inspection to confirm that all criteria are met.*

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

*Architects should however note the requirement for trade waste producers to comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling. This means there would need to be separate storage space off street for segregated waste streams arising from commercial activities, outwith those for domestic waste. No evidence of this has been shown on the drawings so far.*

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

*Should planning permission be permitted, I would ask to be contacted to arrange a waste strategy, and then, a minimum of 12 weeks prior to any waste collections being required, to allow for the necessary work to be completed to commence waste collections, ahead of residents moving in.*

*A site visit will be conducted to ensure that all has been constructed in line with our agreement. Any waste produced on site by the residents will be the responsibility of the developer/builder until the final inspection is accepted and waste collections are in place.*

### **Environmental Protection comment**

*a. It is recommended that the applicant provides a noise impact assessment which assesses the following:*

- 1. Noise from existing nearby commercial premises e.g. public house and provide mitigation where required.*
- 2. Ensure noise from the ground floor commercial premises will not affect the proposed residential above (by recommending mitigation). Including plant, ventilation, trolley moving/banging/ clattering, deliveries noise etc.*
- 3. Please can the agent confirm the proposed commercial class uses and proposed hours of operation of those premises.*

*b. The development is proposed to be on the site of an existing substation and therefore the applicant should look at ensuring the site is assessed for land contamination. Should the application be supported, a condition can be recommended to ensure the site is appropriately remediated.*

*c. Any premises which includes cooking (e.g. the proposed takeaway) should include ventilation proposals in support of the application. In this regard, the ventilation should be built into the design of the premises at the earliest stage and reach chimney pot height/roof ridge level. In this regard, please can the agent provide further details of the ventilation proposed including referenced drawings to indicate where the flue is to be situated and where the extraction point is. An appropriately qualified ventilation specialist should also confirm that the ventilation will attain a minimum of 30 air changes per hour.*

### **Roads Authority Issues**

*The application should be continued.*

*Reasons:*

1. *The current proposals are considered contrary to LDP Policies Tra 3 - Private Cycle Parking and Tra 4 - Design of Off-Street Car and Cycle Parking, for the following reasons:*
  - a. *The 59 cycle parking spaces does not comply with the minimum requirement set out in the current parking standards of 79 cycle parking spaces;*
  - b. *It is not clear the if the applicant is proposing an acceptable style of cycle parking, further information is required on this;*
  - c. *Cycle store 1 is not considered easily accessible due to the proximity of the store to the core entrance and the convoluted route someone with a bike will have to make to access it;*
2. *The applicant should seek to improve the pedestrian environment around the site particularly where the vehicle access points are proposed to be removed;*
3. *The current proposals show steps on the two routes through the development, these are not considered acceptable as they will cause serious issues for people with mobility issues. The applicant needs to satisfy themselves that they have met their responsibilities under the Equality Act 2010 and ensure they have made reasonable adjustments;*
4. *Clarification is required in terms of what areas the applicant would potentially be putting forward for adoption by the Council as Roads Authority;*
5. *The proposal to remove the adopted footway on Saughton Mains Gardens to the west of the site is not acceptable;*

*Note:*

- I. *The application has been assessed under the 2017 parking standards. These permit the following:*
  - a. *A maximum of 38 car parking spaces (1 space per unit), 13 car parking spaces are proposed;*
  - b. *A minimum of 79 cycle parking spaces (1 space per 1 room unit, 2 spaces per 2/3 room unit and 3 spaces per 4+ room unit). 59 cycle parking spaces are proposed;*
  - c. *A minimum of 8% of the car parking needs to be designated as accessible, 1 accessible space is required. 0 accessible spaces are proposed;*
  - d. *A minimum of 1 of every 6 car parking spaces needs to be equipped for electric vehicle (EV) charging, 2 EV spaces are required. 4 EV spaces are proposed;*
  - e. *A minimum of 1 motorcycle parking space is required (1 per 25 units). 0 dedicated MC spaces are proposed;*
- II. *The justification for the proposed level of car parking is related to the site's accessibility to public transport and the provision of on-street car parking for any parking overspill. It should also be noted that this area is earmarked for parking controls within the Strategic Parking Review, approved at T&E Committee in September 2019. Current timescale for implementation is anticipated for early 2023, this process will be subject to the statutory order process. The proposed level of car parking complies with the current parking standards and based on the justification provided is considered acceptable;*

III. The applicant should note that a Section 56 permit application will be required to be made for any work on exiting roads (this includes carriageway, cycle tracks, footways, verges etc);

IV. Tram contribution based on a net contribution where the existing use is taken into consideration. The proposed use of 38 residential units and 240m<sup>2</sup> of retail space in zone 3 of the tram contribution zone equates to a contribution of £47,941. The existing use of 935m<sup>2</sup> of retail in zone 3 equates to a contribution of £41,794. Net contribution = proposed use - existing use = £47,941-£41,974 = £6,146.

V. With regards to the design of the cycle parking the following guidance documents are relevant:

- a. Cycling by Design 2010 (Transport Scotland)
- b. Draft Edinburgh Street Design Guidance Fact Sheet C7 - Cycle Parking (CEC)

Further Notes:

1. The applicant is required to:

- a. Contribute the sum of £6,147 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;
- b. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
- c. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
- d. Provide 1 accessible car parking space in order to comply with the minimum standard set out in the parking standards;

2. In support of the Council's LTS Cars1 policy, the applicant should consider contributing the sum of £12,500 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;

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

4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

5. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can

*they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;*

*6. 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;*

### **Roads Authority Issues updated**

*Further to the memorandum sent on the 21st of April 2020 and the subsequent amendments the application should be refused.*

*Reasons:*

- 1. The application is considered contrary to LDP Policy Des 7 - Layout Design for the following reasons:*
  - a. The application does not seek to improve the pedestrian environment around the site particularly where the vehicle access points are proposed to be removed;*
  - b. The proposals indicate steps on the pedestrian route to the west of the site with an accessible ramp linking to the car parking and a diversion around the steps. This is not considered acceptable as the convoluted route will cause issues for people with mobility issues. The applicant needs to satisfy themselves that they have met their responsibilities under the Equality Act 2010 and ensure they have made reasonable adjustments;*
  - c. The proposal to remove the adopted footway on Saughton Mains Gardens to the west of the site is not acceptable as it will be detrimental to the overall pedestrian environment;*

*Should you choose to approve the application please add the following as conditions and informatives as appropriate:*

- 1. The applicant is required to:*
  - a. Contribute the sum of £6,147 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;*
  - b. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*
  - c. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
  - d. Provide 1 accessible car parking space in order to comply with the minimum standard set out in the parking standards;*

2. In support of the Council's LTS Cars1 policy, the applicant should consider contributing the sum of £12,500 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;

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

4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

5. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;

6. 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:**

I. The application has been assessed under the 2017 parking standards. These permit the following:

a. A maximum of 38 car parking spaces (1 space per unit), 12 car parking spaces are proposed;

b. A minimum of 79 cycle parking spaces (1 space per 1 room unit, 2 spaces per 2/3 room unit and 3 spaces per 4+ room unit). 79 cycle parking spaces are proposed;

c. A minimum of 8% of the car parking needs to be designated as accessible, 1 accessible space is required. 1 accessible space is proposed;

d. A minimum of 1 of every 6 car parking spaces needs to be equipped for electric vehicle (EV) charging, 2 EV spaces are required. 4 EV spaces are proposed;

e. A minimum of 1 motorcycle parking space is required (1 per 25 units). 2 dedicated MC spaces are proposed;

II. The justification for the proposed level of car parking is related to the site's accessibility to public transport and the provision of on-street car parking for any parking overspill. It should also be noted that this area is earmarked for parking controls within the Strategic Parking Review, approved at T&E Committee in

September 2019. Current timescale for implementation is anticipated for early 2023, this process will be subject to the statutory order process. The proposed level of car parking complies with the current parking standards and based on the justification provided is considered acceptable;

III. The cycle parking is proposed on 3 ground floor stores all considered to have reasonable access. The cycle parking is made up of high-density two-tier racks and single tier racks that provide support to both the wheel and frame of the bike. The level of cycle parking complies with the current parking standards and is considered acceptable.

IV. The applicant should note that a Section 56 permit application will be required to be made for any work on exiting roads (this includes carriageway, cycle tracks, footways, verges etc);

V. The Applicant should note that the proposed materials for the pedestrian routes and external areas within the site do not appear to be of a suitable standard for adoption by the Council. An adoption plan was requested to clarify what areas were proposed to be adopted but this has not been provided;

VI. Tram contribution based on a net contribution where the existing use is taken into consideration. The proposed use of 38 residential units and 240m<sup>2</sup> of retail space in zone 3 of the tram contribution zone equates to a contribution of £47,941. The existing use of 935m<sup>2</sup> of retail in zone 3 equates to a contribution of £41,794. Net contribution = proposed use - existing use = £47,941-£41,974 = £6,146.

VII. With regards to the design of the cycle parking the following guidance documents are relevant:

- a. Cycling by Design 2010 (Transport Scotland)
- b. Draft Edinburgh Street Design Guidance Fact Sheet C7 - Cycle Parking (CEC).

## **Affordable Housing comment**

### *1. Introduction*

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

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

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

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

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

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

### *2. Affordable Housing Provision*

*This application is for a development consisting of 38 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (9) homes of approved affordable tenures.*

*Further Information Required:*

*To be able to fully assess the proposal, the applicant should submit an "Affordable Housing Statement", setting out their approach to the following points and which will be a public document available on the City of Edinburgh Council's Planning Portal;*

*The statement should:*

- o commit to providing a minimum 25% on site affordable housing which will be secured by a Section 75 Legal Agreement;*
- o identify the proposed location, type and size of the affordable homes - the affordable homes should be a variety of types and sizes which are representative of the provision of homes across the wider site;*
- o confirm that the affordable homes will be "tenure blind" - the affordable homes are expected to be identical in appearance to the market housing units;*
- o identify the proposed tenure type for the affordable homes - the applicant should make provision for a minimum of 70% of the affordable housing on site to be social rent;*
- o identify the Registered Social Landlord (RSL) that will deliver the affordable homes and confirm that the homes will be designed to the RSL design standards and requirements.*

**Flood Planning comment**

- 1. The applicant has not completed a SWMP declaration certificate (Certificate A1). A copy of this certificate can be found at the link in my signature below.*
- 2. The CEC self-certification scheme requests that the SWMP declaration is signed by a Chartered Professional of either ICE (Institution of Civil Engineers) or CIWEM (Chartered Institution of Water and Environmental Management).*
- 3. Could the applicant confirm the limiting discharge rate of surface water from the development*
- 4. Could the applicant confirm who will adopt and maintain the surface water drainage system*
- 5. It is proposed to discharge surface water to the combined sewer. Could the applicant confirm whether it is possible to discharge to a nearby surface water sewer, rather than the combined system.*
- 6. Once received, could you confirm that Scottish Water agree with the proposed surface water discharge to the combined system*

**Flood Planning updated comment**

*I have reviewed the report and have the following comments, to be addressed by the applicant:*

- 1. A limiting surface water discharge rate of 5l/s is proposed. We would request a limiting discharge rate of 3l/s. For small developments where the 4.5l/s/ha condition leads to a discharge rate of less than 3l/s, then CEC would request that a Hydrobrake of minimum 75mm diameter is used. This can lead to a discharge rate of approximately 3l/s. CEC do not generally accept flow control devices which are less than 75mm in diameter, as they pose an increased blockage and maintenance risk. Also note that Sewers for Scotland 4, allows privately maintained flow control devices with lower diameters (30mm), which could result in a limiting discharge rate lower than 3l/s. I believe this is a Scottish Water requirement and we therefore recommend consulting with Scottish Water to agree a proposal, as it is proposed to discharge to their system.*
- 2. Could the applicant confirm that Scottish Water agree with the proposed surface water discharge rate.*
- 3. As the surface water management plan has not been prepared by a member of either ICE or CIWEM, could the applicant please get the proposals reviewed and checked by an appropriately qualified member of either ICE or CIWEM.*
- 4. Could the applicant please provide a completed surface water management checklist. Apologies if this has already been provided. The checklist provides a summary of the information submitted. A copy of the required checklist is linked below:  
a. <https://www.edinburgh.gov.uk/downloads/file/22712/surface-water-management-checklist>*

### **Flood Planning updated comment**

*I've reviewed this application again and would recommend that the remaining comments are addressed prior to determination:*

- 1. The applicant should provide confirmation that Scottish Water agree with the proposed surface water discharge rate.*
- 2. As the surface water management plan has not been prepared by a member of either ICE or CIWEM, we would recommend that the proposals are reviewed and checked by an appropriately qualified member of either ICE or CIWEM.*

END

# Comments for Planning Application 20/01318/FUL

## Application Summary

Application Number: 20/01318/FUL

Address: 52 Saughton Mains Gardens Edinburgh EH11 3QE

Proposal: Planning permission is sought to demolish existing buildings and redevelop the site for mixed, predominantly residential use, with flatted development and retail floor space.

Case Officer: Francis Newton

## Customer Details

Name: Mr Gary McCabe

Address: 45 Saughton Mains Drive Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Fully support this, let them have the Busy Bee public house site as well, if and when possible. Area needs a boost of this type and the current structure is not fit for purpose.

# Comments for Planning Application 20/01318/FUL

## Application Summary

Application Number: 20/01318/FUL

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Case Officer: Francis Newton

## Customer Details

Name: Not Available

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Fully support this, let them have the Busy Bee public house site as well, if and when possible. Area needs a boost of this type and the current structure is not fit for purpose.

## Memorandum

**To** Head of Planning  
City of Edinburgh Council  
Planning and Transport  
Place  
Waverley Court  
4 East Market Street  
Edinburgh  
EH8 8BG

F.A.O. Francis Newton

**From** John A Lawson  
Archaeology Officer

**Your** 20/01318/FUL  
**ref**

**Date** 2<sup>nd</sup> April 2020

**Our ref** 20/01318/FUL

Dear Francis

### 152 Saughton Mains Gardens

Further to your consultation request I would like to make the following comments and recommendations concerning this application to demolish existing buildings and redevelop the site for mixed, predominantly residential use, with flatted development and retail floor space. |

The site occurs at the centre of a 1950's housing estate constructed on farmland surrounding the former Saughton Mains Farm and Saughton House. Historic maps indicate that the site remained farmland since the mid-18<sup>th</sup> century and out with the footprint of the historic farm. Given this location outwith the historic footprint of Saughton Mains Farm and likely impacts of the 1950's housing scheme and current buildings it is considered unlikely that significant archaeological remains will have survived insitu.

Accordingly it has therefore been concluded that there are no, known, archaeological implications regarding this application.

Please contact me if you require any further information.

Yours faithfully

**John A Lawson**

**Lynne Halfpenny, Director of Culture, Cultural Services, Place**  
City of Edinburgh Council Archaeology Service, Museum of Edinburgh, 142 Canongate, Edinburgh, EH8 8DD  
Tel 0131 558 1040

[john.lawson@edinburgh.gov.uk](mailto:john.lawson@edinburgh.gov.uk)



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## COMMUNITIES AND FAMILIES - CONSULTATION RESPONSE

Location	52 Saughton Mains Gardens Edinburgh EH11 3QE
Proposal	Planning permission is sought to demolish existing buildings and redevelop the site for mixed, predominantly residential use, with flatted development and retail floor space.
Application number	20/01318/FUL
Assessment date	02.02.20

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

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

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

### ***Assessment and Contribution Requirements***

Assessment based on:  
26 Flats (12 one bedroom flats excluded)

This site falls within Sub-Area T1 of the '*Tynecastle Education Contribution Zone*'.

Using the pupil generation rates set out in the Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery', the development is expected to generate at least one additional primary school pupil but not at least one additional secondary school pupil. The Supplementary Guidance states that if a development is expected to generate at least one primary school pupil but less than one secondary school pupil, only a contribution towards new primary school infrastructure may be required.

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

No additional primary school infrastructure has been identified as being required to mitigate the impact of this development. No contribution towards additional education infrastructure is therefore required.

**From:** Justine Stansfield  
**Sent:** 03 April 2020 10:33  
**To:** Francis Newton <[Francis.Newton@edinburgh.gov.uk](mailto:Francis.Newton@edinburgh.gov.uk)>  
**Subject:** Waste comments on planning application 20/01318/FUL

Dear Francis,

I have been asked to consider the application **20/01318/FUL** on behalf of Waste and Cleansing.

As this is to be a residential development, Waste and Cleansing would be expected to be the service provider for the collection of domestic waste (only).

We understand there are a total of 38 units. These flats will be served by a full range of communal bins, from an integral bin store. However, the bin store shown in draft floor plan 10181-03-01 is not of sufficient size to accommodate the required number of bins, as the flats would require 5 non recyclable waste 1280L bins, 3 mixed recycling 1280L bins, 1 glass 660L and 2 food waste 500L bins.

Appropriate vehicle access still needs to be demonstrated. Furthermore, I would recommend that developers ensure that all details are in accordance with *Instructions For Architects Guidance* so that we can agree a waste collection service.

Please note that the detailed arrangements regarding the provision of waste collection services must be agreed at later stage, particularly as due to changes within the service over the next three years, the bin requirements will change, and you should review these with us prior to starting work. We can then agree a waste strategy, which would then be confirmed at completion with an inspection to confirm that all criteria are met.

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

Architects should however note the requirement for trade waste producers to comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling. This means there would need to be separate storage space off street for segregated waste streams arising from commercial activities, outwith those for domestic waste. No evidence of this has been shown on the drawings so far.

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

Should planning permission be permitted, I would ask to be contacted to arrange a waste strategy, and then, a minimum of 12 weeks prior to any waste collections being required, to allow for the necessary work to be completed to commence waste collections, ahead of residents moving in.

A site visit will be conducted to ensure that all has been constructed in line with our agreement. Any waste produced on site by the residents will be the responsibility of the developer/builder until the final inspection is accepted and waste collections are in place.

Regards

*Justine*

Justine Stansfield CRWM

Project Officer | Waste and Cleansing Services | The City of Edinburgh Council | Seafield Depot | 1  
Fillyside Road, Edinburgh EH7 6RD | t 0131 469 5661 (internal ext 25661) | m 07825 733 623  
edinburgh.gov.uk

*Please note I work Tuesdays to Fridays*

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[edinburgh.gov.uk/recycle](https://edinburgh.gov.uk/recycle)

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**From:** Colin Brown  
**Sent:** 03 April 2020 11:34  
**To:** Francis Newton <[Francis.Newton@edinburgh.gov.uk](mailto:Francis.Newton@edinburgh.gov.uk)>  
**Subject:** 20/01318/FUL. 52 Saughton Mains Gardens, Edinburgh

Good morning Francis,

Further to your request for a consultation response from Environmental Protection, I would confirm the following:

- a. It is recommended that the applicant provides a noise impact assessment which assesses the following:
  1. Noise from existing nearby commercial premises e.g. public house and provide mitigation where required.
  2. Ensure noise from the ground floor commercial premises will not affect the proposed residential above (by recommending mitigation). Including plant, ventilation, trolley moving/banging/ clattering, deliveries noise etc.
  3. Please can the agent confirm the proposed commercial class uses and proposed hours of operation of those premises.
- b. The development is proposed to be on the site of an existing substation and therefore the applicant should look at ensuring the site is assessed for land contamination. Should the application be supported, a condition can be recommended to ensure the site is appropriately remediated.
- c. Any premises which includes cooking (e.g. the proposed takeaway) should include ventilation proposals in support of the application. In this regard, the ventilation should be built into the design of the premises at the earliest stage and reach chimney pot height/roof ridge level. In this regard, please can the agent provide further details of the ventilation proposed including referenced drawings to indicate where the flue is to be situated and where the extraction point is. An appropriately qualified ventilation specialist should also confirm that the ventilation will attain a minimum of 30 air changes per hour.

Should you wish to discuss the above, please email.

Regards

Colin

Colin Brown | Environmental Health Officer | Environmental Protection | Regulatory Services | Directorate of Place | City of Edinburgh Council | Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG | [colin.brown2@edinburgh.gov.uk](mailto:colin.brown2@edinburgh.gov.uk) | 0131 469 5802 |



Wash your hands.



Use a tissue for coughs and sneezes.



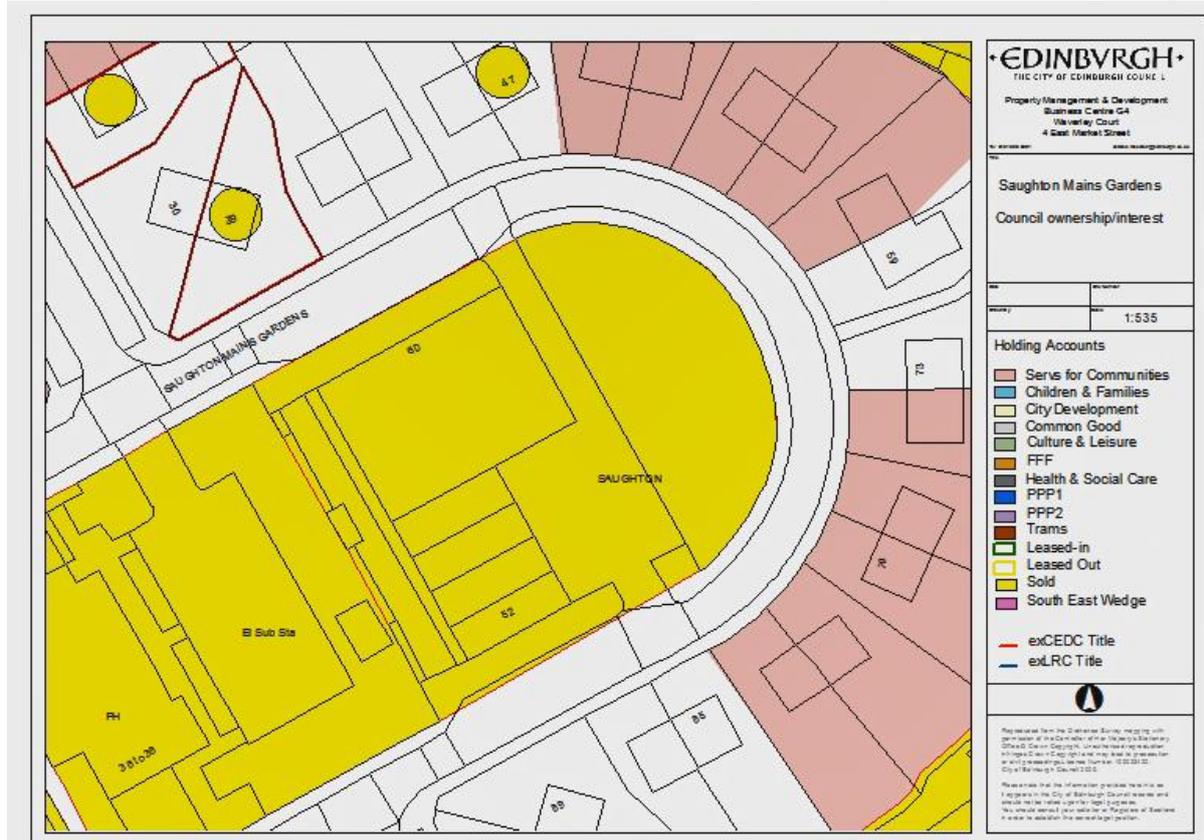
Avoid touching your face.

[www.nhsinform.scot/coronavirus](http://www.nhsinform.scot/coronavirus)

**From:** Elaine Thom  
**Sent:** 08 April 2020 11:11  
**To:** David Jamieson <[David.Jamieson@edinburgh.gov.uk](mailto:David.Jamieson@edinburgh.gov.uk)>; Francis Newton <[Francis.Newton@edinburgh.gov.uk](mailto:Francis.Newton@edinburgh.gov.uk)>  
**Cc:** Derek Dickson <[Derek.Dickson@edinburgh.gov.uk](mailto:Derek.Dickson@edinburgh.gov.uk)>  
**Subject:** RE: 20/01318/FUL - Saughton Mains Gardens

Morning David

The Council sold this area, see below taken from our ownership records, (sold is shaded in yellow):



Kind regards,  
Elaine  
On behalf of Estates Research

**Elaine Thom** | Terrier & Data Officer | Estates Research, Resources, City of Edinburgh Council, Waverley Court, Business Centre 1.5, 4 East Market Street, Edinburgh, EH8 8BG | Tel 0131 529 4631 | [elaine.thom@edinburgh.gov.uk](mailto:elaine.thom@edinburgh.gov.uk) | [City of Edinburgh Council - Property Ownership](http://www.edinburgh.gov.uk)

*Please note that the information provided herein is as it appears in the City of Edinburgh Council, Estates Department records and should not be relied upon for legal purposes. Our records reflect information provided to us by the City of Edinburgh Council's Legal Services Department. To establish the correct legal position you should contact the legal Services Department directly or alternatively consult your solicitor or Registers of Scotland.*

Title  
**Saughton**  
Council ownership/interest

Date	Draw Number
Drawn By	Scale <b>1:1,197</b>

**Holding Accounts**

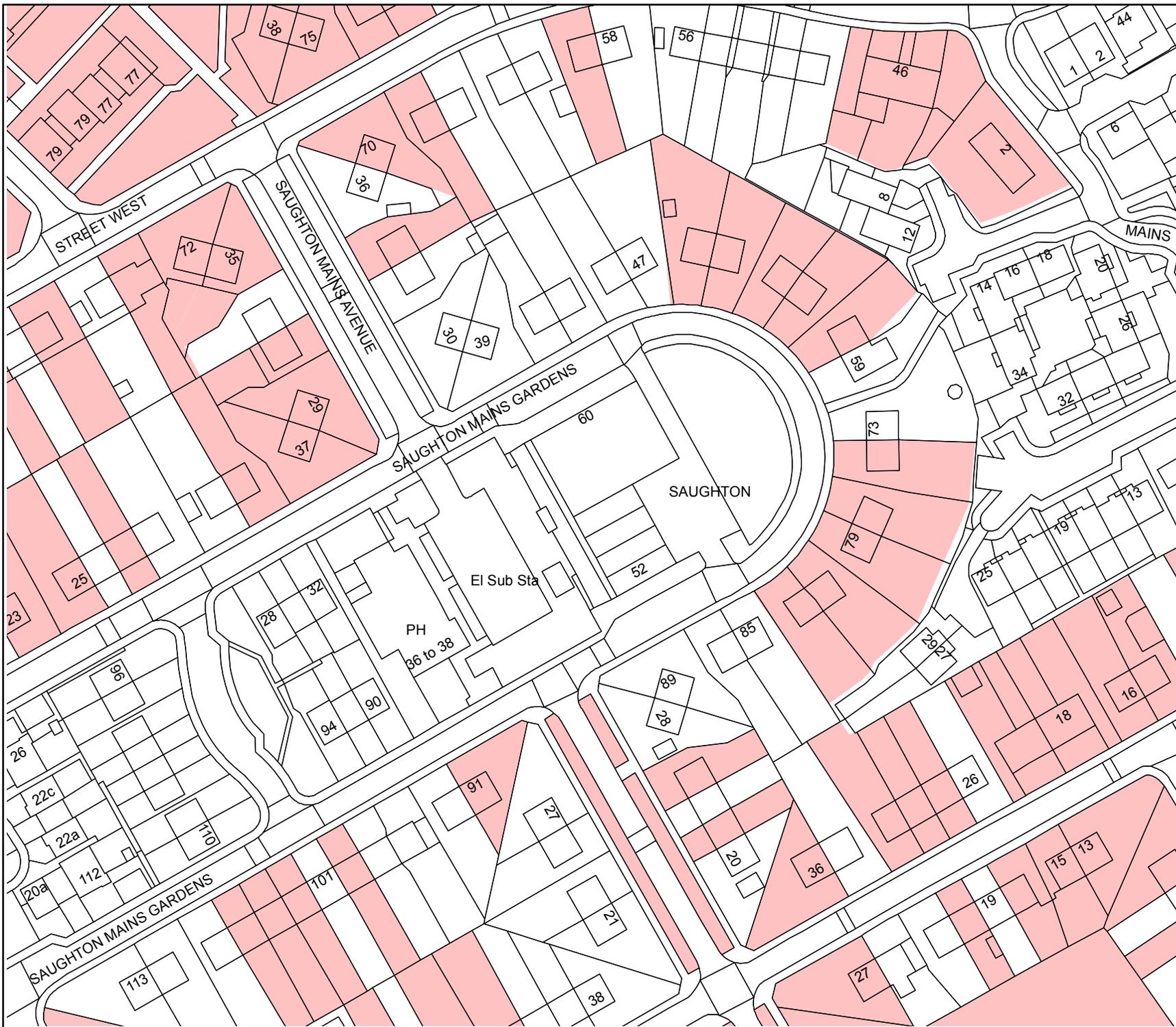
-  Serves for Communities
-  Children & Families
-  City Development
-  Common Good
-  Culture & Leisure
-  FFF
-  Health & Social Care
-  PPP1
-  PPP2
-  Trams
-  Leased-in
-  Leased Out
-  Sold
-  South East Wedge

-  exCEDC Title
-  exLRC Title



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Please note that the information provided herein is as it appears in the City of Edinburgh Council records and should not be relied upon for legal purposes. You should consult your solicitor or Registers of Scotland in order to establish the correct legal position.



**From:** Elaine Thom  
**Sent:** 08 April 2020 11:34  
**To:** David Jamieson <[David.Jamieson@edinburgh.gov.uk](mailto:David.Jamieson@edinburgh.gov.uk)>; Francis Newton <[Francis.Newton@edinburgh.gov.uk](mailto:Francis.Newton@edinburgh.gov.uk)>  
**Cc:** Derek Dickson <[Derek.Dickson@edinburgh.gov.uk](mailto:Derek.Dickson@edinburgh.gov.uk)>  
**Subject:** FW: 20/01318/FUL - Saughton Mains Gardens

Hi all,

Further on to my previous email... I just quickly checked Smallworld to see what is adopted here.. I have attached a plan. The Roads Team should be able to confirm.

Hope this helps.

Kind regards,

Elaine

On behalf of Estates Research

**Elaine Thom** | Terrier & Data Officer | Estates Research, Resources, City of Edinburgh Council, Waverley Court, Business Centre 1.5, 4 East Market Street, Edinburgh, EH8 8BG | Tel 0131 529 4631 | [elaine.thom@edinburgh.gov.uk](mailto:elaine.thom@edinburgh.gov.uk) | [City of Edinburgh Council - Property Ownership](#)

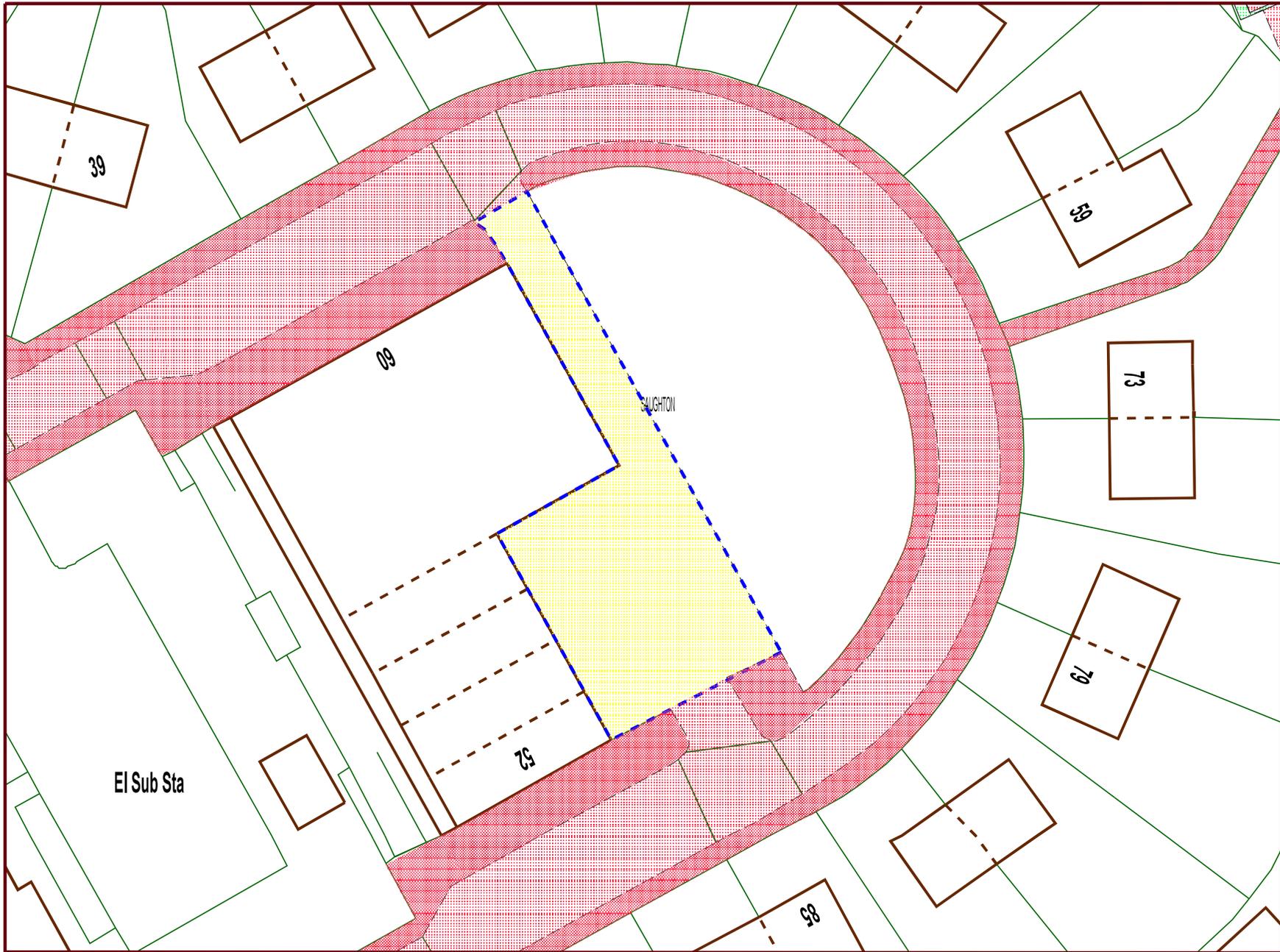
*Please note that the information provided herein is as it appears in the City of Edinburgh Council, Estates Department records and should not be relied upon for legal purposes. Our records reflect information provided to us by the City of Edinburgh Council's Legal Services Department. To establish the correct legal position you should contact the legal Services Department directly or alternatively consult your solicitor or Registers of Scotland.*

**Coronavirus**  
Covid-19

For latest updates on council services visit

[www.edinburgh.gov.uk/coronavirus](http://www.edinburgh.gov.uk/coronavirus)





NOTES

Pink - adopted  
 Yellow - private



Produced using Smallworld GIS

**EDINBURGH**  
 THE CITY OF EDINBURGH COUNCIL  
 Services for Communities,  
 4 East Market Street, Edinburgh EH8 8DN  
 Tel: 0131 200 2000

Saughton Mains Gardens  
 Adopted Areas

1:492



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Date: 08/04/2020

Drawn By:

Dwg No:

# MEMORANDUM

## PLACE

To: Francis Newton

Our Ref: T/TP/DC/42345/CB

Your Ref: 20/01318/FUL

Date: 21<sup>st</sup> April 2020

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**PLANNING APPLICATION No: 20/01318/FUL**

**FOR: PLANNING PERMISSION IS SOUGHT TO DEMOLISH EXISTING BUILDINGS AND REDEVELOP THE SITE FOR MIXED, PREDOMINANTLY RESIDENTIAL USE, WITH FLATTED DEVELOPMENT AND RETAIL FLOOR SPACE.**

**AT: 52 SAUGHTON MAINS GARDENS, EDINBURGH, EH11 3QE**

### ROADS AUTHORITY ISSUES

The application should be continued.

Reasons:

1. The current proposals are considered contrary to LDP Policies Tra 3 – Private Cycle Parking and Tra 4 - Design of Off-Street Car and Cycle Parking, for the following reasons:
  - a. The 59 cycle parking spaces does not comply with the minimum requirement set out in the current parking standards of 79 cycle parking spaces;
  - b. It is not clear the if the applicant is proposing an acceptable style of cycle parking, further information is required on this;
  - c. Cycle store 1 is not considered easily accessible due to the proximity of the store to the core entrance and the convoluted route someone with a bike will have to make to access it;
2. The applicant should seek to improve the pedestrian environment around the site particularly where the vehicle access points are proposed to be removed;
3. The current proposals show steps on the two routes through the development, these are not considered acceptable as they will cause serious issues for people with mobility issues. The applicant needs to satisfy themselves that they have met their responsibilities under the Equality Act 2010 and ensure they have made reasonable adjustments;
4. Clarification is required in terms of what areas the applicant would potentially be putting forward for adoption by the Council as Roads Authority;
5. The proposal to remove the adopted footway on Saughton Mains Gardens to the west of the site is not acceptable;

Note:

- I. The application has been assessed under the 2017 parking standards. These permit the following:
  - a. A maximum of 38 car parking spaces (1 space per unit), 13 car parking spaces are proposed;
  - b. A minimum of 79 cycle parking spaces (1 space per 1 room unit, 2 spaces per 2/3 room unit and 3 spaces per 4+ room unit). 59 cycle parking spaces are proposed;
  - c. A minimum of 8% of the car parking needs to be designated as accessible, 1 accessible space is required. 0 accessible spaces are proposed;
  - d. A minimum of 1 of every 6 car parking spaces needs to be equipped for electric vehicle (EV) charging, 2 EV spaces are required. 4 EV spaces are proposed;

- e. A minimum of 1 motorcycle parking space is required (1 per 25 units). 0 dedicated MC spaces are proposed;
- II. The justification for the proposed level of car parking is related to the site's accessibility to public transport and the provision of on-street car parking for any parking overspill. It should also be noted that this area is earmarked for parking controls within the Strategic Parking Review, approved at T&E Committee in September 2019. Current timescale for implementation is anticipated for early 2023, this process will be subject to the statutory order process. The proposed level of car parking complies with the current parking standards and based on the justification provided is considered acceptable;
- III. The applicant should note that a Section 56 permit application will be required to be made for any work on exiting roads (this includes carriageway, cycle tracks, footways, verges etc);
- IV. Tram contribution based on a net contribution where the existing use is taken into consideration. The proposed use of 38 residential units and 240m<sup>2</sup> of retail space in zone 3 of the tram contribution zone equates to a contribution of £47,941. The existing use of 935m<sup>2</sup> of retail in zone 3 equates to a contribution of £41,794. Net contribution = proposed use – existing use = £47,941 - £41,974 = £6,146.
- V. With regards to the design of the cycle parking the following guidance documents are relevant:
  - a. Cycling by Design 2010 (Transport Scotland)
  - b. Draft Edinburgh Street Design Guidance Fact Sheet C7 – Cycle Parking (CEC)

Further Notes:

1. The applicant is required to:
  - a. Contribute the sum of £6,147 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;
  - b. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
  - c. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
  - d. Provide 1 accessible car parking space in order to comply with the minimum standard set out in the parking standards;
2. In support of the Council's LTS Cars1 policy, the applicant should consider contributing the sum of £12,500 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;
3. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
5. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is

illegal and only the Council as roads authority has the legal right to control on-street spaces, **whether the road has been adopted or not**. The developer is expected to make this clear to prospective residents as part of any sale of land or property;

6. 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;

**Cameron Baillie**

**Tel: 2-3562**

PLACE

ENABLING AND PARTNERSHIPS

Planning  
Waverley Court  
East Market Street  
Edinburgh  
EH8 8BG  
FAO Francis Newton

**Date** 1 May 2020

**Your ref** AHP/Corresp/IT

Dear Francis,

**TOWN AND COUNTRY PLANNING SCOTLAND ACT 1997  
PLANNING PERMISSION IS SOUGHT TO DEMOLISH EXISTING BUILDINGS  
AND REDEVELOP THE SITE FOR MIXED, PREDOMINANTLY RESIDENTIAL  
USE, WITH FLATTED DEVELOPMENT AND RETAIL FLOOR SPACE.  
AT 52 SAUGHTON MAINS GARDENS, EDINBURGH, EH11 3QE  
REFERENCE NUMBER: 20/01318/FUL  
WARD NO: B07**

## 1. Introduction

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

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

- *Policy Hou 6 Affordable Housing* in the Edinburgh Local Development Plan states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing.
- 25% of the total number of units proposed should be affordable housing.
- The Council has published Affordable Housing Guidance which sets out the requirements of the AHP, and the guidance can be downloaded here:

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

## 2. Affordable Housing Provision

This application is for a development consisting of 38 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (9) homes of approved affordable tenures.

*Further Information Required:*

**ELAINE SCOTT**

HOUSING AND DEVELOPMENT MANAGER

Business Centre G:5, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG

Tel 0131 529 2426 Fax 0131 529 6202



INVESTOR IN PEOPLE

To be able to fully assess the proposal, the applicant should submit an “Affordable Housing Statement”, setting out their approach to the following points and which will be a public document available on the City of Edinburgh Council’s Planning Portal;

The statement should:

- commit to providing a minimum 25% on site affordable housing which will be secured by a Section 75 Legal Agreement;
- identify the proposed location, type and size of the affordable homes – the affordable homes should be a variety of types and sizes which are representative of the provision of homes across the wider site;
- confirm that the affordable homes will be “tenure blind” - the affordable homes are expected to be identical in appearance to the market housing units;
- identify the proposed tenure type for the affordable homes – the applicant should make provision for a minimum of 70% of the affordable housing on site to be social rent;
- identify the Registered Social Landlord (RSL) that will deliver the affordable homes and confirm that the homes will be designed to the RSL design standards and requirements.

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

Yours sincerely,

Ian Tame  
Senior Housing Development Officer  
Enabling and Partnerships  
Place

**From:** Thomas Findlay **On Behalf Of** Flood Planning  
**Sent:** 05 May 2020 09:49  
**To:** Francis Newton <[Francis.Newton@edinburgh.gov.uk](mailto:Francis.Newton@edinburgh.gov.uk)>  
**Cc:** Flood Planning <[Flood.Planning@edinburgh.gov.uk](mailto:Flood.Planning@edinburgh.gov.uk)>  
**Subject:** Re: 20/01318/FUL - 52 Saughton Mains Gardens

Hi Francis,

Thanks for the additional information. Let me know if the applicant sends any further information through. I have reviewed the attached report and have the following comments, to be reviewed by the applicant:

1. The applicant has not completed a SWMP declaration certificate (Certificate A1). A copy of this certificate can be found at the link in my signature below.
2. The CEC self-certification scheme requests that the SWMP declaration is signed by a Chartered Professional of either ICE (Institution of Civil Engineers) or CIWEM (Chartered Institution of Water and Environmental Management).
3. Could the applicant confirm the limiting discharge rate of surface water from the development
4. Could the applicant confirm who will adopt and maintain the surface water drainage system
5. It is proposed to discharge surface water to the combined sewer. Could the applicant confirm whether it is possible to discharge to a nearby surface water sewer, rather than the combined system.
6. Once received, could you confirm that Scottish Water agree with the proposed surface water discharge to the combined system

Kind regards,  
Thomas Findlay

Project Officer | Flood Prevention | Place | Planning and Transport | The City of Edinburgh Council | Waverley Court, Room C.1, 4 East Market Street, Edinburgh, EH8 8BG | [Flood.Planning@Edinburgh.gov.uk](mailto:Flood.Planning@Edinburgh.gov.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk) |

**From:** Thomas Findlay **On Behalf Of** Flood Planning  
**Sent:** 27 May 2020 17:00  
**To:** Francis Newton <[Francis.Newton@edinburgh.gov.uk](mailto:Francis.Newton@edinburgh.gov.uk)>  
**Cc:** Flood Planning <[Flood.Planning@edinburgh.gov.uk](mailto:Flood.Planning@edinburgh.gov.uk)>  
**Subject:** Re: 20/01318/FUL - 52 Saughton Mains Gardens

Hi Francis,

Thanks for sending through the updated report. I have reviewed the report and have the following comments, to be addressed by the applicant:

1. A limiting surface water discharge rate of 5l/s is proposed. We would request a limiting discharge rate of 3l/s. For small developments where the 4.5l/s/ha condition leads to a discharge rate of less than 3l/s, then CEC would request that a Hydrobrake of minimum 75mm diameter is used. This can lead to a discharge rate of approximately 3l/s. CEC do not generally accept flow control devices which are less than 75mm in diameter, as they pose an increased blockage and maintenance risk. Also note that Sewers for Scotland 4, allows privately maintained flow control devices with lower diameters (30mm), which could result in a limiting discharge rate lower than 3l/s. I believe this is a Scottish Water requirement and we therefore recommend consulting with Scottish Water to agree a proposal, as it is proposed to discharge to their system.
2. Could the applicant confirm that Scottish Water agree with the proposed surface water discharge rate.
3. As the surface water management plan has not been prepared by a member of either ICE or CIWEM, could the applicant please get the proposals reviewed and checked by an appropriately qualified member of either ICE or CIWEM.
4. Could the applicant please provide a completed surface water management checklist. Apologies if this has already been provided. The checklist provides a summary of the information submitted. A copy of the required checklist is linked below:
  - a. <https://www.edinburgh.gov.uk/downloads/file/22712/surface-water-management-checklist>

Kind regards,  
Thomas Findlay

Project Officer | Flood Prevention | Place | Planning and Transport | The City of Edinburgh Council | Waverley Court, Room C.1, 4 East Market Street, Edinburgh, EH8 8BG | [Flood.Planning@Edinburgh.gov.uk](mailto:Flood.Planning@Edinburgh.gov.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk) |

**From:** Thomas Findlay **On Behalf Of** Flood Planning  
**Sent:** 12 June 2020 16:30  
**To:** Francis Newton <[Francis.Newton@edinburgh.gov.uk](mailto:Francis.Newton@edinburgh.gov.uk)>  
**Cc:** Flood Planning <[Flood.Planning@edinburgh.gov.uk](mailto:Flood.Planning@edinburgh.gov.uk)>  
**Subject:** Fw: 52 Saughton Mains Gardens - 20/01318/FUL

Hi Francis,

I've reviewed this application again and would recommend that the remaining comments are addressed prior to determination:

1. The applicant should provide confirmation that Scottish Water agree with the proposed surface water discharge rate.
2. As the surface water management plan has not been prepared by a member of either ICE or CIWEM, we would recommend that the proposals are reviewed and checked by an appropriately qualified member of either ICE or CIWEM.

Kind regards,  
Thomas Findlay

Project Officer | Flood Prevention | Place | Planning and Transport | The City of Edinburgh Council | Waverley Court, Room C.1, 4 East Market Street, Edinburgh, EH8 8BG | [Flood.Planning@Edinburgh.gov.uk](mailto:Flood.Planning@Edinburgh.gov.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk) |

**Please direct all enquires to the Flood Planning inbox email address noted above. This will ensure that it is addressed in a timely manner as I have an irregular working pattern and am only in part time. Direct correspondence to me may go unanswered for an extended period of time otherwise.**

**CEC Flood Planning Self-Certification Requirements and Guidance:**  
[http://www.edinburgh.gov.uk/info/20045/flooding/1584/flood\\_planning\\_application](http://www.edinburgh.gov.uk/info/20045/flooding/1584/flood_planning_application)

# MEMORANDUM

## PLACE

To: Francis Newton

Our Ref: T/TP/DC/42345/CB

Your Ref: 20/01318/FUL

Date: 19<sup>th</sup> August 2020

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**PLANNING APPLICATION No: 20/01318/FUL**

**FOR: PLANNING PERMISSION IS SOUGHT TO DEMOLISH EXISTING BUILDINGS AND REDEVELOP THE SITE FOR MIXED, PREDOMINANTLY RESIDENTIAL USE, WITH FLATTED DEVELOPMENT AND RETAIL FLOOR SPACE.**

**AT: 52 SAUGHTON MAINS GARDENS, EDINBURGH, EH11 3QE**

### ROADS AUTHORITY ISSUES

Further to the memorandum sent on the 21<sup>st</sup> of April 2020 and the subsequent amendments the application should be refused.

Reasons:

1. The application is considered contrary to LDP Policy Des 7 – Layout Design for the following reasons:
  - a. The application does not seek to improve the pedestrian environment around the site particularly where the vehicle access points are proposed to be removed;
  - b. The proposals indicate steps on the pedestrian route to the west of the site with an accessible ramp linking to the car parking and a diversion around the steps. This is not considered acceptable as the convoluted route will cause issues for people with mobility issues. The applicant needs to satisfy themselves that they have met their responsibilities under the Equality Act 2010 and ensure they have made reasonable adjustments;
  - c. The proposal to remove the adopted footway on Saughton Mains Gardens to the west of the site is not acceptable as it will be detrimental to the overall pedestrian environment;

Should you choose to approve the application please add the following as conditions and informatives as appropriate:

1. The applicant is required to:
  - a. Contribute the sum of £6,147 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;
  - b. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
  - c. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
  - d. Provide 1 accessible car parking space in order to comply with the minimum standard set out in the parking standards;
2. In support of the Council's LTS Cars1 policy, the applicant should consider contributing the sum of £12,500 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;

3. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
5. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, **whether the road has been adopted or not**. The developer is expected to make this clear to prospective residents as part of any sale of land or property;
6. 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:

- I. The application has been assessed under the 2017 parking standards. These permit the following:
  - a. A maximum of 38 car parking spaces (1 space per unit), 12 car parking spaces are proposed;
  - b. A minimum of 79 cycle parking spaces (1 space per 1 room unit, 2 spaces per 2/3 room unit and 3 spaces per 4+ room unit). 79 cycle parking spaces are proposed;
  - c. A minimum of 8% of the car parking needs to be designated as accessible, 1 accessible space is required. 1 accessible space is proposed;
  - d. A minimum of 1 of every 6 car parking spaces needs to be equipped for electric vehicle (EV) charging, 2 EV spaces are required. 4 EV spaces are proposed;
  - e. A minimum of 1 motorcycle parking space is required (1 per 25 units). 2 dedicated MC spaces are proposed;
- II. The justification for the proposed level of car parking is related to the site's accessibility to public transport and the provision of on-street car parking for any parking overspill. It should also be noted that this area is earmarked for parking controls within the Strategic Parking Review, approved at T&E Committee in September 2019. Current timescale for implementation is anticipated for early 2023, this process will be subject to the statutory order process. The proposed level of car parking complies with the current parking standards and based on the justification provided is considered acceptable;
- III. The cycle parking is proposed on 3 ground floor stores all considered to have reasonable access. The cycle parking is made up of high-density two-tier racks and single tier racks that provide support to both the wheel and frame of the bike. The level of cycle parking complies with the current parking standards and is considered acceptable.

- IV. The applicant should note that a Section 56 permit application will be required to be made for any work on exiting roads (this includes carriageway, cycle tracks, footways, verges etc);
- V. The Applicant should note that the proposed materials for the pedestrian routes and external areas within the site do not appear to be of a suitable standard for adoption by the Council. An adoption plan was requested to clarify what areas were proposed to be adopted but this has not been provided;
- VI. Tram contribution based on a net contribution where the existing use is taken into consideration. The proposed use of 38 residential units and 240m<sup>2</sup> of retail space in zone 3 of the tram contribution zone equates to a contribution of £47,941. The existing use of 935m<sup>2</sup> of retail in zone 3 equates to a contribution of £41,794. Net contribution = proposed use – existing use = £47,941-£41,974 = £6,146.
- VII. With regards to the design of the cycle parking the following guidance documents are relevant:
  - a. Cycling by Design 2010 (Transport Scotland)
  - b. Draft Edinburgh Street Design Guidance Fact Sheet C7 – Cycle Parking (CEC)

**Cameron Baillie**  
**Tel: 2-3562**

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: [planning.support@edinburgh.gov.uk](mailto:planning.support@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100303553-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Format Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Shona	Building Name:	
Last Name: *	Mackay	Building Number:	146
Telephone Number: *	01316617666	Address 1 (Street): *	Duddingston Road West
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH16 4AP
Email Address: *	formatdesign@aol.com		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Format Design"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="146"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Duddingston Road West"/>
Company/Organisation	<input type="text" value="Manbay Homes"/>	Address 2:	<input type="text" value="Holyrood Business Park"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="EDINBURGH"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH16 4AP"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="FORMATDESIGN@AOL.COM"/>		

## Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="52 SAUGHTON MAINS GARDENS"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH11 3QE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="671508"/>	Easting	<input type="text" value="320913"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Please see appeal statement attached

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See attached appeal statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Appeal Statement

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/01318/FUL

What date was the application submitted to the planning authority? \*

27/03/2020

What date was the decision issued by the planning authority? \*

03/09/2020

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

To allow the Local Review Body to view the application site and its environs

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Shona Mackay

Declaration Date: 10/09/2020

**Proposal Details**

Proposal Name	100303553
Proposal Description	Appeal to LRB - 52 Saughton Mains Gardens
Address	52 SAUGHTON MAINS GARDENS,
EDINBURGH,	EH11 3QE
Local Authority	City of Edinburgh Council
Application Online Reference	100303553-001

**Application Status**

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

**Attachment Details**

Notice of Review	System	A4
Appeal Statement	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

LOCAL REVIEW APPEAL STATEMENT FOR DEMOLITION OF EXISTING  
NEIGHBOURHOOD SHOPS AND ERECTION OF A RESIDENTIAL DEVELOPMENT  
INCORPORATING 38 FLATS AND 3 RETAIL/COMMERCIAL UNITS  
PLANNING APPLICATION No: 20/01318/FUL  
AT  
52-60 SAUGHTON MAINS GARDENS, EDINBURGH



14 SEPTEMBER 2020

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## 1. Introduction

This submission is for the proposed redevelopment of an existing run-down neighbourhood shopping centre into a residential development of 38 flats plus three shops incorporating 9 affordable housing units on site. Planning permission was refused on 03 September 2020.

## 2. The Decision

The planning application, **20/01318/FUL**, has been refused for the reason that; -

- 1. The proposal is contrary to LDP Policy **Des 2 a)** Co-ordinated Development and **Edinburgh Design Guidance**, in that it has failed to satisfactorily consider the effective development of the adjacent land and regeneration of the wider site as part of a coordinated design and development proposal.*
- 2. The proposal is contrary to LDP Policies **Des 1** Design Quality and Context, in that it has not been demonstrated that the development will create or contribute towards a sense of place. The proposed design has not been based on an overall concept that draws upon the positive character of the surrounding area.*
- 3. The proposal would be contrary to LDP Policy **Des 4 - Development Design - Impact upon Setting**, parts a) b) c) and d) and the **Edinburgh Design Guidance** by virtue of the proposed height and form, scale and proportions, position of buildings on the site and materials and detailing. The proposal would not result in a positive impact to the surroundings and has not sought to draw upon the positive characteristics of the locality and wider townscape.*
- 4. The proposal would be contrary to LDP Policy **Des 7 a)** and **Des 8**, Public Realm and Landscape Design and the **Edinburgh Design Guidance** in that the proposed design has not demonstrated a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces and services. The proposal has failed to consider the planting of trees to provide a setting for buildings, boundaries and road sides and create a robust landscape structure, as stipulated through LDP Policy **Des 8 c)**.*
- 5. The proposal would be contrary to LDP Policy **Hou 4 a) and b)** Housing Density and the **Edinburgh Design Guidance** in that the design and development concept has not adequately considered the characteristics of the surrounding area nor would it result in an attractive residential environment and safeguard living conditions within the development.*
- 6. The proposal is contrary to LDP Policy **Hou 3 a)** and the **Edinburgh Design Guidance** in that the proposals do not make adequate provision for private greenspace and would fail to achieve a standard of 10 square metres per flat. The location, quality and detail of the various spaces is inadequate for the scale and nature of the proposed development.*
- 7. The proposal is contrary to LDP Policies **Hou 2**, **Hou 6** and **Edinburgh Design Guidance** in that it has not been demonstrated through an Affordable Housing Statement that the requirements of the Council's Affordable Housing Policy have been fully addressed, that the homes have been designed to RSL standards and requirements or that the proposed house types will meet a range of housing needs, including those of families, older people and people with special needs and having regard to the character of the area and its accessibility.*
- 8. The proposal is contrary to LDP Policy **Des 5 a)** and **Edinburgh Design Guidance** in that it has not been demonstrated that future occupiers will have acceptable levels of amenity in relation to noise, daylight, sunlight and immediate outlook. The proposals do not address requirements of the **Edinburgh Design Guidance** in relation to the proportion of single aspect flats. No Noise Assessment has been provided to demonstrate impacts arising from the proposed commercial retail premises at ground floor level and other potential noise sources.*

### 3. Response

It is the appellant's view that the proposal should have been granted planning permission as the benefits of the proposal significantly outweigh any perceived adverse impacts, and furthermore it fully satisfies the policies and aspirations of the local development plan.

The report of handling states that the principle of housing development and redevelopment of the existing retail space as part of a mixed-use scheme is acceptable in principle in this location.

The chief concerns expressed by the planning authority in the delegated report of handling are the impact upon the surrounding townscape, sub-standard design quality, over-development, lack of affordable housing provision and inadequate amenity for future residents. The following headings are the responses to the issues raised in the 8 reasons for refusal.

#### Co-ordinated Development

The development sits on an island plot separated on three sides by the road (Saughton Mains Gardens) and to the west by a private car park. The uses proposed are residential and retail, uses which exist already on the site and all around the site.

The development respects existing properties on all sides. The future development of the former public house/function suite to the west has not been compromised in any way.



An aerial view of the site in context with the local area

The report of handling states that the application has not been promoted as part of a coordinated development considering adjacent areas of land, and that the site could benefit from a more comprehensive approach to design and placemaking and this was not explored through pre-application discussions.

First of all, this was not a major development and therefore pre-application procedure was not essential. The appellant sought professional pre-application planning advice and had a very good understanding of the site context and the development plan policy context. The appellant also carried out their own pre-application consultation with local residents and community council members. It also entered into pre-application discussions with registered social landlords. This was a far more intense pre-application procedure than would normally be required of such a site.

The adjacent site to the west was considered desirable, however, this was not available to the appellant at any time and so it could not be considered. Under the circumstances, it is not appropriate for the appellant to be required to consider this site as part of a comprehensive development proposal. The site was not required for any essential infrastructure needs (access, parking drainage, open space etc). The application site is perfectly acceptable as a development option within its own boundary.

Policy **Des 2** (Co-ordinated Development) seeks to ensure that development does not compromise the effective development of adjacent land; or the comprehensive development and regeneration of a wider area as provided for in a master plan, strategy or development brief approved by the Council. It does not require that an applicant has to take into account adjacent plots of land as part of their proposal, as this would be entirely unreasonable when such sites are in separate ownership.

The Council encourages a comprehensive approach to redevelopment and regeneration wherever possible, avoiding piecemeal development. This however is a site which is well suited to development on its own, with good separation to all sides.

Clearly it would be most desirable to incorporate the site to the west, but this could delay redevelopment indefinitely.

As it is, the redevelopment of the site to the west remains fully achievable and is not compromised, as per policy Des 2. Failure to allow this development to proceed on its own, without the adjoining site could lead to the extended blight of this area of land.

### **Design, Quality and Context**

Design is clearly a very subjective issue and one which is very difficult to assess. The aspects that are more easily defined and considered relate to scale, height, form and materials.

The development as proposed ranges from two to four storeys in height which is reflective of all of the buildings in the surrounding area. The local mid to late 20<sup>th</sup> century buildings are two to four storeys in height. Modern flatted developments in the area are generally three to four storeys.

The following nine images show some local examples of developments, both old and new, which were taken into account during the evolution of the development.



As is clear from these images, there is a wide range of building types and roof forms in the area. The predominant material is dry dash render, with brick (buff and grey) and some metal cladding. The following figure shows a cross section of the design and form of local residential buildings.



**The west facing elevation, street context**

As the above streetscape drawing shows, the development reflects local building heights and proposes two contrasting brick types, rather than render. The applicant is perfectly willing to alter the materials to brick and render should this be the preference, however at no time since registration in March was this requested or raised as a concern.

The report of handling rather brutally summarises the proposal as follows: “*The proposal represents a poor-quality design response to the site and local context, by virtue of its siting, layout, height, form, scale, proportions, material finishes,*

*architectural detailing, design of private greenspace, public realm and landscaping/ ... The design proposals are weakly developed detail for a scheme of this scale and nature.”*

The appellant refutes this bold statement and is of the opinion that this is a well thought out proposal which whilst maximising housing provision within the site, manages to do so in a fashion that respects the site, respects the development potential of the adjacent site and respects the amenity of neighbouring occupiers. The use of two brick types rather than brick and render was considered to create a higher standard of finish to some local architecture, and it would create an attractive focal point within the local urban character. The following image is a very recently approved and built scheme in the Niddrie area of Edinburgh.



**An example of the proposed two-colour brick finish**

### **Public Realm and Landscape Design**

At present the site has a very poor public realm. The buildings themselves are of a low architectural quality, are in a very run-down state of repair, and the public area around them has no redeeming qualities and is in need of attention. The semi-circular green area to the east is the only redeeming feature, and this would benefit from some landscaping and tree planting, which can easily be arranged.

The development as proposed will provide new porous paved surfaces throughout with significantly more green space. There will also be an area of open space across the two-storey section of the development.

The layout of the development has been governed by the existing building footprint and the retention of the green space to the east. Pedestrian permeability and environment will be significantly enhanced post-development and there will be pedestrian routes across the site both to the east and west of the buildings, as well as through the existing car park.



**The site viewed from the east.**

The green space to the east is within the application site. It presently equates to around 830 square metres and provides more than adequate open space for the development. Other green space is provided. No tree planting has been proposed at present, other than within a strip to the north side of the development, but this can very easily be incorporated into any landscape design if so conditioned. No request had been made for this by Planning. A crescent of trees around the perimeter of the main green space has been considered.

It is therefore clear that the public realm and landscape will be significantly enhanced and will be of an appropriate standard.

As can be seen from the following images, the present surfaces are untidy broken and a mix of concrete and bitumen. The new porous paving will be a significant enhancement both visually and in terms of drainage.



**The current public realm to the west and east sides of the buildings (08/09/2020)**

It is therefore very apparent that the applicant has more than adequately considered landscaping and public realm in the design concept, albeit with no formal landscape plan submitted as of yet. It should be added that this has never been requested.

## Housing Density

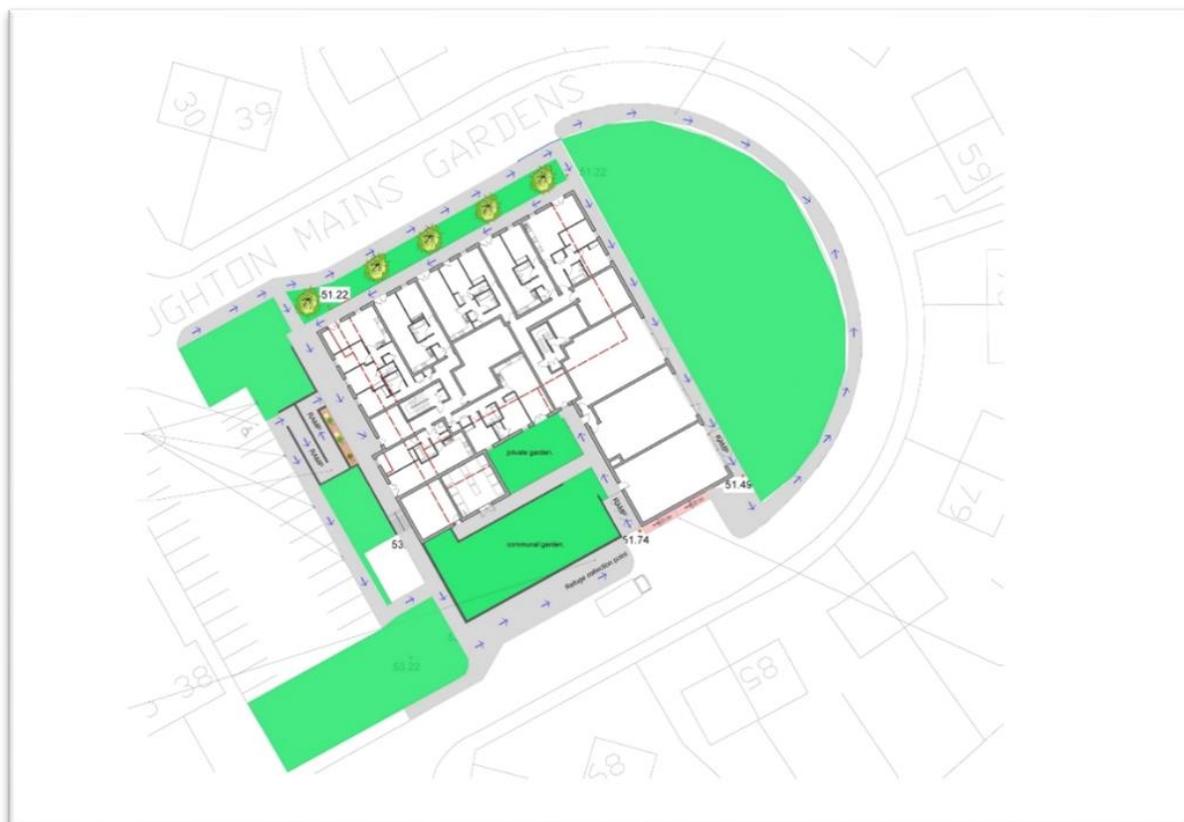
The building footprint of the development is almost equal to that of the current structure. The height was governed by other residential blocks near the site. The intention here, as is national policy for brownfield sites, is to maximise the housing density whilst maintaining an appropriate built form and preserving and, where possible, enhancing local amenity.

38 residential units are proposed within an area of approximately 0.36 hectares. Around 105 units per hectare. The Council's own City Plan 2030 states that *"We want to revise our policies on density. This is to ensure that we make best use of the limited space in our city and that sites are not under-developed. Across the city, on both urban area and greenfield sites, housing development must achieve a minimum of 65 dwellings per hectare. Where identified in the plan, higher density housing development with a minimum of 100 dwellings per hectare will be required. A vertical mix of uses to support the efficient use of land."* The proposal is therefore entirely in keeping with the future vision for housing development within the built-up areas of the City. It makes good efficient use of existing land for development.

It is therefore unclear why such a positive use of this site has warranted such a reason for refusal.

## Private Greenspace

Within the report of handling, and the reasons for refusal, the Council has advised that there needs to be at least 10 square metres of space per dwelling, of which there are 38, and yet the single area of space, within the site to the east, is over 800 square metres.



Further to the main area of green space, the site has smaller areas to the north south and west as well as an area over the two-storey section of the building all of which provide amenity space for the population. It is very hard for the appellant to understand why this has been included as a reason for refusal.

On examining the policy (Hou 3) in the development plan, the wording is completely different to that used in the reason for refusal. The policy advises “*In flatted or mixed housing/flatted developments where communal provision will be necessary, this will be based on a standard of 10 square metres per flat (excluding any units which are to be provided with private gardens). A minimum of 20% of total site area should be useable greenspace.*”

The east open space area alone equates to 23% of the site area. There is in fact well over 20 square metres per flat. This can be very easily measured (see figure above).

### Affordable Housing

The matter of affordable housing was investigated prior to submission of the planning application. This began in mid-September 2019.

There were five Registered Social Landlords contacted. These were Port of Leith Housing; Wheatley Group; LAR Housing Trust; Hill Crest Housing; and Link Housing Association.

Positive responses were received from the first three, however Port of Leith did not consider the proposal further as the development was out of their area of coverage. Hill Crest and Link failed to provide any further communication.

A phone meeting was held on 8th October 2019 with the Development Manager of LAR Housing Trust, who requested for units to be allocated within same staircase. The drawings were amended to show revised allocation prior to application being submitted.

A meeting was held with Dunedin Canmore on 7<sup>th</sup> October 2019 (Wheatley Group). Here, the number of units allocated for affordable housing, the location of units and their design were reviewed and agreed, and these updates were incorporated into the drawings. Cost and potential of purchasing the whole development was also discussed and further discussions were to take place post approval of application.

This was the preferred option, and at later meetings, the design, compliance with standards, requirements and proposed flats to be allocated for affordable housing were further reviewed, revisions made and agreement reached on what formed the final proposal which was submitted for approval. The internal layout as revised on 25 May took this into account.

The planning statement summarised the affordable housing situation and compliance with policy. The Housing Development Officer suggested that an affordable housing statement should be submitted. This would require the applicant to

- commit to providing a minimum 25% on site affordable housing which will be secured by a Section 75 Legal Agreement;
- identify the proposed location, type and size of the affordable homes - the affordable homes should be a variety of types and sizes which are representative of the provision of homes across the wider site;

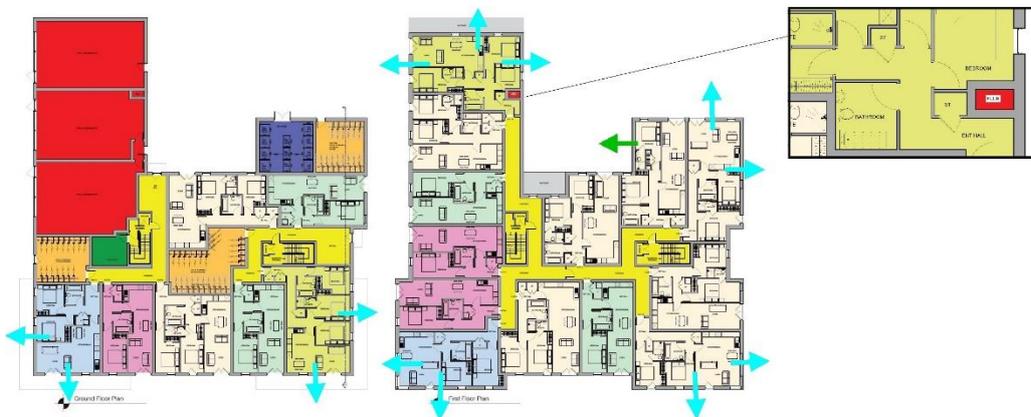
- confirm that the affordable homes will be “tenure blind” - the affordable homes are expected to be identical in appearance to the market housing units;
- identify the proposed tenure type for the affordable homes - the applicant should make provision for a minimum of 70% of the affordable housing on site to be social rent;
- identify the Registered Social Landlord (RSL) that will deliver the affordable homes and confirm that the homes will be designed to the RSL design standards and requirements.

As the submitted drawings and the planning statement already achieved all of these points it was advised that no further statement was necessary and that this would be an unnecessary cost to incur for information that already was presented to Planning.

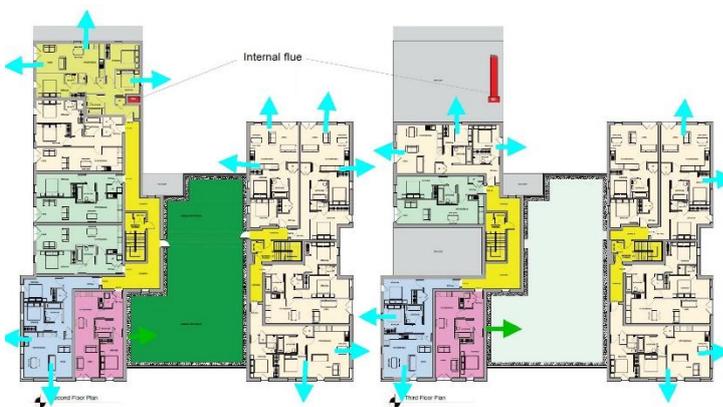
### The Amenity of Future Occupiers

This final reason hinges upon the outlook from proposed flats and potential noise from the associated commercial elements.

The number of flats that are single aspect exceed those that are dual aspect, however they have all got open outlooks. There is potential to add dual aspect to three further flats, indicated by the green arrows on the figure below. The blue arrows indicate those flats that are dual aspect. This would increase dual aspect flats to 18, close to 50%.



**Ground and first floors**



**Second and third floors**

At the pre-application stage, it was concluded that the retention of three viable commercial units was a very positive inclusion within the development, and a small number of units was still desirable to local residents, and to existing commercial tenants. Whilst there is a local shopping centre to the east at Stenhouse Cross, it would be highly beneficial to retain a small neighbourhood shopping facility.

With regards to the protection of residents from any noise or activity from the three retail units this can be adequately handled and controlled. As this is a newbuild project, it is a very straightforward process to incorporate all the necessary protection within the structure to ensure there is no detriment to the living accommodation above. The separating floor between commercial and residential is to be constructed to a standard where minimum airborne sound insulation = 56 DnT, and maximum impact sound transmission = 56 L'nT,w.

Likewise, in the event that the licensed premises were to reopen for business then it is proposed for all west facing properties to be fitted with “*Saint Gobain Stadip Silence*” window/doors to significantly reduce the effect of any noise outbreak. It is furthermore proposed that an internal flue be built into the development for the commercial unit (specifically the take-away retail unit), which will be extracted vertically and terminated on flat roof as indicated on plans. Ventilation is to have min 30 air changes per hour. It will be installed within its own purpose-built duct, as shown. The duct will sit within a shaft that measures 1.3 metres by 0.7 metres and can be mechanically isolated from the shaft walls.

It is therefore concluded that the future amenity of occupants has been seriously considered and safeguarded.



## 4. Conclusions

It is therefore concluded that the reasons for refusal cannot be justified in this case. This is a well thought out development that has carefully considered how to make maximum benefit from this site that is in urgent need for redevelopment.

In particular:

- What has been proposed can be carried out without compromising the development of the adjacent public house site;
- it is of an appropriate standard of design and will create a sense of place within an otherwise unattractive environment;
- the height scale and form have been guided by other developments in the area and the proposal makes best use of a brownfield site whilst preserving amenity for existing and future occupants;
- the proposed public realm will be to a high standard and can very easily incorporate significant tree planting;
- the design concept has considered the scale form and materials of local flatted developments and adjustments can be made to materials if required;
- the level of green space within the site far exceeds that which is set as a minimum standard;
- affordable housing has been fully considered, and whilst a stand-alone Affordable Housing Statement has not been prepared, all the information it requires has been presented; and
- the amenity of future occupiers has been considered well and will be safeguarded.

It has therefore been very difficult for the appellant to comprehend how such a comprehensively negative assessment has been made at a point where the appellant was seeking to resolve small matters of issue relating to roads and drainage at a very late stage in the proceedings.

It is entirely inappropriate to require, in this case, that the appellant should have considered the redevelopment of the adjacent land. This land is not available and the owner of this site has not been available for contact. Failure to allow this site to progress independently will only prove to prolong the blight of this area. It is hoped that this development may in fact stimulate the development of the next-door site.

It is therefore hoped that this review will agree that it is important that this development be permitted to proceed and to recognise the significant benefits that it will bring to the area.

## Appendix

### Community Council meeting summary

*Mandeep Bassi and Emmanuel Ebeh attended the Stenhouse, Saughton Mains, Whiston Community council meeting held on 16th September 2019.*

*The meeting was also attended by Pat Carr(Chairperson in Anne Paterson's absence), Margaret Wilson, Councillor Cathy Fullerton, Linda Blyth.*

*Mandeep and Emmanuel presented the proposed plans for the redevelopment of 52 - 60 Saughton Mains Gardens. The proposal was generally well received and accepted by the group. Queries were raised if there would be a public consultation to which Emmanuel clarified that, this was not classed as a major development, and hence the requirement for a public consultation was not mandatory. Emmanuel however clarified that there was plans to hold a resident meeting, which was scheduled for 26<sup>th</sup> September 2019. Mandeep and Emmanuel committed to keep the Community Council up to date with the progress of the application and development.*

### Residents Meeting Summary

*A meeting of the residents of Saughton Mains Gardens was held on 26<sup>th</sup> September 2019. There were 20 residents in attendance where Mandeep and Emmanuel presented the proposed plans for the redevelopment of 52 - 60 Saughton Mains Gardens.*

*The residents were very pleased with the proposed development and indicated their overwhelming support for it as the current build had fallen into a state of disrepair.*

*Some questions raised and responses given were*

*Q: Are the apartments going to be sold?*

*A: No this is a Build to rent scheme*

*Q: Would this be overlooking my property due to the number of storeys?*

*A: This would not be the case as the development was designed over the minimum distance.*

*Q: When will this get built?*

*A: Construction will commence as soon as planning is approved.*

*Q: Is there going to be a fence around the completed development*

*A: No. The intention is to retain the open look and feel that is current in place.*

*A few of the residents and local shoppers have provided written support for the development. (these were attached to the application).*

## **Registered Social Landlords**

*The client has also engaged with some RSL's to present the proposal. Meeting was held with the Development Co-ordinator of Dunedin Canmore on 7<sup>th</sup> October 2019. The feedback was also very supportive and positive. Meetings with other RSL's have also been scheduled for week commencing 20<sup>th</sup> October 2019.*

Emmanuel Ebeh

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