

Development Management Sub Committee

Wednesday 16 June 2021

**Application for Planning Permission 21/01304/FUL
At Land 292 Metres West Of 10, Gilmerton Station Road,
Edinburgh
Section 42 application to amend condition 5 of 14/01649/PPP
- tree protection measures to require prior to each phase a
plan outlining the protective barriers to be submitted to, and
approved in writing by, the planning authority.**

Item number

Report number

Wards

B16 - Liberton/Gilmerton

Summary

The principle of the development is in compliance with the Development Plan. A change in the wording of Condition 5 raises no material concerns and is acceptable. Considering the extent to which the PPP has been implemented on site, it is not reasonable to apply the requirements of the Finalised Developer Contributions and Infrastructure Supplementary Guidance in this instance.

The application under section 42 should be granted and there are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES02, LDES09, LEN08, LEN09, LEN12, LEN21, LHOU01, LHOU06, LTRA08, OTH, SGDC,

Report

Application for Planning Permission 21/01304/FUL At Land 292 Metres West Of 10, Gilmerton Station Road, Edinburgh Section 42 application to amend condition 5 of 14/01649/PPP - tree protection measures to require prior to each phase a plan outlining the protective barriers to be submitted to, and approved in writing by, the planning authority.

Recommendations

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

Background

2.1 Site description

The site has an area of 36.7 hectares and is allocated as housing proposal HSG 24 Gilmerton Station Road in the adopted Edinburgh Local Development Plan. The development of the site is currently underway with the first three phases of four having been commenced.

The site is located to the edge of the city to the south of Gilmerton village. It is bounded by Drum Street and Limefield to the north, Ravenscroft Gardens to the north west, and Gilmerton Station Road and the former railway line to the south east. A predominantly industrial area, formerly the site of Gilmerton Station and goods yard, lies immediately to the east of the site. The adjoining land to the south across Gilmerton Station Road comprises open agricultural land. To the west is a housing site at Gilmerton Dykes Road currently under construction.

This application site is located within the Gilmerton Conservation Area.

2.2 Site History

On 30 April 2014, an application was submitted for planning permission in principle (application reference 14/01649/PPP) for a residentially-led mixed use development. The applicant appealed against the failure of the planning authority to issue a decision within the prescribed period. The Scottish Ministers allowed the appeal and granted the planning permission subject to 11 conditions and the signing of a planning obligation. The planning obligation covered contributions relating to transport, education and provision of affordable housing. The date of the appeal decision is 18 January 2016.

22 December 2016 - Approval of matters specified in condition 1.a) a site development layout and phasing plan showing a phased implementation programme for built development, road and footpath provision, open space provision, tree and shrub planting and woodland management (as amended) (application reference: 16/03299/AMC).

Phase one

2 March 2017 - Approval of matters specified in conditions 1(b)-1(f), 1(h)-1(i), 1(j)i, v-vii and conditions 2-5 of Planning Permission in Principle ref 14/01649/PPP for the first phase of development for the erection of 199 no. dwellings, four units for commercial or community use and associated works (application reference: 16/04382/AMC).

18 April 2018 - Approval of matters specified in condition 1(g) - 1(j)ii,iii and iv of Planning Permission in Principle ref 14/01649/PPP for the first phase of development for the erection of 199 no dwellings and associated works (application reference: 17/04164/AMC).

Phase two

25 June 2018 - Approval of matters specified in conditions 1 (b)-(j)i, iv and 6 of Planning Permission in Principle 14/01649/PPP for the erection of 293 residential units with associated infrastructure works (as amended) (application reference: 17/05883/AMC)

6 March 2019 - Application for approval of matters specified in conditions 1(j) ii & iii of planning permission in principle 14/01649/PPP relating to landscaping proposals (application reference: 18/03996/AMC)

Phase three

25 June 2018 - Approval of matters specified in conditions 1 (b), (d), (e), (f), (g), (h), (i), 6 and 10 of planning permission in principle 14/01649/PPP for the erection of 315 residential units (as amended) (application reference: 17/05925/AMC).

21 February 2019 - Approval of matters specified in conditions 1a, 1c, 1j (i-vii) of planning permission in principle 14/01649/PPP (application reference: 18/04287/AMC).

Main report

3.1 Description Of The Proposal

The proposal is an application under section 42 of the Town and Country Planning (Scotland) Act 1997 to vary condition 5 of planning permission in principle 14/01649/PPP.

The existing condition states: *The trees on site shall be protected during the entire ground stabilisation operations period by the erection of a protective barrier in accordance with Figure 2 of British Standard 5837:2012 - 'Trees in relation to design, Demolition and Construction - Recommendations'. The barrier will be no closer to any tree than the distance specified in Clause 4.6 of BS5837:2012.*

The application seeks to retain the wording of the condition but to include a final sentence stating: *Prior to each phase a plan outlining the protective barriers will be submitted to, and approved in writing by, the planning authority.*

The application is proposed to allow the submission of a further AMC application to facilitate the development of the final phase of this LDP housing site.

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 37 of the Town and Country Planning (Scotland) Act 1997 states - Where an application is made to a planning authority for planning permission;

(a) subject to sections [F127B(2) and 59(1)(b)], they may grant planning permission, either unconditionally or subject to such conditions as they think fit, or

(b) they may refuse planning permission.

(2) In dealing with such an application the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations

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?

Section 42 of the Town and Country Planning (Scotland) Act 1997 requires that the planning authority must consider only the question of conditions to which planning permission should be granted.

Should planning permission be granted subject to conditions different from those imposed on the previous permission?

Should planning permission be granted unconditionally?

Should planning permission be granted subject to the same conditions resulting in a refusal of planning permission to develop the land without complying with the conditions subject to which planning permission was previously granted?

3.3 Assessment

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

- a) the proposal is acceptable in principle;
- b) the amendments to condition five of 14/01649/PPP is acceptable;
- c) there are any other material planning considerations; and

d) any public comments and representations have been addressed.

a) Principle

LDP Policy Hou 1 gives priority to the delivery of the housing land supply, including sites allocated in the plan. The proposal relates to allocated site HSG 24 - Gilmerton Station Road.

Planning permission in principle for a residentially-led mixed use development including primary school, commercial/community uses, open space, access, car parking and landscaping (reference number: 14/01649/PPP) was granted on appeal on 18 January 2016. A masterplan for the phased development of the site was approved in December 2016 and detailed proposals for the first three phases were subsequently approved.

The PPP for the site required the AMC proposals to be submitted within three years of the decision. The AMCs for the first three phases were submitted within the specified time period. However, the time period for submitting AMCs has now lapsed preventing a further AMC being submitted for phase four.

The proposal will allow a detailed AMC application to be submitted for the final phase of this allocated housing site and is acceptable in principle.

b) Acceptability of the amendment to the condition

Condition five of planning permission 14/01649/PPP seeks to more closely align the condition's requirements with the phased implementation of the development. There will still be a requirement to protect trees within the site to the same standard. However, the amended condition relates this requirement more closely with the time scales involved with a large-scale phased development.

The variation of condition five will not undermine the reason for the original condition or the principle of the development. Therefore, the variation is acceptable in principle.

c) Other material considerations

This application is made under Section 42 of the Town and Country Planning (Scotland) (Act) 1997 (as amended) and seeks permission to develop the land without complying with a condition of the original permission.

When the Reporter granted the appeal for 14/01649/PPP on 18/01/2016, Condition 1 of the decision notice applied the standard three-year timescale under Section 59 of the Act for AMC applications to be made. The legislation allows for these timescales to be extended in the case of large phased developments that are likely to be built out over a number of years. However, no extended timescale was applied in this instance, and while the AMCs for the first three phases came forward timeously, the final phase was not submitted within the three-year period.

The planning authority can only consider the issue of which conditions should be attached to the new permission and it has two options; to grant subject to different conditions (including no conditions) or refuse if it is considered that the original conditions should stand.

Significant works have been undertaken on site in respect of the original PPP. However, there are outstanding matters relating to the development of the application site as a whole and all of the previous conditions, varied where necessary, will be imposed on any subsequent consent to ensure that any issues and concerns identified under the original permission are addressed in full.

A consent granted under Section 42 is a new permission and must be considered in terms of the current development plan and any relevant material considerations. There is a further requirement to secure any Section 75 obligation (or other agreement) to the new permission, where it is intended this should still apply.

Developer contributions

There is an existing S.75 in respect of 14/01649/PPP. The requirements of this agreement remain enforceable against the developers of the first three phases. The current application seeks to retain the terms and clauses of the existing agreement and make these applicable to any forthcoming AMC for phase four.

LDP Policy Del 1 requires contributions to the provision of infrastructure to mitigate the impact of development. The Edinburgh LDP Action Programme (February 2020) sets out how the infrastructure and services required to support the growth of the city will be delivered, and if these will be via a S.75 agreement. The Finalised Developer Contributions and Infrastructure Delivery Supplementary Guidance (August 2018) (SG) provides further cost information based on specific actions. The SG has not been adopted and therefore does not form part of the development plan but is a material consideration.

The situation in terms of the existing obligations, The LDP Action Programme and the SG are as follows:

Affordable housing

The existing S.75 requires 25% of the total housing units on site to be affordable. Thus far the developer of each phase has provided its own portion of that requirement within their development. The developer of phase four will similarly be required to deliver 25% affordable housing within their site. The detailed proposals for the affordable housing will come forward as part of an AMC.

Transport infrastructure

The PPP identified various transport infrastructure and improvement works to mitigate the impact of the development. The cost of the works includes:

- £122,400 for the upgrading of footways;
- £400,00 for refurbished traffic signals at Gilmerton Crossroads and the installation of MOVA;
- £10,000 for a pedestrian crossing on Gilmerton Station Road;
- £5,000 for the TRO for the pedestrian crossing;
- £9,290 for the upgrading of two bus stops;
- £5,000 for the TRO to lower the speed limit on Gilmerton Station Road; and

- £5,000 for the TRO for disabled parking bays within the development.

The Transport contributions set out in the S.75 are included in the costings contained in the LDP Action Programme and the SG. The sums required under the S.75 directly correlate to the identified infrastructure requirements and these sums have been paid in full.

Transport planning has no objections to the application.

Education infrastructure

Based on the figures contained in the SG, Communities and Families are reporting an existing funding gap of £3,552,956.66 for the first three phases under the terms of the existing S.75. It should be noted that consideration of this Section 42 application leaves the original planning permission intact and it is not possible to go back on this and re-visit the levels of financial contributions under the first three phases.

The site is located within sub-area LG-1 of the Liberton/Gracemount Education Contribution Zone. In this area the SG requires new developments to make contributions at the following levels:

- a per house contribution of £21,159 toward infrastructure and £2,582 for land; and
- a per flat contribution of £4,393 toward infrastructure and £602 for land.

On granting the appeal for PPP the reporter made a requirement that a planning obligation be entered into to include contributions to education provision including the construction of a primary school on the site, together with financial contributions to non-denominational secondary schools and Roman Catholic schools.

The agreement requires the following education contributions to be made:

- £9,722,226 towards primary school education infrastructure;
- £3,090,650.34 towards denominational primary school and non-denominational secondary school infrastructure;
- £3,000,000 new primary school land purchase price; and
- £1,767,620.51 servicing costs for a new single stream primary school.

These sums were accepted as appropriate by the reporter and PPP was subsequently granted on that basis. The development of the wider site is now substantially underway, and contributions have begun to be paid in accordance with the relevant trigger points contained within the agreement. The current proposal will allow an application for the final phase of development to be submitted with contribution requirements commensurate with the preceding phases.

Healthcare

The site is within the Gilmerton Healthcare Contribution Zone. The SG requires a per-dwelling contribution of £1,050 towards the cost of a new medical practice.

A decision to grant the section 42 application would result in a new permission that would allow a further AMC to be submitted for the final phase of this allocated housing site. Since the PPP was initially granted the SG has changed the position in terms of the contribution requirements. However, the situation on the ground must also be considered and the fact that the original PPP has been implemented to a substantial extent is a material consideration. Following the grant of PPP, subsequent detailed applications were forthcoming for the first three phases, all of which are currently under construction. Moreover, the first three phases of the development have and will continue to make contributions required at certain trigger points under the original permission. On this basis it is not justifiable to apply additional education or healthcare contributions to the final phase of the development. The existing S.75 should be updated to include reference to the new permission and any contributions should be required under the terms of the existing legal agreement. Furthermore, a limited period of one year is given to submit further AMC applications for this final phase.

d) Public comments

Health care

The site is within the Gilmerton Healthcare Contribution Zone. The SG requires a per-dwelling contribution of £1,050 towards the cost of a new medical practice.

- There are too many houses being built in this area - addressed in section 3.3a.

Conclusion

The principle of the development is in compliance with the Development Plan. A change in the wording of Condition 5 raises no material concerns and is acceptable. Considering the extent to which the PPP has been implemented on site, it is not reasonable to apply the requirements of the Finalised Developer Contributions and Infrastructure Supplementary Guidance in this instance.

The application under section 42 should be granted and there are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority, no later than one year from the date of the decision.

No work shall begin until the written approval of the planning authority has been given, and the development shall be carried out in accordance with that approval.

Approval of Matters:

(a) for each phase of the development, a plan detailing the siting, design and height of development, including the design of all external features and glazing specifications (including acoustic capabilities);

(b) design and configuration of public and open spaces, all external materials and finishes;

(c) car and cycle parking, access, road layouts and alignment, including a Stage 2 Quality Audit, classification of streets, and servicing areas;

(d) footpaths and cycle routes, including proposed multi-use paths;

(e) waste management and recycling facilities;

(f) surface water and drainage arrangements;

(g) existing and finished ground levels in relation to Ordnance Datum;

(h) full details of sustainability measures in accordance with Edinburgh Standards for Sustainable Building;

(i) hard and soft landscaping details, including:

i. walls, fences, gates and any other boundary treatments;

ii. the type and location of new trees, shrubs and hedges;

iii. a schedule of plants to comprise species, plant size and proposed number/density;

iv. programme of completion and subsequent maintenance including a separate landscape maintenance plan for the SuDS areas;

v. existing and proposed services such as cables, pipelines, substations;

vi. other artefacts and structures including street furniture, lighting columns and fittings, and play equipment; and

vii. details of phasing of these works in relation to implementation and phasing of housing.

2. As soon as possible after each of the phases of the development approved under condition 1(b) above is completed (except for the last or final phase, in respect of which notice shall be given under section 27B(1) of the Act) the person who has completed any phase shall give written notice of the completion of that phase to the planning authority.

3. Before work begins, a site survey (including intrusive investigation where necessary) shall be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures should be undertaken to bring the risks to an acceptable level in relation to the development. No work shall begin until the written approval of the planning authority has been given to the details and programming of any remedial and/or protective measures required, and the development shall be carried out in accordance with that written approval.

4. No development shall take place on the site until the developer has secured the implementation of a programme of archaeological work (excavation, analysis and reporting, publication, public engagement and interpretation) in accordance with a written scheme of investigation which has been submitted to, and approved in writing by, the planning authority.
5. The trees on site shall be protected during the entire ground stabilisation operations period by the erection of a protective barrier in accordance with Figure 2 of British Standard 5837:2012 - 'Trees in relation to design, Demolition and Construction - Recommendations'. The barrier will be no closer to any tree than the distance specified in Clause 4.6 of BS5837:2012. Prior to each phase a plan outlining the protective barriers will be submitted to, and approved in writing by, the planning authority.
6. The site development layout plan to be submitted as part of the application required under condition 1 above shall include full details of the location and design of the surface water drainage scheme to be installed within the application site and shall be submitted for the approval of the planning authority; and for the avoidance of doubt, the scheme shall comply with the Scottish Environment Protection Agency's (SEPA) principles and contain a surface water management plan.
7. Before work begins, a detailed Report on Site Investigations shall be submitted for the consideration of the planning authority. No development shall take place until the remedial measures identified in the submitted report have been carried out. The mining entries should be grouted and capped. Documentary evidence to certify that the approved measures have been carried out shall be submitted to and approved in writing by the planning authority, in consultation with the Coal Authority and SEPA, before construction work begins on site.
8. For each phase a scheme for protecting the existing and proposed nearby residential accommodation from illumination and/ or glare shall be submitted and approved in writing by the planning authority. The scheme shall demonstrate that the design, installation and operation of the floodlighting system shall be such that no floodlighting bulb, or floodlighting bulb reflecting surface material, shall be visible within any residential premises. No construction work on the relevant phase shall begin until the the scheme has been approved, and the scheme shall be implemented in accordance with the approved details.
9. For each phase no construction work shall begin until a scheme for protecting the residential development hereby approved from road noise (Gilmerton Station Road and Drum Street) and commercial noise (industrial area east of Gilmerton Station Road) has been submitted to and approved in writing by the planning authority. The protection works shall be completed in accordance with the approved details before any part of the development is occupied.
10. Before work begins, a bat survey shall be carried out to establish, either that the development poses no risk to bats, or that remedial and/or protective measures should be undertaken to bring the risks to an acceptable level. No work shall begin until the written approval of the planning authority has been given to the details of any remedial

and/or protective measures required, and the measures shall be implemented in accordance with the approved details.

11. No part of the development shall be occupied until a draft Travel Plan setting out measures to promote walking, cycling and the use of public transport has been submitted to, and approved in writing by, the planning authority. A final Travel Plan shall be submitted for the planning authority's written approval within 12 months of the first residential unit being occupied. The plan shall be implemented in accordance with the approved details.

Reasons:-

1. To ensure that the matters referred to are given full consideration and to ensure that the detailed proposals come forward timeously.
2. To accord with section 27B(2) of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006.
3. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses on the site.
4. In order to safeguard the interests of archaeological heritage.
5. In order to safeguard protected trees.
6. In order to enable the planning authority to consider this matter in detail and to ensure the proper drainage of the site.
7. In the interests of public safety.
8. In order to protect the amenity of residential property from glare and light pollution.
9. In order to protect the amenity of residential property from road and commercial noise.
10. To safeguard protected species.
11. To promote sustainable travel modes and reduce dependence on private cars.

Informatives

It should be noted that:

1. Consent shall not be issued until the existing legal agreement has been amended to include reference to this application and ensuring that all obligations remain enforceable across the wider site.

2. The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.
3. Notice of the start of development: The person carrying out the development must give advance notice in writing to the planning authority of the date when it is intended to start. Failure to do so is a breach of planning control. It could result in the planning authority taking enforcement action. (See sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).)
4. Display of notice: A notice must be displayed on or near the site while work is being carried out. The planning authority can provide more information about the form of that notice and where to display it. (See section 27C of the Town and Country Planning (Scotland) Act 1997 Act (as amended) and Schedule 7 to the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.)

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

The application was advertised on 26 March 2021. One representation was received objecting to the application.

An assessment of the material considerations raised is provided within section 3.3d) 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

The site covers housing proposal HSG 24 - Gilmerton Station Road as allocated in the adopted Edinburgh Local Development Plan.

Date registered

12 March 2021

Drawing numbers/Scheme

01,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

LDP Policy Tra 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.

Other Relevant policy guidance

Draft Developer Contributions and Infrastructure Delivery SG sets out the approach to infrastructure provision and improvements associated with development.

Appendix 1

Application for Planning Permission 21/01304/FUL At Land 292 Metres West Of 10, Gilmerton Station Road, Edinburgh Section 42 application to amend condition 5 of 14/01649/PPP - tree protection measures to require prior to each phase a plan outlining the protective barriers to be submitted to, and approved in writing by, the planning authority.

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application Section 42 application to amend condition 5 tree protection measures to require prior to each phase a plan outlining the protective barriers to be submitted to, and approved in writing by, the planning authority.

Given the scale of previous archaeological work on the site, development on this area and nature of application it has been concluded that it is unlikely that any significant insitu buried remains will be impacted upon by this application.

Communities and Families

Initial response

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

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (February 2020).

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

Assessment and Contribution Requirements

Assessment based on:

149 Flats

658 Houses

This site falls within Sub-Area LG-1 of the 'Liberton / Gracemount Education Contribution Zone'.

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

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

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

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

Total infrastructure contribution required:

£14,577,179

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.

Total land contribution required:

£1,788,654

Note - no indexation to be applied to land contribution.

There is a legal agreement attached to the permission to develop the site, secured on appeal (PPA-230-2137). This agreement requires a payment of £12,812,876.34 towards education infrastructure and a 2-hectare site for a new primary school. The purchase price of the new primary school land to be incurred by the Council is £3,000,000.

Accordingly, the proposal will result in a funding gap to deliver education infrastructure to accommodate pupils expected to be generated from the proposed development.

Updated response - 25 May 2021

The contributions for the final phase would depend on the housing /flat mix. Flats would make a contribution of £4,393 towards infrastructure and £602 towards land. Houses would make contribution of £21,159 towards infrastructure and £2,582 towards land.

Flood Prevention

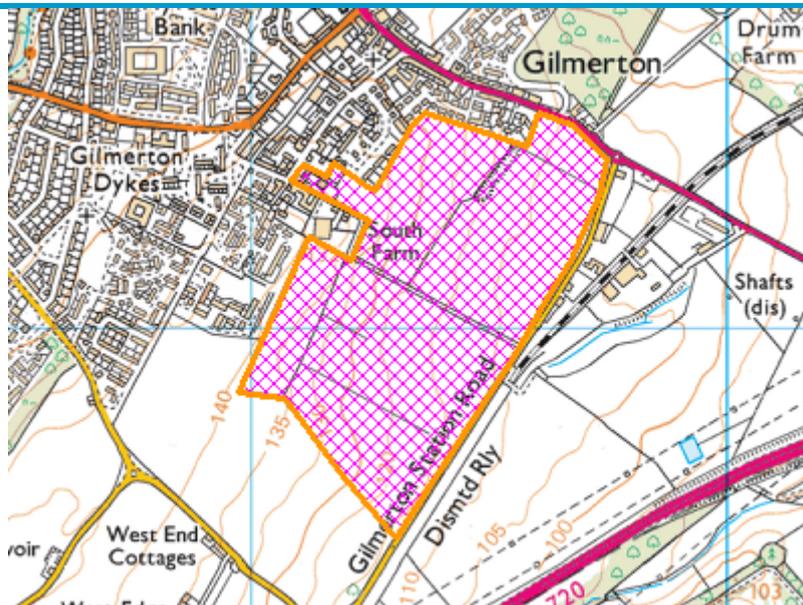
Thank you for the consultation request. Flood Prevention have no comments over the proposed amendment to condition 5, which refers to tree protection measures.

This application can proceed to determination, with no comments from our department.

Transport

No objections.

Location Plan



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