

Development Management Sub Committee

Wednesday 13 January 2021

**Application for Planning Permission 20/03807/FUL
at Land 17 Metres Northwest Of 74, West Croft, Ratho.
Erection of 5 No. detached dwellings and garages with
associated open space, landscaping and site development
works (as amended).**

Item number

Report number

Wards

B02 - Pentland Hills

Summary

The proposal complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it preserves the character and appearance of the conservation area. There are no adverse impacts on the setting of the conservation area.

The proposal complies with the adopted Local Development Plan. The proposal is acceptable in this location and there will be no adverse impact on residential amenity, traffic or road safety. The loss of open space is acceptable. A legal agreement is required to improve transport infrastructure and to mitigate pressure on local school accommodation.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES01, LDES04, LDES05, LEN03, LEN06, LEN09, LEN18, LEN21, LHOU01, LHOU03, LTRA02, LTRA03, NSG, NSLBCA, NSGD02, OTH, CRPRAT,

Report

Application for Planning Permission 20/03807/FUL at Land 17 Metres Northwest Of 74, West Croft, Ratho. Erection of 5 No. detached dwellings and garages with associated open space, landscaping and site development 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 an area of 0.3 hectares within the settlement of Ratho. A large part of the site is currently designated as open space within the Edinburgh Local Development Plan (LDP) and is undeveloped with overgrown vegetation. The site slopes down in the northern section towards the canal with an area of amenity land providing a buffer between the site itself and Union Canal, a Scheduled Ancient Monument. Ratho Park playing fields border the site to the south.

To the east is West Croft, a residential street featuring two storey terraced blocks. Directly to the west of the site are the rear gardens of the properties which front onto Baird Road. A number of these properties are category B listed.

This application site is located within the Ratho Conservation Area.

2.2 Site History

29 April 2014 - Planning permission granted - erection of 2 dwelling houses (as amended) (application reference: 07/00442/FUL).

08 September 2015 - Planning permission in principle granted - erection of a single dwelling house (application reference:15/04140/PPP).

13 May 2016 - Matters specified in conditions approved - approval of matters specified in Conditions 1 and 2 (in part) of planning permission reference 15/04140/PPP to erect a dwelling house (application reference:16/00852/AMC).

12 August 2016 - Planning permission varied - non material variation to planning consent 16/00852/AMC (application reference:16/00852/VARY).

20 November 2019 - Planning permission refused - proposed erection of 11 residential dwellings (application reference:18/02606/FUL).

14 April 2020 - Appeal against refusal dismissed - proposed erection of 11 residential dwellings (application reference: 20/00017/REF).

Main report

3.1 Description of the Proposal

The proposal is for the formation of five 1.5 storey dwellings to be accessed from West Croft. The new dwellings are to be finished with facing whinstone on primary elevations and wet dash render on secondary elevations. Sills and surrounds are to be finished with ashlar stone. Windows are to be white timber framed sash and case and doors are to be timber. The gable roofs will be finished with slate and grey, timber fascias.

Plot 1 will be a five bedroom detached house, with a gross internal floor area (GIFA) of approximately 149 square metres and a rear garden covering 202 square metres. Plot 1 will have access to a twin garage which is to provide cycle parking. One off-street car parking space is also provided. Plots 2-4 will be four bedroom detached houses with a GIFA of approximately 138 square metres and rear gardens with a footprint ranging from 73-77 square metres. Plot 5 will be a four bedroom, detached house with an approximate GIFA of 142 square metres and a garden to the rear covering approximately 85 square metres. Each plot will have access to a garage for cycle storage and one off-street parking space. All five units will have electric charging points.

The proposal includes new tree and hedge planting and the formation of a new asphalt bound, public path, between the southern side of the Union Canal and the open space to the south of the site.

Previous Scheme

The amended scheme introduces whinstone to primary elevations. Proposed garages have been converted to bike stores. The proposed pedestrian path as been amended to include a raised table and to specify the proposed use of asphalt.

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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the development is acceptable in this location;
- b) the proposal raises any issues in respect of the impact on the setting of a listed building;
- c) the proposal will detrimentally impact on the character and appearance of the conservation area;
- d) the proposal will affect the scheduled ancient monument;
- e) the loss of open space is acceptable;
- f) the scale, design and materials for the proposal are acceptable;
- g) the proposal will provide acceptable levels of amenity for neighbouring and future residents;
- h) the proposal will raise any traffic, parking or road safety issues;
- i) any other planning matters have been addressed and
- j) any public comments have been addressed.

a) Principle

Policy Hou1 (Housing Development) of the adopted Edinburgh Local Development Plan (LDP) states that priority will be given to the delivery of the housing land supply and relevant infrastructure on suitable sites in the urban area, provided proposals are compatible with other policies in the plan.

The application site is largely designated as open space in the adopted LDP with a small area defined as being part of the urban area. The principle of housing development at the site could be acceptable as long as the proposals are compatible with other policies in the plan.

b) Setting of Listed Building

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states:

"In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

LDP Policy Env 3 (Listed Buildings - Setting) states that development within the curtilage or affecting the setting of a listed building will only be permitted if not detrimental to the appearance or character of the building or its setting.

Eight properties on the east side of Baird Road are listed buildings. Of these, 12/14 Baird Road and Clearance Cottage, 18 Baird Road, both category 'B' listed buildings, adjoin the appeal site. These are early nineteenth century cottages built by Robert Liston as part of his ambition to make Ratho a model village. The proposed development would not have a direct impact on these buildings. These buildings were designed to be viewed from Baird Road and these views will remain unaffected by the proposed development.

The properties adjoining the site have long rear gardens leading to the west boundary and the distance between the closest part of the existing and proposed buildings would be in excess of 30 metres. This is adequate separation. The setting of the listed buildings would be preserved.

The proposal complies with Local Development Plan policy Env 3.

c) Conservation Area

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

LDP Policy Env 6 (Conservation Areas - Development) states that development within a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.

The Ratho Conservation Area Character Appraisal emphasises the strong representation of vernacular development within the village core, the predominant building form of small-scale vernacular cottages providing a unified character, the consistency in the use of traditional building materials, the uncluttered streetscape and the prevalence of residential use.

A previous proposal for the development of 11 residential units was refused due to the excessive height of the proposed dwellings (11.2 metres), the inappropriate density of the proposal and the excessive use of brick and timber cladding. The overall form, design and choice of materials was contrary to development which typifies the historic core of Ratho Conservation Area. By contrast the current proposal utilises a palette of broadly traditional materials including natural slate roofs; whinstone, render; ashlar stone surrounds, cills and cornerstones, as well as timber door and window units, clay chimney pots and conservation roof lights. The proposed density of 16.6 units per hectare and the linear form of the proposed buildings reflect the original settlement pattern of the area.

The ridge height of the 1.5 storey houses ranges between 7.16m and 8.1m. This is a significant reduction from the previous scheme and contextual drawings provided show the new dwellings will sit comfortably against existing dwellings to the west of Baird Road, the newly constructed detached house to the north of the site and the terraced properties to the east of the site on West Croft.

The proposal will result in the clearing of overgrown land and the introduction of a public path will improve connectivity of the site to the Union Canal and offer better access to the remaining open space.

The proposal will have a positive impact on the Ratho Conservation Area and complies with LDP policy Env 6.

d) Scheduled Monument

LDP Policy Env 8 (Protection of Important Remains) states development will not be permitted where it adversely affects a scheduled monument.

The development has limited interface with the Union Canal, a scheduled monument. The nearest house is some distance away from it and its setting will be unaffected. The proposals comply with policy Env 8.

e) Open Space

A large part of this site is designated as open space in the LDP. LDP Policy Env 18 criterion a) will only support development on open space where the loss would not result in a significant impact on the quality or character of the local environment. The open space in this instance is of poor amenity value. The site has had previous issues with fly tipping and litter and is currently used as an informal thoroughfare to the canal path. The proposal would enhance and formalise these desire lines with a 'Canal Link' footpath providing a link from West Croft to Union Canal, enhancing the quality and character of the environment.

Criterion b) supports the loss of open space only where it is considered as a small part of a larger area of open space and there is a significant over-provision in the area. Given that the site is neighbouring playing fields, it could be considered to form a small part of a larger area. The South West Locality Open Space Action Plan does identify an area of homes in Ratho that are not served by the Large Greenspace Standard, indicating a deficit of good quality large greenspaces in the town. On balance, it is considered that due to the location next to formal playing fields and links to the canal path, the loss of a small area of open space in this location would not have a significant impact on the provision in the immediate area.

Criterion c) seeks to ensure that the loss of open space would not be detrimental to the wider network or biodiversity value. The site is a small part of a wider network of open space including the canal path, playing fields and community woodland. A Phase 1 Habitat Survey was undertaken in relation to the site to assess the impact of the proposal on biodiversity. Two main habitats were identified; bare earth and amenity grass. The Ecology Assessment found the bare earth to be of negligible habitat value and the grass to have only site value. The only protected species anticipated as potentially resident on site was badgers.

No indication of badgers using the site was found. Inspection of the land revealed no significant habitat potential for bats, great-crested newts, otters or water voles. The proposal would not be detrimental to the wider open space network given the limited site-specific value of the space. The proposed new planting of grass trees and hedges represents an opportunity to improve the biodiversity value. A detailed landscape plan, outlining all removals and new planting must be submitted to, and agreed with, the Planning Authority prior to development.

Criterion d) ensures that any loss of open space must provide benefits to the local community through alternative provision or improvements to existing open space. Whilst the quantity of designated open space would be reduced through this proposal, it is considered that the quality of open space would be improved through the provision of formalised footpath connections, and a landscaped area of public open space.

The proposal broadly complies with LDP Policy Env 18 and on balance the loss of open space is acceptable.

f) Scale, Form and Design

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

Policy Des 4 (Development Design - Impact on Setting) states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- i) height and form
- ii) scale and proportions, including the spaces between buildings
- iii) position of buildings and other features on the site
- iv) materials and detailing

As outlined above, the proposal utilises a palette of broadly traditional materials including natural slate roofs; whinstone, render; ashlar stone surrounds, cills and cornerstones, as well as timber door and window units, clay chimney pots and conservation roof lights. The proposed density of 16.6 units per hectare and the linear form of the proposed buildings reflect the original settlement pattern of the area.

The ridge height of the 1.5 storey houses ranges between 7.16m and 8.1m. This is a significant reduction from the previous scheme and contextual drawings provided show the new dwellings will sit comfortably against existing dwellings to the west of Baird Road, the newly constructed detached house to the north of the site and the terraced properties to the east of the site on West Croft.

The proposal draws upon positive characteristics of the area. It is of an appropriate scale form and design and complies with LDP policies Des 1 and Des 4.

g) Amenity

Policy Des 5 (Development Design-Amenity) states planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

Policy Hou 3 states that planning permission will be granted for development which makes adequate provision for green space to meet the needs of future residents.

Edinburgh Design Guidance sets out minimum internal space requirements for new residential development.

Future Occupiers

In this instance, the proposed dwellings will have an internal floorspace well in excess of the minimum recommended in guidance. The arrangement of the proposed living spaces and windows will ensure that future occupiers will have sufficient levels of daylight. The proposed garden space to the rear of plot 1 reaches a depth of over 18 metres and will provide good useable space. Gardens proposed for plots 2-5 by contrast are smaller, providing between 74 and 77 square metres of useable private green space. This is relatively small when considered against the large gardens which are typical of the historic development within the conservation area. However, it is consistent with the garden sizes associated with the terraced houses of West Croft to the east of the site.

The proposal will create a satisfactory residential environment for future occupiers.

Neighbouring Amenity

First considering the existing residential dwelling to the north of the site. Plot 1 is approximately 2.39 metres away from the shared boundary to the north of the site. The proposal complies with the daylighting criterion outlined in *Edinburgh Design Guidance*. Given the south-east orientation of Plot 1 in relation to the neighbouring property and the height of the proposed dwelling; Plot 1 will not overshadow the neighbouring garden space. A window is proposed on the north elevation of the proposed dwelling which will overlook the neighbouring garden. However, this garden is already clearly visible from the Canal Towpath and as such the existing garden is already extensively overlooked.

Plots 2-5 are over 30 metres away from neighbouring properties to the west. The proposed dwellings comply with relevant guidance set in *Edinburgh Design Guidance* in relation to the protection of daylight, sunlight and privacy.

The proposal will not result in a loss of neighbouring amenity.

h) Traffic and Parking

Policies Tra 2 (Car Parking) and Tra 3 (Cycle Parking) of the LDP sets out the requirement for private car and cycle parking. The proposal includes one off-street parking space per dwelling and private stores for bikes. All parking spaces will be equipped for electric vehicle charging.

As part of the development, a pedestrian route will be introduced through the site. This will connect residential developments along West Croft and the proposed dwellings within the application site to the Union Canal Towpath. Plans indicate the proposed path is to be formed of asphalt. This will be agreed and formalised through subsequent permit applications to the Council's Roads Authority. The route will form part of a high-quality landscaped link, with raised table provided, supporting permeability and enhancing the accessibility of the existing active travel network. The Transport Authority have included indicative costings and it is considered that these are proportionate and reasonable to the proposed development. This includes £2000 to promote a suitable order to introduce a 20-mph speed limit within the development and subsequently install all signs and markings. The applicant must contribute a sum of £2000 to progress an order to redetermine sections of footway and carriageway as necessary for the development. The applicant must also contribute a sum of £2000 to progress a suitable order to introduce waiting and loading restrictions. It is recommended that this will be secured through a S75 agreement [legal agreement or s75 obligation].

The Roads Authority was consulted and raised no objections to the application in relation to proposed parking, increase in traffic or safety, subject to the infrastructure works outlined.

The proposals comply with LDP policies Tra 2 and Tra 3.

i) Other Planning Matters

Education Contribution

LDP Policy Del 1 (Developer Contributions) requires contributions to the provision of infrastructure to mitigate the impact of development. The Action Programme and Developer Contributions and Infrastructure Delivery Supplementary Guidance sets out contributions required towards the provision of infrastructure.

The Council's Action Programme identifies the need for additional secondary school capacity and primary school classes. Communities and Families provided a consultation response which sets out the level of developer contributions required for this proposal which falls within Sub-Area SW-3 of the 'South West Education Contribution Zone' within the Developer Contributions and Infrastructure Delivery Supplementary Guidance. The assessment was based on five houses. The development will have an impact on secondary schools. School roll projections for Balerno High School indicate that there will not be sufficient spare capacity to accommodate the additional secondary school pupils in the area as a result of this development.

Although the Council's current Action Programme does not identify a requirement for additional capacity at the school (this is based on the impact of new housing sites allocated in the LDP and other land within the urban area), additional capacity will be required to accommodate pupils from additional development sites. The pro-rata contribution rate for secondary school extensions, which is set out in the Supplementary Guidance, should also be applied to the proposed development (£6,536 per house - as at Q4 2017). The total infrastructure contribution required is £32,680.

Flooding

LDP Policy Env 21 (Flood Protection) states that planning permission will not be granted for development that would increase flood risk or be at risk of flooding itself.

Public representations have raised concern about potential alterations to drains and the potential for surface water flooding in the area. The location of drains and issues relating to the sewer are not planning matters. These issues would be addressed through Building Standards and, where appropriate, Scottish Water. The application site itself is not identified as at risk of surface water flooding on the SEPA flood map, though some areas surrounding the site are. The Planning Committee on 30 March 2017 approved the implementation of a certificate procedure in relation to assessing potential flood impacts as a result of new development proposals during the application process.

Accordingly, a Surface Water Management Plan and Drainage Impact Assessment is required to assess the impact of the proposal on surface water on the site. This has not been provided. Before development on site can begin, this must be provided to the Planning Authority. Where required, appropriate action must be taken to ensure the development does not increase flood risk. This has been made a condition of this consent.

Archaeology

LDP Policy Env 9 (Development of Sites of Archaeological Significance) states planning permission will be granted for development on sites of known or suspected archaeological significance if it can be concluded from information derived from a desk-based assessment and, if requested by the Council, a field evaluation, that either; no significant archaeological features are likely to be affected by the development or any significant archaeological features will be preserved in situ and, if necessary, in an appropriate setting with provision for public access and interpretation.

The north-eastern redline application boundary of the site lies adjacent to the southern bank of the Union Canal. This monument is scheduled under the 1979 Ancient Monuments and Archaeological Monuments Areas Act (Ref No. AMH: 4291). In addition, the site's location places it on the eastern limits of the historic village of Ratho. The settlement is first recorded in the mid-13th century though the nearby parish church dates from a century earlier. The site appears vacant in the 1st Edition OS map of the 1850's however by the end of the century a small Gas works has been constructed, probably to feed Ratho Village, to the north and along the northern boundary of the site.

The site may contain archaeological evidence associated with the construction and use of the Union Canal and also evidence for the development and occupation of Ratho from the medieval period onwards. The impact therefore of associated ground-breaking works for this development (construction, services, landscaping etc.) must be regarded as having a potential moderate archaeological impact. It is recommended therefore that prior to development that a phased programme of archaeological works is undertaken to fully excavate, record and analysis all significant remains both buried and upstanding.

Accordingly, the Council's Archaeologist has recommended a condition is attached requiring an archaeological programme of works is undertaken prior to work commencing on site.

Subject to compliance with the attached condition, the proposal accords with LDP policy Env 9.

Aerodrome Safeguarding

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria.

However, given the nature of the proposed development, it is possible that a crane may be required during construction. In line with the requirement set out in the British Standard Code of Practice for the safe use of Cranes, crane operators must consult the aerodrome before erecting a crane in close proximity to an aerodrome.

Trees

A neighbour has raised concern that should the sewer require upgrading that work may damage a tree on their property. Any work potentially affecting trees within a conservation area would require notification to the Planning Authority. This is a separate process.

j) Public Comments

Material Considerations

- Proposed density is an improvement on previous application; this is addressed in section 3.3(c) of the report.
- Impact on surface water; this is addressed in section 3.3(i) of the report.
- Road safety measures required for traffic; this is addressed in section 3.3(h) of the report.
- Proposed path should meet Council's standards, ensuring it is suitable for wheelchairs and of a standard tarmac construction; this is addressed in section 3.3(h) of the report.

Ratho Community Council

Ratho Community Council objected to the application for the following reasons:

- Re-routing of sewer may be required; this is not a material planning consideration.
- Water and Drainage Impact Assessment required; this is addressed in section 3.3(i) of the report.
- Pedestrian footpath proposed material; this is addressed in section 3.3(h) of the report.
- Impact of increased traffic; this is addressed in section 3.3(h) of the report.

Non-Material Comments

- Concern about alterations to drains and sewer capacity; this is a matter for Building Standards and Scottish Water;
- A sewer upgrade may damage trees and boundary walls; it would be the responsibility of Scottish Water to ensure all relevant consents in place. This is not material to this application.
- Construction work should take place within set hours between Monday and Friday; planning does not control hours of construction.

Conclusion

The proposal complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it preserves the character and appearance of the conservation area. There are no adverse impacts on the setting of the conservation area or the scheduled monument.

The proposal complies with the adopted Local Development Plan. The proposal is acceptable in this location and there will be no adverse impact on residential amenity, traffic or road safety. The loss of open space is acceptable. A legal agreement is required to improve transport infrastructure and to mitigate pressure on local school accommodation.

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

3.4 Conditions/reasons/informatives

Conditions :-

1. No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, reporting & analysis, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. Prior to the commencement of development, a Surface Water Management Plan and Drainage Impact Assessment shall be submitted for further consideration by the Planning Authority, demonstrating that the proposal will not increase flood

risk. The approved SWMP shall thereafter be implemented prior to the first occupation of the dwellings hereby approved.

3. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments, tree removal, replacement tree planting and all other planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. It shall thereafter be implemented within 6 months of the first occupation of the dwellings hereby approved.

Reasons: -

1. In order to safeguard the interests of archaeological heritage.
2. To ensure the proposal does not increase flood risk.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

Informatives

It should be noted that:

1. 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:

Transport

The applicant will be required to contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development.

The applicant will be required to contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary for the development.

The applicant will be required to contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council.

Education

Sub-Area SW-3 of the South West Education Contribution Zone: £6,536 x 5 units = £32,680.

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

3. 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.
4. 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.
5. Given the nature of the proposed development it is possible that a crane may be required during its construction. In line with the requirement set out in the British Standard Code of Practice for the safe use of Cranes, crane operators must consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)
6. a. In support of the Council's LTS Cars1 policy, the applicant should consider contributing the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;
- b. 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;
- c. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
- d. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity.

Note:

- The application has been assessed under the Council's parking standards (updated January 2020). These permit the following:
- A maximum of 5 car parking spaces (1 space per residential unit in zone 3). 5 car parking spaces are proposed, this is considered acceptable;
- No requirement for dedicated cycle parking as proposals include private stores;

- All parking spaces will be equipped for electric vehicle charging;
- No requirement for Accessible and motorcycle parking;
- The applicant should note that the proposed surfacing for the footpath is not agreed at this stage and will need to be discussed further through subsequent permit and consents applications to the Council as Roads Authority;

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 is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Following neighbour notification and advertisement four representations were received, all taking a neutral stance.

Ratho Community Council responded as a statutory consultee and objected to the proposal. The full content of its response is included in the appendix of the report.

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**

Edinburgh Local Development Plan.

Date registered

9 September 2020

Drawing numbers/Scheme

01, 02A, 03A, 04, 05A, 06A, 07A, 08A, 09A, 10A, 11A,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Christopher Sillick, Planning Officer

E-mail:christopher.sillick@edinburgh.gov.uk

Links - Policies

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

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

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

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

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

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

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

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

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

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

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 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.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

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.

Other Relevant policy guidance

The Ratho Conservation Area Character Appraisal emphasises the strong representation of vernacular development within the village core, the predominant building form of small-scale vernacular cottages providing a unified character, the consistency in the use of traditional building materials, the uncluttered streetscape and the prevalence of residential use.

Appendix 1

Application for Planning Permission 20/03807/FUL At Land 17 Metres Northwest Of 74, West Croft, Ratho Erection of 5 No. detached dwellings and garages with associated open space, landscaping and site development works(as amended).

Consultations

Ratho Community Council

With regard to the above application Ratho and District Council have consulted the community via social media and our mailing lists as no public meetings are permitted.

The concerns raised are as follows:

Re-routing of the sewerage system.

The location plan shows that the re-routing of the existing sewer from the combined drain in Ratho Park Road has yet to be determined. There is concern that this may be via existing properties and will cause significant damage to property damaging existing boundary walls and destruction of mature trees, as a conservation area would require separate planning permission.

We note that there is no comment from Scottish Water on the impact on the existing sewerage system given the recent problems that have arisen. There is also a surface water drain running across the proposed access to the site and there is no mention of this on the plans.

We suggest that a Water and Drainage Impact Assessment be required and that the re-routing is contained within the site as far as possible to minimise damage to adjacent properties

Public Footpath

We note that a new public footpath is proposed to replace the existing path. We would request that this path should comply with the Equalities Act 2010 (former legislation being the Disabilities Discrimination Act) and would suggest a monoblock or tarmac. We would also request that a path is maintained during any period of development.

Additional traffic

Concerns have been raised by neighbouring residents about the increase in traffic in the quiet cul de sac and more widely on the access roads leading there. As a result of the above concerns the Ratho and District Community Council must OBJECT until these matters are resolved

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the erection of 5 detached dwellings and garages with associated open space, landscaping and site development works.

The north-eastern redline application boundary of the site lies adjacent to the southern bank of the Union Canal. This monument is scheduled under the 1979 Ancient Monuments and Archaeological Monuments Areas Act (Ref No. AMH: 4291). In addition, the site's location places it on the eastern limits of the historic village of Ratho. The settlement is first recorded in the mid-13th century though the nearby parish church dates from a century earlier. The site appears vacant in the 1st Edition OS map of the 1850s however by the end of the century a small gas works has been constructed, probably to feed Ratho Village, to the north and along the northern boundary of the site (remains recorded in 2019 by AOC prior to the construction of house; AOC report 23351).

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) Policies ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative

Firstly, any works arising from this development must avoid any disturbance to the physical remains of the adjacent scheduled Union Canal. The views of HES should also be sought in this regard and in terms of setting.

Out with the scheduled area of the canal, the site may contain archaeological evidence associated with the construction and use of the Union Canal and also evidence for the development and occupation of Ratho from the medieval period onwards. The impact therefore of associated ground-breaking works for this development (construction, services, landscaping etc.) must be regarded as having a potential moderate archaeological impact. It is recommended therefore that prior to development that a phased programme of archaeological works is undertaken to fully excavate, record and analysis all significant remains both buried and upstanding.

In essence this will see a phased archaeological programme of works, the initial phase being an archaeological evaluation up to a maximum of 10% of the site. The results of which would allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the protection and/or the excavation and recording of any surviving archaeological remains prior to construction.

Therefore, it recommended that if consent is granted that the following condition is attached to ensure the undertaking of the required programme of archaeological works on this site.

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

Airport

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal, however have made the following observation:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Edinburgh Airport, or not to attach conditions which Edinburgh Airport has advised, it shall notify Edinburgh Airport, and the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding of Aerodromes Direction 2003.

Communities and Families

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

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

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

Assessment and Contribution Requirements

Assessment based on:

5 Houses

This site falls within Sub-Area SW-3 of the 'South 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 Appraisal considered the impact of new housing sites allocated in the LDP, including some sites within the Urban Area. No requirement for new primary infrastructure to accommodate additional pupils from new development within this sub-area was identified.

The development will have an impact on secondary schools. School roll projections for Balerno High School indicate that there will not be sufficient spare capacity to accommodate the additional secondary school pupils in the area as a result of this development. Although the Council's current Action Programme does not identify a requirement for additional capacity at the school (this is based on the impact of new housing sites allocated in the LDP and other land within the urban area), additional capacity will be required to accommodate pupils from additional development sites. The pro-rata contribution rate for secondary school extensions, which is set out in the Supplementary Guidance, should also be applied to the proposed development (£6,536 per house - as at Q4 2017).

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

Total infrastructure contribution required:
£32,680

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.

Transport

Further to the memorandum dated the 2nd of October 2020 and the subsequent amendments made Transport have no objections to the application subject to the following being included as conditions or informatives 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. Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;
2. In support of the Council's LTS Cars1 policy, the applicant should consider contributing the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;

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

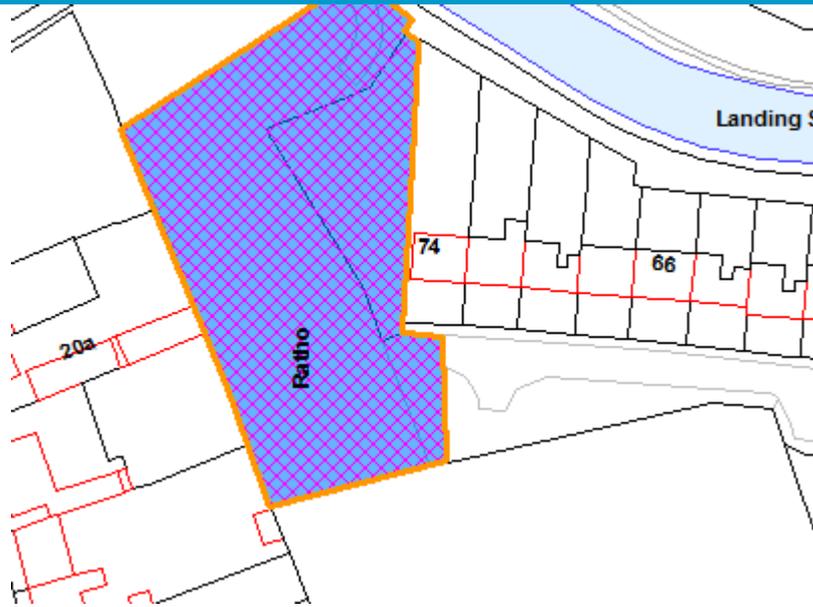
4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling,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

5. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

Note:

- o The application has been assessed under the Council's parking standards (updated January 2020). These permit the following:
- o A maximum of 5 car parking spaces (1 space per residential unit in zone 3). 5 car parking spaces are proposed, this is considered acceptable;
- o No requirement for dedicated cycle parking as proposals include private stores;
- o All parking spaces will be equipped for electric vehicle charging;
- o No requirement for Accessible and motorcycle parking;
- o The applicant should note that the proposed surfacing for the footpath is not agreed at this stage and will need to be discussed further through subsequent permit and consents applications to the Council as Roads Authority;

Location Plan



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