

Development Management Sub Committee

Wednesday 25 November 2020

**Application for Planning Permission 20/01854/FUL
at 23 - 27 Gylemuir Road, Edinburgh, EH12 7UB.
Residential development comprising 126 units, associated
landscaping, access and other ancillary works (as amended).**

Item number

Report number

Wards

B06 - Corstorphine/Murrayfield

Summary

The principle of the residential development in this location is acceptable and complies with the Edinburgh Local Development Plan.

Its approach to design, scale and density is compatible with the surrounding area. The development will provide a good level of amenity to future occupiers and will not adversely impact upon neighbouring amenity or be to the detriment of the natural environment.

The proposal promotes a reduced reliance on car usage and promotes walking, cycling and sustainable modes of transport and therefore, on balance, the proposed design is considered acceptable in terms of Road Safety.

Links

[Policies and guidance for this application](#)

LDPP, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, LDES01, LDES05, LDES06, LDES07, LDES08, LDES11, LEN09, LEN12, LEN16, LEN21, LEN22, LDEL01, NSG, NSGD02,

Report

Application for Planning Permission 20/01854/FUL at 23 - 27 Gylemuir Road, Edinburgh, EH12 7UB. Residential development comprising 126 units, associated landscaping, access and other ancillary works (as amended).

Recommendations

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

Background

2.1 Site description

The site is a 0.93 hectare brownfield site within the urban area to the south of Glasgow Road. The former care home that occupied the site was recently demolished.

The site is bounded on three sides by modern residential flatted developments and townhouses.

To the south and west of the site there are a series of four storey blocks of flats, dating from the early 1990s using a range of materials including brickwork, harling, timber cladding and pitched roof tiles. Further flats built circa 2000, reach four-five storeys and are finished with buff stone, render and flat roofs.

To the north of the site, a development of pitched roof three-storey flats and two-storey houses in buff brick and harling were completed in 2000.

Opposite the north western corner of the site, a small terrace of three- storey townhouses in white render with metal clad mansard style roofs was completed in 2015.

The eastern boundary is formed by Tesco Supermarket with an area of surface parking.

The site is located to the south west of the Corstorphine Local Centre. Gyle Park lies to the west of the site and Gylemuir Primary to the south.

2.2 Site History

25 May 1995 planning permission granted to erect nursing home (planning reference: 95/00540/FUL).

Main report

3.1 Description of the Proposal

The proposal is for the erection of a residential development providing 126 units accommodated within a proposed perimeter building which is focused around a single, large courtyard garden incorporating a communal growing area, a lawn, woodland garden and courtyard.

Accommodation will comprise of the following mix of 93 units for mainstream sale: -

- 10 x one-bedroom units (54 sq.m);
- 50 x two-bedroom units (72/75 sq.m);
- 33 x three-bedroom units (100/107 sq.m)

The proposal will also provide 33 affordable homes (26%) with the following breakdown:

- 14 x one-bedroom units (54 sq.m);
- 12 x two-bedroom units (72/75 sq.m); and
- 7 x three-bedroom units (100/107 sq.m).

The perimeter building encloses the garden to the north and eastern boundary, with the majority of apartments having direct views over the garden.

The proposed block will be predominantly five-storey, dropping to three and four storeys at the northern boundary and rising to six storeys at two locations along the eastern boundary to provide roof level apartments.

The upper two storeys of the eastern, western and southern frontages have a set-back mansard roof. Along the northern boundary, the three-storey section has a series of pitched roofs with gable ends expressed onto Gylemuir Road and the courtyard elevations.

The proposed palette is warm, buff brick. The mansard roofs will be finished in standing seam metal in a complementary colour, with the pitched roofs on the northern elevation finished in standing seam metal similar to the mansards, and brick for the expressed gables. Windows are proposed to be aluminium clad timber, finished to match the roof and mansard metalwork.

A double height external pend bisects the plan on axis with the approach from Gylemuir Road to create visibility into the central courtyard and provide direct access to residents. A 'wally close' is proposed for each of the entrances. These will be clad in glazed green tiles. A secure metalwork gate will control access to the central garden.

A total of 1865 square metres of external amenity space provision will be provided through both the shared central garden and private gardens for ground floor properties. Private terrace gardens are also provided for upper floor flats, all overlooking the central garden.

Inside the central garden, the courtyard is bound by private gardens, facing south and west. These gardens sit 600 mm higher than the courtyard and have green- roofed bike stores incorporated within.

Private garden boundaries will be formed by hedges and timber privacy screens and each garden has stepped access to the courtyard garden, with step free access via the communal cores.

A landscaped shared courtyard will also be formed on the eastern side of the building, accommodating the majority of the development's car parking provision. Entrance to this area is from Gylemuir Road, from the north eastern corner of the site. This is the primary access to the site. This will be a shared space, with the ground surface delineated using changes in paving colour, texture and orientation.

Street trees and planting will create green boundaries along Gylemuir Road, with on street parking and city car club spaces proposed. Again, the private gardens sit 600 mm above the road and accessed via steps

A two-way vehicular access is proposed from the north eastern corner on Gylemuir Road, via Meadow Place Road., with a one-way service vehicle only access from the south. A primary pedestrian and cycle route will run from the north eastern corner to the western side of the development. The proposal has been designed to promote pedestrian and cycle priority, directing people to the courtyard pend access, with entrance trees marking the site entrance for all north, south and west site entrances.

301 cycle spaces are proposed in total (162 spaces in secure lockers, 120 spaces in weatherproof pavilions storage spaces, 3 Cargo bike spaces within the courtyard and 16 visitor cycle parking spaces).

The proposal provides for 51 car parking spaces in total (4 car club bays, 5 on-street parking spaces, 5 private accessible bays with EV charging, 1 on-street accessible bay and 36 private car parking spaces with EV charging).

Refuse stores are located in the parking courtyard on the eastern side. These will have green facades and climbing plants. Servicing arrangements are proposed within this area.

Previous Scheme

The proposal was revised to reduce car parking levels and amend parking arrangements. Revised plans were submitted to reflect these changes.

Supporting Documents

The following supporting documents were submitted as part of the application: -

- Design and Access Statement;
- PAC Report;
- Residential Inclusive Design and Access Statement;
- Daylight and Sunlight Analysis;
- Planning Statement;

- Noise Impact Assessment;
- Affordable Housing Statement;
- Flood Risk Assessment;
- Drainage and Surface Water Statement;
- Geo Environmental Report;
- Ecological and Biodiversity Report;
- Tree Survey;
- Sustainability Statement and
- Servicing Strategy.

These documents are available to view on the planning portal.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposed development is acceptable in principle in this location;
- b) the scale, design and materials are acceptable;
- c) the proposal will provide satisfactory amenity for future residents;
- d) the proposal will adversely affect neighbouring amenity;
- e) the proposal will result in road safety issues;
- f) the proposal will have an adverse effect on air quality;
- g) the necessary infrastructure to support the development is secured;
- h) suitable affordable housing provision is secured;
- i) any flooding and surface water management issues have been addressed;
- j) the proposed development will have any adverse impact upon the ecological importance of the site;
- k) the proposed development will adversely impact upon existing trees on site;
- l) the proposal will have any archaeological implications;
- m) the proposal is sustainable and
- n) issues raised in public comments are have been addressed.

a) Principle

The application site is located in the urban area as designated in the Local Development Plan (LDP). Proposals in the urban area must accord with relevant policies in the LDP.

LDP Policy Hou 1 (Housing Development) prioritises the delivery of housing land supply and the relevant infrastructure and identifies four criterions on where this can be achieved.

Policy Hou 1 d) prioritises the delivery of housing on other suitable sites in the urban area in recognition that windfall sites can contribute to land supply. To comply with Hou 1 d), proposals must be compatible with other policies in the plan.

The site is surrounded by a mix of commercial and residential uses and is well connected by existing public transport links within the locality. The site is within cycling distance of the city centre and is an appropriate and sustainable location for housing.

LDP Policy Hou 2 (Housing Mix) promotes a mix of house types where practical to meet a range of housing needs and having regard to the character of the surrounding area and its accessibility. Edinburgh Design Guidance states that at least 20% of total number of homes should be designed for growing families, with three bedrooms or more. The proposal provides for 40 three-bed units (31%) which exceeds the requirements.

LDP Hou 4 (Density) seeks an appropriate density of development having regard to its characteristics and those of the surrounding area, the need to create an attractive residential environment, accessibility and its impact upon local facilities.

The proposal achieves a density of 135 dwellings per hectare. There is no defining density characteristic of the area. Low to medium density housing is present in the wider area along Glasgow Road, West Craigs and East Craigs. Examples of higher density developments are present within the immediate area with flatted development blocks bounding the site.

The proposal will introduce a high-density development on this site. The development will occupy the majority of the site with an area of external open space in the centre and on the eastern edge of the site. The proposal ensures full use of the site and will create an attractive environment for its residents. A high-density development in this location will help to sustain local facilities including the Corstorphine Local Centre. The site has good public transport links to the city centre.

As such, introducing a development of this density is considered compatible with the higher densities being achieved on brownfield sites in the area, contributing to the viability of the local area, and complying with policy Hou 4.

LDP Policy Hou 3 (Private Green Space in Housing Development) seeks to ensure adequate provision of green space will be provided to meet the needs of future residents. In flatted developments where communal provision will be necessary this is based on a standard of 10 square metres per flat (excluding units that are provided private gardens), a minimum 20% should be useable greenspace.

Each of the 23 ground floor dwellings is provided with a private garden. For flats without a private garden, the courtyard will provide 1790sq.m of amenity space, equating to 17.5 sq.m per flat, in excess of Edinburgh Design Guidance. Overall, the private gardens and central garden provide a combined 1865sq.m of greenspace, equating to 20% of the 0.93h site, in compliance with Hou 3.

The site is also adjacent to Gyle Park with pedestrian links to it.

Overall, the proposal provides an opportunity to provide new housing in a sustainable location, in compliance with LDP Policy Hou 1. The development proposed makes best use of this site by developing at high density whilst still being compatible with LDP policies Hou 2, Hou 3, and Hou 4.

b) Design, Scale, Layout and Materials

LDP Policy Des 1 (Design Quality and Context) supports new development where the design reflects the positive characteristics of the area. LDP Des 4 (Design- impact on Setting) requires new development proposals to have similar characteristics to the surrounding urban grain, paying close attention to scale, height and positioning of buildings, materials and detailing.

The Edinburgh Design Guidance (EDG) sets out key aims for new development to have a positive impact to the immediate surroundings, through its height and form; scale and proportions; positioning of the buildings and site materials and detailing.

The surrounding area is of mixed character which varies in style and material palette with no prominent architectural style in the area. There is a mix of modern, post war and older buildings in the area.

The proposal, in terms of layout and form, has been designed to define the northern and eastern edges and create a block with a large garden in the centre, and a landscaped courtyard running along the eastern side of the development. This approach contributes to the urban form by continuing a strong active frontage along Gylemuir Road, with private gardens for ground floor properties providing a green edge to the site boundary.

LDP Policy Des 7-Layout and Design seeks a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces. The proposed layout will encourage walking and cycling through the scheme. A footway/cycle route will run through the development and connect to the existing public footway on the western edge of the development, ensuring permeable access to residents and neighbouring residents.

Shared spaces are proposed between pedestrians, cyclists and motorised traffic, with textured surfaces and street furniture ensuring convenient access and movement and around the development, largely in compliance with Des 7.

With regards to height and mass, the development has been designed in response to the height and domestic scale of these adjacent properties. The proposed residential block will be predominantly five-storey, dropping to three and four storeys at the northern boundary where residential properties are adjacent. The building will rise to six-storeys at two locations along the eastern boundary to provide roof levels apartments where the site is bound by a commercial use.

The upper two storeys of the eastern, western and southern frontages have a set-back mansard roof that reduces the visual impact of the building,

The proposed buildings have been designed to respect the adjacent neighbouring uses which it bounds. Overall, it is appropriate in height given the context of the site and the various heights of existing flatted developments within the locality.

A study of views was submitted as part of the application and confirm that the proposal will not impact upon any protected views in line with LDP Des 11 (Tall Buildings). Furthermore, local view illustrations have been submitted to show the proposed development in the context of its surrounds, and the development will not appear visually incongruous within the street-scene.

In terms of materials, the proposed palette is appropriate for residential development and is compatible with the area. The articulation of materials on the elevations, creating texture to the lower floors and finishing the top floors with a contrasting material finish successfully reduces the visual massing of the elevations of the buildings.

Overall, the design respects the surrounding urban pattern, scale and height and massing and creates an active and attractive frontage, in compliance with LDP Policies Des 1, Des 4, Des 7 and Des 11 and the Edinburgh Design Guidance.

c) Creation of a Satisfactory Living Environment

Policy Des 5 (Development Design- Amenity) states that development will be permitted where future occupiers have acceptable levels of amenity.

The proposed has been designed around providing quality amenity and green space for residents. The proposal complies with Hou 3 (Private Green Space in Housing Development) and exceeds the requirements of the Edinburgh Design Guidance, ensuring a good quality living environment for future residents. The proposed units all comfortably exceed the minimum internal floor areas set out in guidance.

In terms of daylight, submitted analysis confirms that the proposed rooms will achieve a satisfactory level of daylight complying with Vertical Sky Component and Average Daylight Factor methods, in compliance with Edinburgh Design Guidance. Apartments have full height windows to inhabitable rooms and the majority of the properties have one or more aspects.

The courtyard garden has an open south western aspect which will maximise sunlight. Sunlight analysis was submitted which confirmed the courtyard will achieve sufficient sunlight with more than 50% of the proposed area receiving at least three hours of sunlight during the throughout the day during the Spring Equinox. Given the dense urban location and its accessibility to public greenspace, this is acceptable.

A Noise Impact Assessment was undertaken to assess the potential impact of the adjacent commercial use on the amenity of future occupiers. This included the potential noise disturbance caused by the Tesco supermarket, rooftop refrigeration plant and air source heat pumps and the car garage.

The submitted NIA concludes that noise disturbance is unlikely and that noise from the supermarket will not impact upon the proposed development.

Two air source heat pumps will be located on the roof of the new development. These will be located behind screens. These screens will conceal the proposed properties both visually and partially from noise and be located approximately 40m from any adjacent property. The noise impact assessment considers the plant noise and specifies maximum allowable noise levels at 1m from each plant enclosure to ensure compliance with the Council's required NR 25 criteria. An informative is recommended to ensure compliance with this criterion.

In terms of waste collection and storage, the proposal does not raise any issues and is in compliance with LDP Policy Des 5.

Overall, the proposal will result in the creation of a satisfactory residential environment and complies with LDP Policy Des 5. The proposal will provide quality amenity space for residents, in compliance with LDP Policy Hou 3 and Edinburgh Design Guidance.

d) Impact upon Neighbouring Amenity

LDP Policy Des 5 (Design-Amenity) supports proposals that have no adverse impact on neighbouring developments.

In this instance, the proposed windows comply with Edinburgh Design Guidance in relation to required distance to neighbouring windows and therefore raise no privacy issues. The proposed development completes the street elevation and is characteristic of the typical distances between properties across the urban street.

The proposal will not adversely impact upon daylight into neighbouring residential properties. Assessment of the impact upon existing properties adjacent to the site, included properties to the along Gylemuir Road.

This modelled the existing condition and the proposed condition. The modelling confirmed that no additional windows fall below the minimum Visible Sky Component to the North and West and only one ground floor window falls below, to the South on Gylemuir Road. Notwithstanding this, modelling shows that for windows that remain below, the VSC is greater than 0.8 of its former value and therefore compliant with policy.

The proposal therefore achieves the required level of daylighting via the Vertical Sky Component method.

In terms of overshadowing, sunlight analysis was carried out upon neighbouring properties and is acceptable for a site in the urban area. More than 50% of the existing garden ground of the neighbouring properties receiving at least three hours of sunlight during the Spring Equinox, in compliance with policy. No residential properties will therefore be adversely affected by the proposal.

Overall, the proposal is compliant with LDP Policy Des 5 and the Edinburgh Design Guidance and will not be to the detriment of neighbouring residential amenity.

e) Road and Pedestrian Safety

The site is accessed by vehicles from Glasgow Road, via Meadow Place Road onto Gylemuir Road. Pedestrian footways run along this route, as well as having direct access to Glasgow Road via an existing footway through a housing development to the north of the site.

The site is accessible by public transport- Lothian service 1, 12, 21 on Meadow Place Road and Lothian service 12, 26, 31, Airlink 100, Scottish Citylink 909 on St John's Road and Glasgow Road.

A transport statement has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network.

The submitted document is generally in line with the published guidelines on transport assessments. A total of 46 vehicular trips (two-way) are predicted during the weekday AM peak hour and 31 during the weekday PM peak hour. The modelling predicts that Gylemuir Road/Meadow Place Road junction will operate under capacity with RFC 0.33 and a queue of 1pcu for the Gylemuir Road right turn movement during the evening peak hour.

LDP Policy Tra 2 (Private Car Parking) requires proposed car parking levels to not exceed the maximum levels stipulated in Council's guidance. Developers are encouraged to pursue lower levels of parking.

The proposal provides for 51 car parking spaces (4 car club bays, 5 on-street parking spaces, 5 accessible bays with EV charging, 1 on-street accessible bay and 36 car parking spaces with EV charging).

The proposed level of car parking is justified by the sites accessibility to public transport including bus and rail services and easy access to surrounding services and amenities. The proposed level of parking provision falls below the maximum standards set out in the Council's parking standards which is encouraged.

The applicant proposes 301 cycle spaces, to be stored within secure cycle lockers, weatherproof pavilions, Cargo bike spaces within the courtyard and visitor parking spaces. This complies with the Council's minimum cycle parking requirement of 292 cycle spaces for a development of this scale. As such, the proposal complies with LDP Policy Tra 3 (Private Cycle Parking).

As such, the proposal complies with the relevant LDP policies in terms of car parking and cycle parking provision.

Notwithstanding the above, the Roads Authority has raised concerns with regards to the proposed car parking arrangements, particularly relating to layout and design.

LDP Policy Tra 4 (Design of Off-Street Car Parking and Cycle Parking) require proposed cycle and storage provision to comply with the standards set out in council guidance. The design is contrary to this policy as it states the design of surface car parking or entrances to car parking in buildings should not compromise pedestrian safety and should assist their safe movement to and from parked cars, for example, by the provision of marked walkways. In this instance, there is not a designated route for pedestrians through the landscaped private car parking area on the eastern edge of the site. As such, the Roads Authority has objected to the proposal as it does not provide footway connectivity.

Further, Policy Tra 9 Cycle and Footpath Network Planning permission will not be granted for development which would obstruct or adversely affect a public right of way or other route with access rights unless satisfactory provision is made for its replacement. Concern was raised that the internal footway linking Gylemuir Road is designed as private access and does not provide/guarantee public right of access to both prospective tenants and general public. This is an important active travel route which provides direct access to the TESCO supermarket.

In light of the above comments, it is acknowledged that the proposed design does not fully comply with the principles of both Edinburgh Street Design Guidance and Local Development Plan, Alternative design options were submitted by the applicant in effort to alleviate these concerns, with this proposed plan being considered the most suitable design for the site.

The layout offers an existing pedestrian route around the site, as well as a safe permeable route through the development for use of both residents and the public from the west to north eastern corner. The applicant proposes to impose a perpetuity covenant to ensure this access is always open to the public as a through route for cycles and pedestrians.

Whilst car parking provision is located within a shared space and not separate designated spaces, effort has been made to promote this route for safe access and walking through the use of street textures, colours and paving. A condition is recommended requiring full details of these surface finishes to be submitted to allow these to be fully considered by the planning authority to ensure pedestrian safety is achieved.

Neighbouring properties to the south are able to walk on the existing footway along the western side of the development, and continue on for access to Glasgow Road, or use the proposed footway through the development from the western entrance to the north eastern corner to access amenities to the east. Furthermore, the route running north to south on the eastern side of the development will provide a direct route through for the households from the south whom already enjoy a direct access into Tesco's Car park

Overall, the proposal promotes a reduced reliance on car usage and promotes walking, cycling and sustainable modes of transport, with bus stops located along St Johns and Glasgow Road, a short walk away, as well as access to primary cycle routes which connect to city centre. The proposed development will be more permeable than the previous development on the site.

Therefore, on balance, the proposal is considered to be an acceptable design approach for this location.

The Council's Waste Service is satisfied with the proposals for Waste and Servicing arrangements.

f) Air Quality

The site is within a designated Johns Road Air Quality Management Area.

LDP Policy Env 22 (Air Quality) aims to ensure that no development will result in significant adverse effects for health, environment or air quality and appropriate mitigation measures can be provided to minimise the adverse impacts. Reducing the need to travel and promoting the use of sustainable modes of transport are key principles identified in the local development plan.

Environmental Protection was consulted on the proposal. The site has excellent public transport links and so a development within an air quality management area would be expected to at the very least attempt to ensure that the development was impact neutral. Its location adjacent to St Johns Road has potential to adversely impact upon congestion in the locality.

The development has been designed to mitigate operation impacts through the provision of cycling spaces and limited car parking which is good practice. The application was amended to provide less car parking spaces which is supported by Environmental Protection.

A Green Travel Plan will be prepared by the applicant which promotes sustainable transport modes. As such the proposal meets the requirements of LDP Env 22.

g) Developer Contributions

This site falls within Sub-Area W3 of the 'West Education Contribution Zone'. A contribution of £196,350.00 is sought for additional educational infrastructure to support the projected increase in school rolls as a result of the development.

In terms of healthcare provision, the site falls within the West Edinburgh (Area 12). At £1,050 per dwelling, a contribution of £132,300 is required towards new practice accommodation in the area.

A legal agreement will be required to secure these funds.

The proposals comply with Policy Del 1 (Developer Contributions).

h) Affordable Housing

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.

There is a requirement for a minimum of 25% (31) homes of approved affordable tenures.

The applicant has submitted an Affordable Housing Statement which confirms that 33 affordable homes will be provided on-site. This exceeds the minimum requirement at 26%.

The application was submitted on the basis of five 3-bedroom properties. This has been increased to seven 3- bedroom; the inclusion of the two additional 3-bedroom units.

Affordable Housing will be provided with in the following mix: -

- 14 x one -bedroom flats
- 12 x two-bedroom houses
- 7 x three- bedroom houses

The proposed tenure split was for 19 units to be for social rent and 14 units to be for mid-market rent. Liaison with the CEC Affordable Housing Team has confirmed that commuted sums funding will be available to allow all 33 units to be secured for social rent. This exceeds policy requirements which asks for at least 70% of affordable units on site to be social rent.

This is not entirely representative of the mix on the wider site. However, the proposal and this mix is fully supported by the Affordable Housing Team.

The housing mix above meets the priority housing needs as identified in the HNDA and includes the following:

- a) a mix of housing size and type that is acceptable to Dunedin Canmore and is representative of that provided by the market housing;
- b) is tenure blind and
- c) will provide 100% Social Rent (highest priority).

In the interests of delivering mixed, sustainable communities, the affordable homes will be integrated and "tenure blind" in appearance. The flatted units will be contained in one block and accessed from a single stair core to allow effective management. 31 of the 33 units will delivered in a discrete stairwell to the south of the site, in line with Dunedin Canmore management requirements. The final two units are located on the ground floor with private access.

The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal. The tenure of the affordable housing is required to be agreed by the Council and this would be outlined in a Section 75 Legal Agreement.

The proposal is in compliance with LDP Policy Hou 6 Affordable Housing.

i) Flood Risk and Surface Water Management

Policy Env 21 (Flood Prevention) states that planning permission will not be granted for development that would increase a flood risk or be at a risk of flooding itself, impeded the flow of flood water or be prejudice to existing or planned flood defence systems.

Scottish Environmental Protection Agency (SEPA) initially objected to the proposal on the grounds of potential flood risk.

A detailed Flood Risk Assessment (FRA) demonstrating that the built development will be located outwith the functional floodplain and there will be flood free access and egress for residents was requested. Further information including an assessment of the Stank Burn Culvert and hydrological information for the site was also requested, reviewed and accepted by SEPA.

In light of the above, SEPA subsequently removed their objection. The Council's Flood Prevention Team is satisfied with the proposal and raises no objection.

Green roofs are proposed throughout the development to attenuate surface water. A condition is recommended requiring the submission of a maintenance schedule for SUDS infrastructure, for the approval of the Planning Authority.

Overall, the proposal has been designed to mitigate potential flood risk and accords with LDP Policy Env 21.

j) Ecology

LDP Policy Env 16 (Species Protection) aims to ensure development will not be to the detriment to the maintenance of a protected species and suitable mitigation is proposed. An Ecological and Biodiversity Report as undertaken and submitted as part of the application. This includes potential enhancement measures to improve the scheme for biodiversity.

The proposal is in compliance with LDP Env 16.

k) Trees

LDP Policy Env 12 (Trees) ensures the protection of trees.

There are existing mature trees on site. As such a tree survey was undertaken and trees removed as per its findings.

There is no Tree Preservation Order in place and as such the existing trees are not protected. Notwithstanding this, a tree protection plan has been submitted to ensure the protection of the remaining trees on the site during construction.

The proposal includes new planting to provide new trees throughout the development, which exceeds the existing number of existing trees on site. Street trees are proposed along Gylemuir Road, with trees proposed at each entrance to create an attractive streetscene. Various tree types are proposed within the woodland garden.

As such, the proposal complies with Env 12.

l) Archaeology

LDP Policy ENV 9 (Development Sites of Archaeological Significance) aims to protect archaeological remains.

Accordingly, the aim should be to preserve archaeological remains in situ as a first option.

A condition is recommended that a programme of archaeological work is undertaken during the demolition/development of this area to fully excavate, record and analysis any significant remains that may be uncovered.

m) Sustainability

The applicant submitted a sustainability statement in support of the application.

The site is located in an urban area with excellent public transport links, allowing a reduced reliance upon the car. Parking provision includes 100% charging points for electric vehicles and 100% on-site cycle storage further encourages sustainable modes of transport to the residents.

The inclusion of greens roofs utilised throughout to make use of rainwater and provide enhanced biodiversity.

The proposal accords with LDP Policy Des 6 'Sustainable Buildings'.

n) Public Comments

Material Comments- Objections

- Potential Flood Risk. This matter is addressed in Section 3.3j;
- Car parking levels: not enough parking and too much parking. This matter is addressed in Section 3.3e;
- Concern regarding `Blue parking spaces on north side of development and proximity to corner, 90- degree bend and limited visibility. Revised plans submitted to remove these spaces;
- Pedestrian Safety. This matter is addressed in Section 3.3e;
- Traffic congestion and impact on air quality and road safety. This matter is addressed in Section 3.3e and 3.3f;

- Concern regarding the One- Way system within development will not be a good idea as it then forces all vehicles to exit past existing houses and using it as a rat run through the site. This matter is addressed in Section 3.3e;
- Concern relating to collection of traffic data collected and if collected during Covid-19 restrictions that may underestimate traffic levels. This matter is addressed in Section 3.3e. Survey carried out prior to Covid-19 Lockdown;
- Inclusion of single aspect flats. This matter is addressed in Section 3.3c;
- Over-intensification and density. This matter is addressed in Section 3.3a, 3.3b;
- Height and design out of character. This matter is addressed in Section 3.3b;
- Daylight and Overshadowing. Addressed in Section 3.3d;
- Impact upon outlook and privacy. This matter is addressed in 3.3d;
- Removal of trees. This matter is addressed in Section 3.3k;

No programme of archaeological works submitted. This matter is addressed in Section 3.3j;

- Concern raised that only one PAN event held and proposed second event cancelled. This meets the PAN requirements. Any additional events are at the developer's discretion. Public comments were able to be submitted as part of the application process;
- Impact on healthcare and school infrastructure. Contributions sought towards additional provision. This matter is addressed in Section 3.3g; and
- Lack of EV chargers. This matter is addressed in Section 3.3e and Section 3.3f;

Material Comments- Support

- This is a great development which considers environmental and social aspects of day-to-day life;
- Inclusion of cycle parking provision;
- Welcomed EV charging facilities;
- Usage of communal space, approach to car usage and other initiatives are in line with what us, local residents, would want to see in any future projects; and
- Expressed desire for more developments like this around city.

Non-material Comments

- Impact upon existing views. Not a planning matter;
- Impact of construction vehicles on road traffic, noise and dust during construction. Not a matter controlled though the planning process;
- Addition of so many unknown residents could be harmful to community;
- Bike sheds will encourage crime in area; and
- Concern regarding removal of double yellow lines removed from the north. This matter is not controlled through the planning process.

Conclusion

The principle of the development in this location is acceptable and complies with the Local Development Plan. The proposed scheme will create a sustainable residential development.

Its approach to design, scale and density is compatible with the surrounding area. The development will provide a good level of amenity to future occupiers and will not adversely impact upon neighbouring amenity or be to the detriment of the natural environment.

The proposal promotes a reduced reliance on car usage and promotes walking, cycling and sustainable modes of transport and therefore, on balance, the proposed design is considered acceptable in terms of Road Safety.

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

3.4 Conditions/reasons/informatives

Conditions: -

1. Prior to the commencement of work, a detailed specification, including trade names where appropriate, of all proposed external materials shall be submitted to and approved in writing by the Planning Authority. Note, sample panels may be required.
2. Prior to the commencement of construction works on site:
 - (a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - (b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning

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

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

4. Prior to commencement of development, the developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority. The approved schedule shall thereafter be implemented.
5. Prior to commencement of development, full details of proposed road surface finishes within the shared space (including paving, texture and colour) shall be submitted to the Planning Authority and agreed in writing. Sample panels may be required.

Reasons: -

1. In order to enable the Planning Authority to consider these matters in detail.
2. In the interests of public safety.
3. In order to safeguard the interests of archaeological heritage
4. In order to enable the Planning Authority to consider this/these matter/s in detail.
5. In the interest of pedestrian safety.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation all of those matters identified in the proposed Heads of Terms. -

These matters are:

A total of 33 units are proposed for Affordable Housing units, equating to 26% in accordance with LDP Policy Hou 6 'Affordable Housing'. The units will be tenure blind.

The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal. The tenure of the affordable housing is required to be agreed by the Council and this would be outlined in a Section 75 Legal Agreement. The applicant has engaged with a Registered Social Landlord (RSL) about the affordable housing delivery, the intention is that all 33 of the proposed affordable homes will be available for social rent.

This site falls within Sub-Area W3 of the 'West Education Contribution Zone'. A contribution of £196,350.00 is sought for additional educational infrastructure to support the projected increase in school rolls as a result of the development.

In terms of healthcare provision, the site falls within the West Edinburgh (Area 12). At £1,050 per dwelling, a contribution of £132,300 is required towards new practice accommodation in the area.

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

- 1 The applicant will be required to;
 - a. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
 - b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
 - c. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £23,500 (£1,500 per order plus £5,500 per car) towards the provision of 4 car club vehicles in the area;

A legal agreement will be required to secure these funds.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

5. Environmental Protection Informatives

All private parking spaces shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be installed and operational in full prior to the development being occupied (as shown on Rowanbank Gardens Parking proposals Summary and dated 25 August 2020).

6. Roads Authority Informatives

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;

The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;

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), 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;

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;

Works affecting adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

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;

7. Scottish Water Informatives

A drainage impact assessment (DIA) will be required to assess the impact of this development on our network. A water impact assessment may be required but this will be determined upon receipt of a Pre-Development Enquiry form.

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

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

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

8. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

There have been 87 representations made in relation to the proposal.

Support (5)

General (2)

Objections (80)

Background reading/external references

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

Statutory Development**Plan Provision**

The Adopted Edinburgh Local Development Plan.

Date registered

1 May 2020

Drawing numbers/Scheme

01 ,02, 03A, 04, 05B, 06A, 07A, 08A, 09A, 10A, 11-20, 21A, 22A, 23A, 24A,25,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Sonia Macdonald, Planning Officer

E-mail:sonia.macdonald@edinburgh.gov.uk

Links - Policies

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

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 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.

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the

Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Appendix 1

Application for Planning Permission 20/01854/FUL At 23 - 27 Gylemuir Road, Edinburgh, EH12 7UB Residential development comprising 126 units, associated landscaping, access and other ancillary works (as amended).

Consultations

Archaeology comment

The recording of lacustrine deposits with bands of peat by Geovia with at least three of boreholes (see BH 1, 2 & 4 within their Geo-environmental Desktop report dated Nov 2019) suggest that the site overlies the site of the former Gogar Loch/Gogarmire. The true extent of this feature is not fully understood as it was finally drained during the 17th century, however this shallow body of water formed an important landscape feature between South Gyle and the medieval village of Corstorphine dictating the location of settlements and transport routes. Excavations around which have shown it to be not only a focus for prehistoric and early medieval settlement and farming but the loch deposits themselves are also regarded as an important source of historic environmental information dating back to the last Ice-Age.

Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, HES's Historic Environment Policy for Scotland (HEPS) 2019 and CEC's Edinburgh Local Development Plan (2016) Policy ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Although the area has been significantly affected by the construction and demolition of the recent care-home, the recording of probable deposits relating to the former prehistoric is archaeologically significant. Such deposits are archaeologically important, as they can provide significant information in mapping the extent of this important body of water through time and regarding both past environment and land-use changes in West Edinburgh perhaps as far back as the last Ice-Age, c.12,000BC. It is recommended therefore that prior to development that a programme of archaeological work is undertaken to excavate, record and analyse these Palaeo-loch (lacustrine) deposits.

It is recommended that this programme of archaeological works is secured by the following CEC condition;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis, reporting

and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

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

SEPA comment

Advice for the planning authority

We object to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy.

In summary we wish to receive clarification on the following points before we would consider removing our objection to the proposed development:

o A detailed Flood Risk Assessment (FRA) demonstrating that the built development will be located outwith the functional floodplain and there will be flood free access and egress for residents.

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

1. Flood risk

1.1 We previously requested, during pre-application discussions with the applicant, that a detailed Flood Risk Assessment (FRA) be carried out and detailed development plans be provided in support of any planning application.

1.2 Review of the SEPA Flood Map (Scotland) 200-year flood outline (i.e. the flood with a 0.5% chance of occurring in any single year) indicates that this area lies within this envelope and as such is potentially at risk of fluvial flooding from the Gogar Burn. A small watercourse called The Stank flows to the south of the site within a culvert. The SEPA flood maps do not take into account small catchments below 3km² as noted in our caveats. Consequently, the application site may be at flood risk from this watercourse although not shown on the SEPA Flood Map. The risk from this watercourse will need to be investigated further through a detailed Flood Risk Assessment (FRA).

1.3 We therefore suggest that the applicant undertakes a detailed FRA. Model output should include the 1 in 200 year flood levels and extents from both the Gogar Burn and The Stank. The results of this FRA should inform the developable area and minimum finished floor level (FFL) as the avoidance of risk is the cornerstone of sustainable flood risk management. The FRA should take into account appropriate

culvert blockage scenarios. Please note that FFLs should also take into account climate change allowances for the location in addition to appropriate freeboard allowance.

1.4 As the care home no longer exists at this location, we consider this to be an increase in vulnerability (from vacant site, to highly vulnerable) according to SEPA vulnerability guidance.

1.5 The Planning Statement states that a stage 1 FRA was undertaken for the site. It proposed that finished floor levels are raised by 600mm from existing site levels. The SEPA Flood Map only provides an indication of areas at risk to flooding and should not be used to inform development layout or finished floor levels as noted in our caveats. We do not support development within the functional floodplain as this may impact upon the storage and conveyance capacity and increase the risk of flooding elsewhere. We will consider removing our objection, should a satisfactory detailed flood risk assessment demonstrate that the development will be outwith the functional floodplain and there is flood free access and egress for residents. Please be aware that a detailed FRA may only serve to confirm that this site is not suitable for residential development

Detailed advice for the applicant

2. Flood risk

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

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

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

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

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

SEPA comment updated

Further to receiving an assessment of the Stank Burn Culvert, confirmation that the suite of scenarios in the assessments have been run with conservative estimates and further information regarding the hydrological information for the site, notably the catchment area, we are now in a position to remove our objection to the proposed development on flood risk grounds.

Notwithstanding the removal of our objection, we would expect the City of Edinburgh Council to undertake their responsibilities as the Flood Risk Management Authority.

Communities+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 (February 2020).

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:

102 Flats (24 one bedroom flats excluded)

This site falls within Sub-Area W-3 of the 'West Education Contribution Zone'.

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

The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed.

The proposed development is therefore required to make a contribution towards the delivery of these actions based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.

If the appropriate infrastructure and land contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required:
£196,350

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Roads Authority Issues

The application should be continued.
Reasons:

I. The internal road linking Gylemuir Road to the north and south is required to be road and RCC will be required. Exit for service vehicle only can not be enforced because such order does not exist. The link further serves an important walking route and cannot be private access contrary to Policy Des 7 Layout and Design- pedestrian route could be restricted by private access (Gated community by default of being private access). The implication is that all the parking spaces along the road becomes on-street parking spaces and can not be allocated to the development.;

II. The design is dominated by parking and compromises pedestrian movement along the internal road. The applicant should consider reducing the level of car parking spaces and increase soft landscape area - street scene should not be dominated by parking as recommended by EDG and is contrary to Policy Tra 4 Design of Off-Street Car and Cycle Parking and Policy Des 7 Layout and Design. The area is adjacent St John's Road Air Quality Management Area and lower car parking provision and more EV charging spaces are encouraged;

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

1. The applicant will be required to;
 - a. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
 - b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
 - c. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £23,500 (£1,500 per order plus £5,500 per car) towards the provision of 4 car club vehicles in the area;
2. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
3. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;

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), 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. Works affecting adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits
http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

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

Note:

a) A transport assessment has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments. A total of 46 vehicular trips (two-way) are predicted during the weekday AM peak hour and 31 during the weekday PM peak hour. The modelling predicts that Gylemuir Road/Meadow Place Road junction will operate under capacity with RFC 0.33 and a queue of 1pcu for the Gylemuir Road right turn movement during the evening peak hour.

b) The applicant proposes 55 car parking spaces, including 4 car club bays, 5 accessible bays and 9 EV charging spaces in Zone 2.

c) The applicant proposes 301 cycle spaces, (secure cycle lockers=162 spaces, weatherproof pavilions storage spaces = 120 (4X30), Cargo bike spaces within courtyard=3, visitor cycle parking spaces= 16) and does comply with the Council's minimum cycle parking requirement of 292 cycle spaces;

d) The site is accessible by public transport- Lothian service 1, 12, 21 on Meadow Place Road and Lothian service 12, 26, 31, Airlink 100, Scottish Citylink 909 on S't John's Road),

e) The applicant proposes continuous footway on the site access junction with Ferrymuir Road to prioritise pedestrian movement.

Roads Authority Issues updated

The application should be refused.

Reasons:

1. The design is contrary to LDP Policy Des 7 Layout and Design - Planning permission will be granted for development where:

a) 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

b) new streets within developments are direct and connected with other networks to ensure ease of access to local centres and public transport and new public or focal spaces are created where they will serve a purpose

c) the layout will encourage walking and cycling, cater for the requirements of public transport if required and incorporate design features which will restrict traffic speeds to an appropriate level and minimise potential conflict between pedestrians, cyclists and motorised traffic

e) safe and convenient access and movement in and around the development will be promoted, having regard especially to the needs of people with limited mobility or special needs

f) public open spaces and pedestrian and cycle routes are connected with the wider pedestrian and cycle network including any off-road pedestrian and cycle routes where the opportunity exists.

2. The design is contrary to LDP Policy Des 5 Development Design - Amenity Planning permission will be granted for development where it is demonstrated that:

d) a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms

3. The design is contrary to Policy Tra 4 Design of Off-Street Car and Cycle Parking

d) the design of surface car parking or entrances to car parking in buildings should not compromise pedestrian safety and should assist their safe movement to and from parked cars, for example, by the provision of marked walkways.

4. Policy Tra 9 Cycle and Footpath Network Planning permission will not be granted for development which would:

c) obstruct or adversely affect a public right of way or other route with access rights unless satisfactory provision is made for its replacement

Explanation - the design does not comply with above LDP Policies due to the following reasons;

i. The internal footway linking Gylemuir Road to the north and south is designed as private access and does not provide/guarantee public right of access to both prospective tenants and general public,

ii. This important active travel route which provides direct access to the TESCO supermarket and other important facilities can be blocked/stopped by the applicant after planning application is granted despite assurances given by applicant to guarantee public rights of access;

iii. The design will not be built to RCC standards to ensure that the footway is built to Council's standards for public safety.

iv. The design is driven by applicant's desire to have private parking spaces instead of respecting designing principles of both Edinburgh Street Design Guidance and the

Designing Streets Guidance which prioritise walking and cycling over car use by ensuring that new developments are well connected to the existing by active travel routes;

v. Other design options submitted by the applicant to alleviate transport concerns are contrary to other planning policies and the proposed internal east west route is considered complementary but not substitute for this important active travel route;

vi. The current proposal could lead to gated community, restricted pedestrian access and sub-standard active travel route with concerns for pedestrian safety.

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

1. The applicant will be required to;

a. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;

b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;

c. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £23,500 (£1,500 per order plus £5,500 per car) towards the provision of 4 car club vehicles in the area;

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

3. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;

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), 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. Works affecting adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

7. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to

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

Note:

- a) A transport assessment has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments. A total of 46 vehicular trips (two-way) are predicted during the weekday AM peak hour and 31 during the weekday PM peak hour. The modelling predicts that Gylemuir Road/Meadow Place Road junction will operate under capacity with RFC 0.33 and a queue of 1pcu for the Gylemuir Road right turn movement during the evening peak hour.*
- b) The applicant proposes 51 car parking spaces (4 car club bays, 5 on-street parking spaces, 5 accessible bays with EV charging, 1 on-street accessible bay and 36 car parking spaces with EV charging) in Zone 2.*
- c) The applicant proposes 301 cycle spaces, (secure cycle lockers=162 spaces, weatherproof pavilions storage spaces = 120 (4X30), Cargo bike spaces within courtyard=3, visitor cycle parking spaces= 16) and does comply with the Council's minimum cycle parking requirement of 292 cycle spaces;*
- d) The site is accessible by public transport- Lothian service 1, 12, 21 on Meadow Place Road and Lothian service 12, 26, 31, Airlink 100, Scottish Citylink 909 on S't John's Road),*
- e) The applicant proposes continuous footway on the site access junction with Ferrymuir Road to prioritise pedestrian movement.*

Flood Prevention comment

I have reviewed the updated FRA and have the following comments. I have also included my previous comments that I believe are yet to be addressed.

- 1. It may be useful to conduct some sensitivity tests on the Stank Burn flood risk assessment to help manage uncertainty in the assessment and help inform the freeboard and finished floor level.*
- 2. Could you confirm the proposed finished floor level of the development?*
- 3. The Gogar Burn flood risk assessment considers a 35% uplift to account for climate change. Our latest guidance requests a 40% uplift be used to consider climate change. Could you confirm the site is also outside of the Gogar Burn 1:200-year+40%CC flood extent?*
- 4. Please confirm who will adopt and maintain the surface water system, including SuDS and the underground storage tank.*

Flood Prevention comment updated

I have reviewed the additional information provided by the applicant. This satisfies CEC Flood Prevention's comments. However, we would recommend speaking with SEPA to confirm whether the updated FRA satisfies their concerns. This application can proceed to determination, with no further comments from our department.

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 comprising 126 residential flats. There is an AHP requirement for a minimum of 25% (31) homes of approved affordable tenures.

The applicant has submitted an 'Affordable Housing Statement' which confirms that 33 affordable homes will be delivered on-site. This is welcome as it exceeds the minimum requirement of the AHP. The 33 homes are in one block at the southern end of the site.

The number of affordable homes that are proposed increased from 31 during the application process. The applicant responded positively to a concern raised by Housing Management and Development that the mix of affordable home sizes was not entirely representative of the wider site by providing two additional three-bedroom affordable homes on the ground floor.

7 (23%) of the affordable homes required by the AHP now have three-bedrooms, in comparison to 33 (35%) of the market homes. Although the proportion of three-bedroom affordable homes is not entirely representative of the market homes, the applicant has worked with a Registered Social Landlord (RSL) to maximise the number of three-bedroom affordable homes that will be viable for the RSL. It is welcome that three of the three-bedroom affordable homes will be on the ground floor as they will be particularly suitable for families with children because of the direct access to outside space.

In order that the increased number of affordable homes could all be delivered by the RSL, 19 were to be delivered as social rent and 14 flats as mid-market rent. However, Housing Management and Development has worked with the applicant and RSL to identify an approach that will allow all 33 units to be delivered as social rent, the Council's highest priority tenure. The use of a commuted sum payment of £100,000 will make it viable for the RSL to deliver the 14 homes that were proposed as mid-market as social rent. This works out at just over £7,000 per unit.

The site is within the Cortsorphine / Murrayfield ward where commuted sum payments have been accepted in lieu of on-site provision for several sites. Housing Management and Development consider that enabling the delivery of 14 more homes for social rent than would otherwise have been achieved through the AHP is a good use of the commuted sums received from the area.

It should be noted that the applicant has not yet entered into contract with the RSL, however there has been agreement over the price that the units would be sold to the RSL to enable them all to be delivered for social rent.

In the interests of delivering mixed, sustainable communities, the affordable homes will be well integrated with the rest of the development and "tenure blind" in appearance. The design of affordable housing should be informed by guidance such as Housing for Varying Needs and relevant Housing Association Design Guides. The affordable units will be contained in one block and accessed from a single stair core to allow effective management.

The affordable home residents will have access to shared communal garden spaces. Public transport links are in easy walking distance. An equitable and fair share of cycle and vehicle parking, consistent with the relevant parking guidance, should be provided for the affordable homes.

3. Summary

The applicant has made a commitment to provide a minimum of 25% on site affordable housing, as required by the City's Affordable Housing Policy (AHP). A Section 75 legal agreement will be required to secure the affordable housing element of this proposal.

The applicant has set out the proposed approach to delivering the affordable homes in an Affordable Housing Statement. This approach is supported by Housing Management and Development.

The applicant has proposed to deliver 33 on-site affordable homes. This is two more than the minimum required under the AHP.

Although the overall mix of affordable home size is not entirely representative of the market homes, the applicant has worked with a Registered Social Landlord (RSL) to maximise the number of three-bedroom affordable homes that will be viable for the RSL. The number of three-bedroom affordable homes increased from five to seven during the application. Three three-bedroom affordable homes will be on the ground floor and particularly suitable for families with children because of the direct access to outside space.

Housing Management and Development has worked with the applicant and RSL to identify an approach that will enable all 33 of the affordable homes to be delivered for social rent, the Council's highest priority tenure. This will be possible with the use of commuted sums that have been paid by other sites within the Corstorphine/Murrayfield ward.

The flats will be identical in appearance to the market housing units, an approach often described as "tenure blind", and designed and built to the RSL design standards and requirements.

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

Environmental Protection comment

Environmental Protection does not object to the application.

The application proposes the erection of 126 residential properties on the site of a former care home.

The application proposes 41 private parking spaces all with electric vehicle charging infrastructure, 4 car club spaces and 6 on street parking spaces for 126 residential units. Whilst this complies with the parking standards, the development feeds traffic into the St Johns Road Air Quality Management Area and could impact upon that area by way of traffic pollution and congestion. This section would have much rather seen a car free development in this position and are disappointed not see that since the site is so well placed for use of public transport, walking, cycling and localised employment. However, the applicant has updated and improved their original plans by making all private parking spaces to include electric vehicle infrastructure and slightly reduced the parking numbers which is seen as a positive development.

On balance, the parking is not excessive, complies with the parking standards, has provided 100% electric vehicle charging points, a Green Travel Plan for residents and 4 Car Club spaces and so this section feels unable to recommend refusal on air quality grounds. In addition, the development includes no fossil fuel spatial and water heating sources by using electrically driven air source heat pumps. However, it should be noted that this team is disappointed that the developer did not provide a car free development.

A noise impact assessment has been provided in support of the application which assesses noise impacts from the adjacent supermarket and the proposed air source heat pumps on the proposed development.

The agent advises that a maximum of two air source heat pumps will be located on the roof of the new development. These heat pumps will be located behind screens. These screens will conceal the proposed properties visually and partially from noise. They also advise that the heat pumps will likely be some 40m or so from any adjacent property. In this regard the noise impact assessment considers the plant noise and specifies maximum allowable noise levels at 1m from each plant enclosure to ensure

compliance with the Council's required NR 25 criteria. A condition is recommended below to that effect.

The report also advises that noise from the supermarket will not impact upon the proposed development.

Information has been provided in support of the application which considers site investigation and remediation. In this regard, it is deemed prudent to recommend a condition which will ensure that the site is made safe for the proposed end use.

Therefore Environmental Protection does not object to the development and recommends the following conditions:

1. The air source heat pump plant with maximum allowable noise level specifications (measured at 1 metre from the plant), as defined in the RMP report (R-8715-ST2-RGM) and dated 10th June 2020, should be installed prior to start of operations.

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

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

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

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

3. All private parking spaces shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be installed and operational in full prior to the development being occupied (as shown on Rowanbank Gardens Parking proposals Summary and dated 25 August 2020).

Waste Services comment

Having reviewed the information provided, I can now confirm that Waste would have no objection to this proposal, according to the drawings provided. I can confirm that this development would be accepted for waste and recycling collections at the planning stage with the waste strategy plan provided. The final agreement letter for this development would be subject to a site visit prior to collections being agreed to confirm all aspects of our guidance had been adhered to.

Scottish Water Comment

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

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

Waste Water Capacity Assessment

This proposed development will be serviced by EDINBURGH PFI Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via our Customer Portal or contact Development Operations.

Please Note

A drainage impact assessment (DIA) will be required to assess the impact of this development on our network. A water impact assessment may be required but this will be determined upon receipt of a Pre-Development Enquiry form.

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

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water

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

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

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

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

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

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

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

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

Please find information on how to submit application to Scottish Water at our Customer Portal.

Next Steps:

All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which

Scottish Water can contribute towards through Reasonable Cost Contribution regulations

Location Plan



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