Development Management Sub Committee

Wednesday 17 March 2021

Application for Planning Permission 20/05731/FUL at Granton Harbour, West Harbour Road, Edinburgh. Formation of access roads, cycle ways and public realm areas around Granton Harbour Plot 35 (as amended).

Item number	
Report number	
Wards	B04 - Forth

Summary

The principle of the road layout and the layout of pedestrian and cycle paths is acceptable. The proposal complies with the general requirements of LDP Policy Del 3 (Edinburgh Waterfront). The general layout of the public realm is acceptable. subject to conditions requiring further details of landscaping and surface water management.

The proposal complies with relevant policies set out in the Local Development Plan and is acceptable subject to compliance with conditions.

Links

Policies and guidance for this application	LDPP, LDEL03, LDES02, LDES07, LDES08, LDES10, LEN03, LEN08, LEN09, LEN13, LEN14, LEN16, LEN21, LTRA01, LTRA09, NSGD02,

Report

Application for Planning Permission 20/05731/FUL at Granton Harbour, West Harbour Road, Edinburgh. Formation of access roads, cycle ways and public realm areas around Granton Harbour Plot 35 (as amended).

Recommendations

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

Background

2.1 Site description

The application site is located at the northern end of Granton Harbour. The site lies to the north and east of Plot 35 and fronts onto Granton Harbour quayside on its east side and the Forth estuary to its north.

The category 'B' listed, Western Breakwater (item number 30219, listed 28 November 1989), constructed between 1842 and 1863, lies on the eastern side of plot 35, with part of its eastern flank being located under the application site.

2.2 Site History

Relevant history to the site:

20 June 2003 - Outline planning permission granted for the Granton Harbour Village, mixed use development comprising residential units, hotel and serviced apartments, shops and retail /services, restaurants /cafes, public houses, general business, leisure facilities and marina (Application reference 01/00802/OUT).

4 March 2009 - Application approved to discharge the following reserved matters, (under condition 2): siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes; (1) existing and finished ground levels. This approval was subject to conditions, requiring further information to be submitted within 1 year, on landscaping of public open space, proposed rock revetment, play equipment, configuration of roads and other access provisions, the proposed drainage scheme and related implementation provisions and maximum unit numbers per plot (Application reference 06/03636/REM).

31 January 2014 - Application approved for matters specified in condition 2 as attached to outline permission 01/00802/OUT: covering siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes. The application was subject to a number of conditions requiring further details to be submitted for approval regarding: car parking, landscaping, and the shared cycle way on Western Harbour Road (Application reference 13/04320/AMC).

18 November 2015 - Application for approval to discharge a selected number of reserved matters which were attached to the outline planning permission under condition 2, including the siting and height of development; design and configuration of public and open spaces; access and road layouts; and footpaths and cycle routes approved (Application reference 14/05305/AMC).

2 February 2017 - Application approved for the approval of matters specified in condition 2, covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes (Scheme 2) approved. (Application reference 16/05618/AMC). Note: This is the most up to date master plan for the Granton Harbour area.

31 May 2017 - Application submitted for approval of matters specified in condition 2, covering siting and height of development, design, and configuration of public and open spaces, access, road layouts, footpaths and cycle routes at Grantor Harbour, West Harbour Road (Application reference 17/02484/AMC). This application is pending determination.

11 September 2019- Planning application for formation of access roads and footways and public realm; and associated quay edge retention scheme, to serve the Granton Harbour plot 29 (residential development) and plot 35 (hotel development) refused (planning application number 19/00844/FUL).

24 September 2019- Application for approval of matters conditioned under application number 2 of outline planning application reference 01/00802/OUT regarding the erection of buildings containing residential flats, hotel and serviced apartments; formation of road access, parking, and open space at plots 29 and 35 allowed on appeal (application number 17/05306/AMC).

10 July 2020 - Permission granted for the formation of access roads and footways to serve Granton Harbour plots 7B and 8C residential development (application number 20/02026/FUL).

29 October 2020 - Planning permission appeal dismissed for the formation of access roads and footways and public realm; and associated quay edge retention scheme, to serve the Granton Harbour plot 29 (residential development) and plot 35 (hotel development) (application number 20/01368/FUL).

Main report

3.1 Description of the Proposal

The proposals include the provision of roads and infrastructure, serving the Granton masterplan site and in particular the proposed hotel development at plot 35, which borders on to the site. Specifically:

- The provision of a shared pedestrian/cycle path of the west side of Stopford Parade. The pedestrian footpath has a minimum depth of 2.5 metres; whilst the cycle path has a consistent width of 2.5 metres throughout the site.

- Both pedestrian and cycle crossings are provided to connect the proposed new paths with existing infrastructure on Hesperus Broadway.
- Users will have the option to move south-north through the site along Stopford Parade or to go to the east and follow the harbour edge.
- Buffer strips with a minimum depth of 0.5 metres separate cyclists from the two-way road.

The application also seeks permission for elements of public realm design. The site plan provided shows a number of street trees throughout the site and the provision of box planting with the potential to provide seating. The application also shows a tree lined boulevard which cuts through the middle of the site and provides access to the seafront.

Areas of hardstanding are shown throughout the site formed of granite paving and sandstone slabs. Green buffers are interspersed throughout the site.

It is of note that the drawings provided show a positioning of the harbour edge and two residential blocks which are inconsistent with the current Master Plan (application number 16/05618/AMC). These matters are been considered as part of a proposal to revise the existing Master Plan (application number 17/02484/AMC) and are not considered as part of this application.

For the avoidance of doubt, these matters are not considered as part of this application. This application only considers the layout of roads, pathways and public realm.

Previous Scheme

The scheme initially proposed the formation of a shared pedestrian/cycle path on the eastern side of Stopford Parade. The proposed width of the cycle path was two metres. The proposal also included a one-way road system going east from Stopford Way, following the harbour edge.

Supporting Documents

- Landscaping Proposals Document.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

a) The principle of development is acceptable;
b) The proposals for cycle, pedestrian and vehicle access provision are acceptable;
c) The design of the proposed public realm is acceptable;
d) The proposals safeguard the character and special interest of the listed breakwater and its setting;
e) There are any impacts on natural heritage and biodiversity;
f) The proposals make adequate provision for flood prevention;
g) The matters raised in representations are addressed.

a) Principle of development

The site is located within the Granton Harbour Area at Granton Waterfront, as identified in the Edinburgh Local Development Plan (LDP). It is covered by Proposal EW2c for housing led mixed use development across Granton Harbour.

LDP Policy Del 3 (Edinburgh Waterfront) supports proposals which meet a number of requirements including the provision of a series of mixed use sustainable neighbourhoods that connect with the waterfront and proposals for a mix of house types, sizes and affordability. These proposals specifically seek to address the principles relating to the completion of the approved street layout and perimeter block urban form, as well as the relevant section of the Edinburgh Waterfront Promenade.

The proposals to complete the road network, which forms part of the perimeter block layout for the approved street layout, accord in part with the principles of Proposal EW2c and the related provisions of LDP Policy Del 3. This infrastructure would provide for the missing sections of public road and footway serving plot 35.

The proposals for the public realm and pedestrian access on the Waterfront edge address the provisions of LDP Policy Del 3 (f) in respect of completing this section of the city wide, coastal promenade, as proposed in LDP Proposal EW2c. This includes the provision of a direct and coherent east-west path for both pedestrians and cyclists.

b) Transport Matters

LDP Policy Des 7 (Layout Design) ensures good design in new developments with a comprehensive and integrated approach to the design of new cycle paths and footpaths. The policy encourages the design of new layouts to promote well connected cycle and footpath networks and to minimise potential conflict between pedestrians, cyclists and motor cars.

LDP Policy Tra 9 (Cycle and footpath network) promotes sustainable travel by ensuring there are good quality cycle and pedestrian routes throughout the city.

The LDP proposals map identifies a cycleway and footpath to be safeguarded at this location (T7). The relevant approved masterplan for Granton Harbour (as approved in February 2017) (planning application number 16/05618/AMC) confirms the safeguarded cycle/footpath at this location on the proposed site plan.

Condition no. 8 of application number 16/05618/AMC requires details of a suitable Waterfront cycle/ pedestrian route to be submitted to and approved by the Planning Authority and for the approved route to give priority to the cyclists and pedestrians. It further requires that the proposals shall provide details of connections to the promenade at the east and west sides of the site.

The proposed scheme has been amended significantly following feedback from the Planning Authority and Transport Team. The scheme initially proposed the formation of a shared pedestrian/cycle path on the eastern side of Stopford Parade. The proposed width of the cycle path was two metres. The proposal also included a one-way road system going east from Stopford Way, following the harbour edge.

The existing active travel infrastructure on Hesperus Broadway is in the form of a white line segregated cycle track on the western side of the carriageway. In order to ensure a coherent cycle connection that minimises any unnecessary delay or diversion for cyclists, the location of the cycle route on the eastern side of Stopford parade as initially proposed was unacceptable. This would require cyclists to make additional crossings and would have a significant negative impact on the route, due to the delay and diversion this additional crossing would introduce. The proposed connection would not have been on cyclists' desire lines and would not have been legible or continuous.

The initial scheme proposed a two metres wide cycle path and this was also unacceptable. Two metres is outlined as the absolute minimum width that would be acceptable in constrained areas or routes where low cycle flows would be expected. As this route forms part of the Edinburgh Waterfront Promenade the two metre wide cycle route that was proposed was not acceptable. Transport also raised safety concerns in relation to the proposed one-way traffic system for all road users.

The amended scheme has addressed these concerns. The proposed active travel infrastructure located on Stopford Parade has been relocated to the western side of the street. This layout is broadly consistent with the LDP proposals map which identifies a cycleway and footpath safeguard at this location. The location of the cycle path on the western side of the street allows a more intuitive link to the existing infrastructure located on Hesperus Broadway. This will follow cyclists' desire lines, ensuring no diversion, unnecessary crossing or delays. The revised scheme also increases the width of the cycle lane throughout the site to two and a half metres and introduces a two-way traffic system. The proposed layout is consistent with Edinburgh Street Design Guidance. The proposed layout will provide a number of options for pedestrians and cyclists moving through the site and ensures easy access to the seafront. A number of pedestrian and cyclist crossings are provided throughout the site to ensure road user safety.

The Transport Authority has indicated that infrastructure contributions will be required. 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.

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

The proposals comply with LDP policies Des 7 and Tra 9 and are acceptable in this regard.

c) The design of the proposed public realm is acceptable

LDP Policy Des 8 (Public Realm and Landscape Design) provides for development where all external spaces and features, including streets, footpaths, green spaces and boundary treatments have been designed as an integral part of the scheme as a whole. In particular, it requires that the design and materials are appropriate for their intended use and in keeping with the character of the area. Furthermore, it requires that the different elements of paving, landscape and street furniture are co-ordinated to avoid a sense of clutter.

It is of note that the drawings provided show a positioning of the harbour edge and two residential blocks which are inconsistent with the current Masterplan (application number 16/05618/AMC). These matters are been considered as part of a proposal to revise the existing Masterplan (application number 17/02484/AMC). These matters are not considered as part of this application.

Although the position of the harbour edge is inconsistent with the current Masterplan for the site, the landscape approach is consistent with the approach outlined both in the current Masterplan and in previous plans relating to the site. The proposed hard surfacing materials, which include granite and sandstone, are of a high quality and the proposed layout is more open and shows more green verges and greenspace than previous plans for the site.

The site plan provided shows a number of street trees throughout the site and the provision of box planting with the potential to provide seating. Plans show adequate space for pedestrian movement with the pavement on the eastern side of Stopford Parade reaching a width of between 10.8 and 13.3 metres. The application also shows a tree lined boulevard which cuts through the middle of the site providing pedestrian access to the seafront. Pedestrians and cyclists have clear access to the seafront. The cycle path and public realm beside the harbour edge reaches a width of 10.6 metres.

As outlined above, pedestrian and cyclist access through the site is intuitive. The proposed layout of street furniture avoids a sense of clutter. The plan shows street trees throughout the site; paving is high quality and interspersed with green verges. In general, the proposal shows a high quality pedestrian environment.

However, the drawings provided do not specify the species of the proposed new planting. A Landscape Proposals document has been provided and this provides an overview of planting which is proposed in areas adjacent to the site. An objection was received to the species outlined in this document indicating that the proposed planting would likely die in the harsh seafront environment. Accordingly, a detailed Landscape Management Plan is required for further consideration and approval by the Planning Authority. This must include full details of all hard and soft surface and boundary treatments, tree removal, replacement tree planting and all other planting.

This has been made a condition of this consent and is intended to ensure that all planting is appropriate for the climatic conditions of the site.

The proposal complies with LDP policy Des 8 and is acceptable in this regard, subject to compliance with the above condition.

d) Impacts on 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.

LDP Policy Env 4 (Listed buildings- Alterations and Extensions) states that proposals to alter or to extend listed buildings will be permitted where those alterations are justified; would not result unnecessary damage to historic structures or diminution of its interests; and where any additions would be in keeping with other parts of the building.

The application site overlies the category B-listed, western arm of the harbour's Victorian breakwater completed in 1851. This part of the application site has been identified as being of archaeological importance. The remainder of the site comprises modern infill material of the harbour itself which is not considered to be of significance.

Although the listed Victorian breakwater will be impacted upon by these proposals, these impacts are considered to have a low-moderate archaeological impact. The principle of mixed-use development of this site was approved through the outline permission (application number 01/00802/OUT). Based on the information provided, there are no aspects of the proposal which would harm the setting of the listed building. However, it is recommended that a programme of works is undertaken during any works occurring adjacent to and direct on this historic structure, to record any historic remains that may be revealed or affected and ensure protection. This will complement work already undertaken during test trenching along the line of the breakwater and recording of its upper superstructure.

A condition is attached to this application to requiring the completion of an archaeological programme of works.

e) Impacts on Natural Heritage and Biodiversity

The Firth of Forth Special Protection Area (SPA), Ramsar Site and Site of Special Scientific Interest (SSSI) lie to the east and west of Granton Harbour but do not include or are not directly adjacent to the site. These sensitive ecological areas are protected from development by LDP policies Env 13 (Sites of European Importance) and Env 14 (Sites of Special Scientific Interest).

SPAs are protected under the Conservation (Natural Habitats) Regulations 1994, as amended (the 'Habitat Regulations'). The legislation requires an appropriate assessment to be undertaken by the Council (as competent authority) where the effects of development are likely to have a significant effect on the qualifying interest of the site. The Firth of Forth SPA is designated for a variety of wintering and passage bird species. This designation includes the area of land outwith the site to the east of Granton Harbour. It is noted that the proposals affecting the sea wall include the provision of a narrow reed bed bordering on to it. This provision will help support protected species of breeding birds and promote biodiversity.

An appropriate Environmental Impact Assessment was carried out as part of the original Outline application, with conditions attached to the consent relating to the requirement to submit an Ecological Watching Brief etc. during the course of development work. These conditions would still apply, should the current development proposal be approved.

Marine Scotland acts as the authority responsible for the integrated management of sea areas which may be affected by development. The applicant is likely to require a Marine Scotland Licence. The applicant should be aware of this requirement. An informative has been included, advising that in relation to ecology matters, all conditions included in Marine Licences 06806/06807 should be complied with.

In summary, there are no additional overriding ecological or natural heritage concerns arising from this application.

f) Flood Prevention

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.

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.

The proposals will not increase flood risk but the development must be built in accordance with sustainable drainage principles. Accordingly, a Surface Water Management Plan 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 is recommended as a condition of this consent.

g) Matters Raised in Representations

Material Comments: Objection

- The proposed 2m cycle path is unacceptable; should look to achieve 2.5-3m; this is addressed in 3.3b);
- Concern about impact on existing ecology and biodiversity; this is addressed in section 3.3e);

- The one-way system around the residential block is inappropriate and more space should be given over to pedestrians and green infrastructure around the waterfront; this is addressed in 3.3b) and 3.3c);
- Concern about extensive areas of hardstanding; this is addressed in 3.3c);
- Concern over failure to provide a Flood Risk Assessment; Surface Water Management Plan or an Environmental Statement; this is addressed in 3.3e) and 3.3f);
- Negative impact on existing bat and bird habitats; this is addressed in 3.3e);
- More greenery should be included; this is addressed in 3.3c); and
- Public realm is insufficient and cluttered; this is addressed in 3.3c).

Material Comments: Support

The proposals provide for access to the waterfront - this is assessed in section 3.3c); Development of degraded land is welcome; this is addressed in section 3.3a); and Balance of cars to active travel is necessary and appreciated; this is addressed in section 3.3b).

Non-Material Comments

- Objection to using tyres on the harbour walls, as this will not allow anything to grow - the application does not address the position or construction of the harbour wall, though it is of note that the plans do not show the use of tyres;
- Potential light pollution - this will be considered in subsequent reserved matter applications as proposals for the site are developed further;
- The developers have not engaged with all water users in relation to this project - the developer has engaged with the two yacht clubs who use Granton Harbour: the Royal Forth Yacht Club, and Forth Corinthian Yacht Club as part of the Masterplan process. Amenity groups, groups of interest and members of the public have the right to express views on any active application;
- Residential development is not necessary - this matter is not considered as part of this application. The residential blocks shown in the site plan will be considered in more details as part of application 17/02484/AMC;
- The proposed imagery promotes a class divide - this is not a planning matter;
- Concern over waste management and the failure to produce a waste strategy - this matter will be considered in more detail in future applications;
- Open space could be good for restaurants and cafes - each application must be assessed on its own merit;
- Should incorporate binoculars facing out to sea; - this is not a planning matter;
- Locals should be involved in planting - this is not a planning matter;
- Tourists should be encouraged to engage with work relating to biodiversity - this is not a planning matter;
- Demand exists for outdoor swimming - this is not a planning matter;
- No reference to local history in design - the application has been considered against planning policy;
- Objection to the hotel - planning permission has already been granted for the hotel shown in plot 35. The principle of the hotel development is not considered in this application;

- Application will put pressure on resident parking and no provision is made for rubbish collection - this proposal is for the layout of roads, paths and public realm, wider issues relating to parking and waste collection will be considered as required when further plans relating to the development of the site are submitted;
- Objection to the height of the harbour wall - the construction of the revetment is not considered as part of this application;
- Issues relating to sewage sludge from boat toilets - this is not relevant to this application and
- The beach should not be development - the principle of developing this area was established in application 01/00802/OUT.

Conclusion

The principle of the road layout and the layout of pedestrian and cycle paths is acceptable. The proposal complies with the general requirements of LDP Policy Del 3 (Edinburgh Waterfront). The general layout of the public realm is acceptable. subject to conditions requiring further details of landscaping and surface water management.

The proposal complies with relevant policies set out in the Local Development Plan and is acceptable subject to compliance with conditions.

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 the implementation of a programme of archaeological work (excavation, analysis & reporting) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

2. 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 completion of development.

3. The development shall be carried out in accordance with the landscaping scheme approved under condition 2. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.

4. 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.

5. Notwithstanding what is shown on the drawings hereby approved, the proposed residential blocks located to the east of the hotel in plot 35 are not consented.

6. Notwithstanding what is shown on the drawings hereby approved, the repositioning of the harbour wall to the east is not consented.

Reasons: -

1. In order to safeguard the interests of archaeological heritage.

2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

3. In order to ensure that the approved landscaping works are properly established on site.

4. To ensure the proposal does not increase flood risk.

5. In order to define the consent hereby permitted.

6. In order to define the consent hereby permitted.

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.

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. All conditions included in Marine Licences 06806/06807 should be complied with.

6. 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.

7. A Quality Audit, as set out in Designing Streets, must be submitted prior to the grant of Road Construction Consent.

8. 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.

9. 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.

10. Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984.

11. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application 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

The application was advertised on 15 January 2021. The application received 14 representations; nine objecting to the scheme, four in support and one taking a neutral stance. The content of these representations is summarised and addressed in the Assessment section of the main 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	21 December 2020
Drawing numbers/Scheme	01, 02B, 03A, 04A, Scheme 3

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 3 (Edinburgh Waterfront) sets criteria for assessing development in Granton Waterfront and Leith Waterfront.

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

LDP Policy Des 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 10 (Waterside Development) sets criteria for assessing development on sites on the coastal edge or adjoining a watercourse, including the Union Canal.

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

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

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

LDP Policy Env 13 (Sites of International Importance) identifies the circumstances in which development likely to affect Sites of International Importance will be permitted.

LDP Policy Env 14 (Sites of National Importance) identifies the circumstances in which development likely to affect Sites of National Importance will be permitted.

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 Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

LDP Policy Tra 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

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 20/05731/FUL at Granton Harbour, West Harbour Road, Edinburgh. Formation of access roads, cycle ways and public realm areas around Granton Harbour Plot 35 (as amended).

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the formation of access roads, cycle ways and public realm areas around Granton Harbour Plot 35.

I refer you to my earlier comments in response to 01/00802/OUT and subsequent AMC (06/03636/REM, 13/01013/AMC, 13/04320/AMC, 14/05305/AMC, 17/05120/AMC etc.) and FUL (19/00844/FUL) applications which outlined the archaeological significance of the Granton Harbour redevelopment area which this site forms part.

In these reports the northern part of the application site has been identified as being of archaeological importance, overlying and affecting the B-listed Granton Harbour Western Breakwater Pier, completed in 1851. The remainder of the site comprises modern infill material of the harbour itself which is not considered to be of significance.

Therefore, this application must be considered under the terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) Policies ENV4 & 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 listed Victorian breakwater will be impacted upon by these proposals, these impacts are considered to have a low-moderate archaeological impact. However, it is recommended that a programme of works is undertaken during any works occurring adjacent to and direct on this historic structure, to record any historic remains that may be revealed or affected and ensure protection. This will complement the finding of CFA's earlier 2008 report (CFA report 1581, OASIS Ref cfaarcha1-52857) undertaken during test trenching along the line of the breakwater and recording of its upper superstructure.

It is therefore recommended that the following condition is attached to this application to ensure the completion of this archaeological programme of works;

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

reporting) 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.

Transport - response dated 21 January 2021

The application should be refused.
Reasons:

1. The proposals within this application are considered contrary to LDP policy Tra 9 - Cycle and Footpath Network for the following reasons:

a. The proposed cycle route on Stopford Parade does not provide a direct and coherent active travel connection between existing and proposed Active Travel infrastructure and would therefore prevent the implementation of a proposed cycle/footpath that is show on the LDP proposals map (Edinburgh Waterfront Promenade);
b. The proposed cycle route width of 2m is not considered appropriate for this situation (LDP Policy Des 7 is relevant).

2. The proposals are considered contrary to LDP Policy Des 7 due to the proposed one-way system. There is an assumption that all new street proposals will make allowances for 2-way traffic. This is due to road safety implications and enforcement requirements. (see Local Transport Strategy Policy PCycle3);

Note:
I. The existing active travel infrastructure on Hesperus Broadway is in the form of a white line segregated cycle track on the western side of the carriageway, to ensure a direct and coherent cycle connection that minimises any unnecessary delay or diversion for cyclists the connecting infrastructure should be positioned on the western side of Stopford Parade. By placing the cycle route on the eastern side will require cyclists to make additional crossings and will have a significant negative impact on the route due to the delay and diversion for cyclists this additional crossing will introduce. It is considered that the proposed connection will not be on cyclists desire lines as it will not be legible or continuous and if a consistent and joined-up route is not provided then cyclists will be unlikely to use the proposed infrastructure.

II. The Edinburgh Street Design Guidance layouts the six core principles of cycle infrastructure design as (Fact Sheet C1 - Designing for Cycling):

a. Safety
b. Directness - Routes should be logical and continuous, without unnecessary obstacles, delays and diversions and planned holistically as part of network;
c. Comfort
d. Coherence - Infrastructure should be legible, intuitive, consistent, joined-up and inclusive. It should be usable and understandable by all users.

e. Attractiveness
f. Adaptability

III. The Edinburgh Street Design Guidance Fact Sheet C4 - Segregated Cycle Tracks outlines minimum widths for Segregated cycle infrastructure. 2m is outlined as the absolute minimum width that would be acceptable in constrained areas or routes where low cycle flows would be expected. As this route forms part of the Edinburgh Waterfront Promenade the 2m wide cycle route that is proposed is not considered acceptable;

IV. Local Transport Policy PCycle3 states "There will be a presumption that all streets will be two way. However, if new one-way streets have to be implemented to manage motor traffic, there will be a presumption that cyclists will be exempted from the one-way restriction". It should be noted that enforcement of one-way restrictions is a matter for the Police.

Transport - revised response dated 19 February 2021

Further to the memorandum dated the 21stof January 2021 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. 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. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;

4. 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;

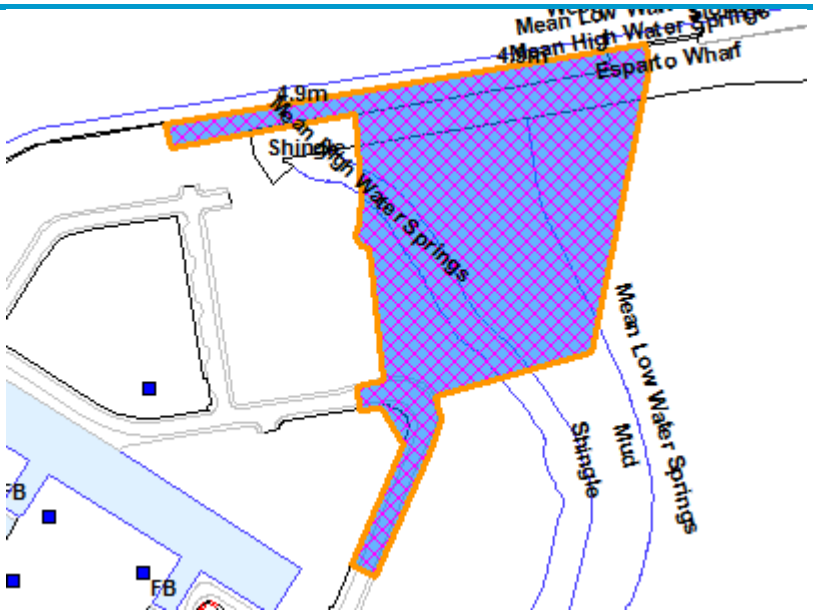
5. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form 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. Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;

7. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

Note:
I. The application has been assessed the Edinburgh Street Design Guidance and relevant Fact Sheets and is considered acceptable. Particular reference is made to fact sheets:
a. C1 - Designing for Cycling;
b. C4 - Segregated Cycle Tracks: Hard Segregation;
II. The pedestrian and cyclist priority crossings points that are indicated on the proposals are welcome, the applicant should note that these need to be designed in line with Edinburgh Street Design Guidance Fact Sheet G4 - Crossings and this can be dealt with through the RCC and Quality Audit process.

Location Plan



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