

Development Management Sub Committee

Wednesday 8 September 2021

Application for Approval of Matters Specified in Conds 21/03112/AMC

At Land 135 Metres Northeast Of 28, Wellflats Road,
Kirkliston

Approval of matters specified in conditions 1, 6 and 10 of
17/04571/PPP comprising residential development,
landscaping, access and associated works (amendment of
planning permission 20/00718/AMC).

Item number

Report number

Wards

B01 - Almond

Summary

The principle of the development was granted under planning permission in principle 17/04571/PPP. The detailed matters considered under condition 1 are in accordance with the Edinburgh Local Development Plan. The proposed design, layout, landscaping and access are all acceptable. In addition, conditions 6 and 10 can be discharged. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for
this application](#)

LDPP, LDES01, LDES04, LDES05, LDES07, LDES08,
LDES09, LEN12, LTRA08, LEN22, LHOU02,
LHOU03, NSG, NSGD02,

Report

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At Land 135 Metres Northeast Of 28, Wellflats Road, Kirkliston

Approval of matters specified in conditions 1, 6 and 10 of 17/04571/PPP comprising residential development, landscaping, access and associated works (amendment of planning permission 20/00718/AMC).

Recommendations

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

Background

2.1 Site description

The application site lies on the eastern boundary of Kirkliston. It comprises approximately 5 hectares of pastureland and has a fairly level topography, sloping gently to the south. The site is bound on all sides by tree planting.

Residential properties are located to the west and south west of the site. Further to the north and east of the site lie open fields and countryside. To the south is Conifox nursery, a commercial enterprise which includes a farm shop, café and outdoor play park. The River Almond meanders further south.

The centre of Kirkliston lies to the west of the site and is designated as a conservation area. It is based around a medieval church and the surrounding historic core of the village. The conservation area does not extend as far as the current application site.

The site previously formed part of the green belt. However, it has been removed from the green belt and is currently white land in the Edinburgh Local Development Plan (LDP).

The site is well situated in relation to the existing transport network and is accessible by a range of non-vehicular modes. The village centre is within a 5 minute walk from the site, the closest bus stop is approximately 400m from the site. An established road, formally used as an airport access road, lies to the north of the site. Edinburgh Airport lies further to the east.

2.2 Site History

25 November 2016 - A Proposal of Application Notice was received for 'Residential development, landscaping, access and associated works' at Land 13 Metres Northeast of 28 Wellflats Road, Kirkliston (application reference: 16/05950/PAN).

12 September 2018 - Planning Permission in Principle granted for 'Residential development, landscaping, access and associated works' at Land 135 Metres Northeast of 28 Wellflats Road, Kirkliston (application reference: 17/04571/PPP).

12 August 2020 - Application for Approval of Matters Specified in Conditions 1, 6 and 10 of 17/04571/PPP comprising residential development, landscaping, access and associated works (application reference 20/00718/AMC).

Main report

3.1 Description Of The Proposal

The application is for approval of matters specified in conditions 1, 6 and 10 of the planning permission in principle (PPP) (application reference: 17/04571/PPP). This application is an amendment of a previously granted permission (application reference 20/00718/AMC) as the applicant is seeking to amend the approved scheme. The proposed development is largely consistent the approved scheme whilst comprising minor amendments to the layout to increase the overall density and increasing the number of units on site to 124.

Condition 1 of the PPP consent requires the following to be approved by the Planning Authority before any work is commenced on site, in the form of a detailed site layout:

- Height, massing, siting and ground floor levels of all buildings;
- A detailed specification of all proposed materials, including hard landscaping;
- Design and external appearance of all buildings, roof form, open space, public realm and other structures;
- All operational aspects of open space and public realm - note: All development shall be placed outside the predicted 200 year plus 20 % climate change flood extent;
- Existing and finished site and floor levels in relation to Ordnance Datum; No built development or land-raising will take place within the functional floodplain. Finished first floor levels should be set at a minimum of 33.2 AOD and a minimum of 150mm above adjacent external ground levels.
- Roads, footways, cycleways, servicing and layout of car parking and cycle parking provision meeting Edinburgh Street Design Guidance - Note: the pedestrian access points shown in the parameters plan shall be designed to accommodate cyclists;
- Location of a dedicated off-road cycle route through the site connecting with the surrounding path network;
- Amendments of any treatment to adopted roads and footways;
- Signing of pedestrian and cycle access routes to/from and through the development;

- Surface water management, drainage arrangements, SUDS proposals and SUDS maintenance plan. SUDS shall be integrated within the southern area of open space identified on the approved parameters plan;
- Waste management and recycling facilities;
- External lighting, including floodlighting and street lighting arrangements for the development;
- Site investigation/decontamination arrangements;
- Ecological studies including mitigation works to protect against any damage to protected species including bat, otter, bird and badger.

Landscaping:

- i. Detailed soft and hard landscaping plan and levels;
- ii. A schedule of all plants to comprise species, plant size and proposed number and density;
- iii. Inclusion of hard and soft landscaping details including tree removal;
- iv. Landscape management plan including schedule for implementation and maintenance of planting scheme;
- v. Any boundary treatments, including noise barriers.

In addition to the above, information has also been submitted to satisfy the requirements of conditions 6 and 10 of the PPP consent, summarised as follows:

- Condition 6 requires detailed noise assessments whilst identifying appropriate mitigation measures; and
- Condition 10 requires the submission of a Bird Hazard Management Plan and details of the proposed Sustainable Urban Drainage Schemes (SUDS).

The proposal is for a residential development of 124 units, comprising a mix of house types including cottage flats, terraced, semi-detached, detached housing and townhouses. This comprises a mix of accommodation including one, two and three storey units.

Thirty one affordable homes will be provided on site in line with the guidance, comprising of cottage flats, terraced and semi-detached units.

The site layout is structured and legible, with key connectivity surrounding the perimeter and through the spine of the development site. Vehicular access is taken from the north west corner, with pedestrian and cycle routes spanning the length of the northern boundary to link with the existing settlement. Further pedestrian and cycle links are provided throughout the site and on the southern boundary connecting to existing routes.

The proposed site layout offers a mix of private, semi-private and public greenspace. Small landscape squares are proposed through the central area as well as a larger area of open space on the southern end of the site.

The applicant proposes 151 car parking spaces which includes 10 on street parking spaces with EV charging provision. Dwellings with a garage or driveway will also have passive EV charging provision. Cycle storage will be in curtilage of the property at a ratio of two cycle spaces per 2-3 habitable rooms and three spaces for 4 or more habitable rooms.

The proposed material palette consists of grey roof tiles, grey timber effect cladding, white render and traditional brick.

Supporting Documents

The following documents have been submitted in support of the application:

- Aboricultural Impact Assessment;
- Affordable Housing Statement;
- Bat Survey;
- Bird Hazard Management Plan;
- Design Statement;
- Flood Risk Assessment and Drainage Strategy;
- Landscape and Visual Appraisal;
- Noise Impact Assessment;
- Planning Statement;
- S1 Sustainability Statement Form;
- Site Investigation Report; and
- Transport Assessment Addendum.

These documents are available to view on the Planning and Building Standards Online Services.

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 development complies with the planning permission in principle;
- b) the design, layout and materials are acceptable;
- c) landscaping, trees and open space are acceptable;
- d) there are any issues relating to transport, road safety and active travel;
- e) there are any other material considerations; and
- f) any representations have been addressed.

a) Compliance with the Planning Permission in Principle

Planning Permission in Principle (application reference: 17/04571/PPP) was granted for residential development on this site. This application for approval of matters specified in conditions seeks consent for 124 units across the site.

Condition 1 of the PPP requires the submission of a detailed layout of the site, in accordance with the approved Parameters Plan. The applicant has submitted various site layout plans detailing the house types, connectivity, landscape and open space and parking provision. This is in accordance with the requirements of the condition.

Condition 6 requires the submission of detailed noise assessments which have been provided in accordance with this condition.

Condition 10 requires the submission of a Bird Hazard Management Plan and details of the proposed Sustainable Urban Drainage Schemes (SUDS) which have both been submitted in line with the requirements of this condition.

Full details of the proposal are assessed below.

b) Design, layout and materials

Local Development Plan (LDP) Policy Des 1 - Design Quality and Context states that planning permission will be granted for development where it is demonstrated that the proposal will contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area.

The design approach has evolved from the Parameter Plan which was approved as part of the PPP application and formed the basis of the overall design concept. The proposal comprises minor amendments from the approved MSC application ensuring the wider principles for the site remain in situ. Whilst an additional 16 units are proposed, these are different house types and the increased density is well absorbed within the application site.

The design of the units is simple and provides uniformity across the site with a consistent material palette. Visual interest is added from the different house types, varied building lines and varied elevational treatments. A mixture of integrated and detached garages are proposed.

The central residential square acts as a focal point and intersection with the streets and path network to create a busy hub area. Terraced houses allow increased density and activate the street frontage due to the minimum setback from the street. Peripheral streets have lower density housing yet continue to ensure the street frontage is activated with dual frontage units on key corner plots.

The key frontage is along the northern boundary, and the road known as Carlowrie Castle Road, with a variety of house types set back behind the existing mature hedging strip and a proposed cycle and pedestrian route. The loss of mature landscaping here is discussed in the sub-section below. This is an appropriate urban response to this site, given the constraints of the adjacent busy road.

The hierarchy of streets and open spaces, as well as improved permeability through the site with active travel links connecting to the wider area enhance the overall site layout.

This design response is in accordance with the requirements of LDP Policy Des 1.

LDP Policy Des 4 - Development Design supports development which has a positive impact on its surroundings through height, form, scale, position of buildings and materials. The development proposal includes a mix of 1, 2 and 3 storey units.

The proposed site density equates to 41 units p/ha which is consistent with the surrounding area. The proposal includes a varied building scale and height throughout the site. Building heights have been restricted to 75m AMSL and ground floor levels of all buildings and first floor levels will be set at a minimum of 33.2AOD and a min of 150mm above adjacent external ground levels. These restrictions have been set through the PPP consent for a number of reasons - in order to limit the visual impact on Kirkliston Conservation Area; to mitigate the flood risk as per SEPA's response; and to ensure the Obstacle Limitation Surface (OLS) surrounding Edinburgh Airport is not endangered.

The scale and form is appropriate within the context of the site and the properties respond well to the areas of open space within the site. The proposal is acceptable in the context of LDP Policy Des 4.

LDP Policy Des 7 - Layout Design seeks new developments to enhance community safety and urban vitality whilst providing direct connections for pedestrians and cyclists through a well-designed layout.

The street hierarchy is simple and coherent with the main vehicular route encompassing the periphery, a further central axis road and additional pedestrian and cycle routes throughout the site in a legible layout. The proposal satisfies the principles of LDP Policy Des 7.

The primary materials proposed for this development site are white render, brick and grey timber like cladding. The architectural style and proposed materials runs throughout the whole development site to ensure coherence whilst contributing to a distinctive sense of place. The proposed materials are acceptable.

A standard condition is recommended for a sample palette of materials to be approved prior to development commencing.

c) Landscaping, trees and open space

LDP Policy Des 8 - Public Realm and Landscape Design supports proposals which demonstrate that all external spaces and features have been designed as an integral part of the scheme. The proposed landscape strategy incorporates one large area of open space in the southern part of the site, various small landscaped areas in the central axis, as well as the existing mature woodland areas on both the eastern and western site boundaries.

The primary area of open space is on the southern boundary of the site, overlooked by new dwellinghouses to the north and will provide ample amenity space, informal play areas, a SUDS pond and pedestrian and cycle connections to the wider green network - ensuring this area becomes a valuable active travel resource for the wider area. This will meet the City of Edinburgh Council's Open Space 2021 objective of homes being within 400m walking distance of a good quality accessible greenspace of at least 200

sqm. The site is also within 800m walking distance of a large accessible greenspace and the new play area at Almondhill Park.

LDP Policy Des 9 - Urban Edge Development ensures that development which adjoins the green belt will only be permitted where it conserves and enhances the landscape setting; promotes access to the countryside; and strengthens the greenbelt boundary whilst contributing to enhanced green networks.

The proposal achieves all of these principles to ensure integration between built development and the adjacent greenbelt. The existing mature treebelt on the eastern boundary is retained, strengthening the greenbelt boundary and landscape setting. The proposed path network throughout the site enhances existing green networks whilst promoting access to the countryside on the periphery of the site.

LDP Policy Env 12 - Trees sets out the policy criteria for protecting trees and woodland. There is existing trees, hedging and woodland within the northern, eastern and western boundary of the site. The woodland on the east and west will remain untouched as a result of this development and continue to form the mature landscape boundaries to the development site. However, in order to facilitate the development and provide an access point, trees and hedging are required to be removed on the northern boundary. This element of the proposal has been refined during the assessment of the application to ensure greater retention of trees along this boundary. The applicant has submitted a Tree Retention Plan in support of the application.

The proposal complies with the objectives of LDP Policy Env 12.

The proposed boundary treatments are a variety of Beech hedging, brick walls and timber fencing. Surrounding the periphery of the development site where private rear gardens do not border public open space, 1.8m timber fencing is predominantly used as a boundary treatment. There are also sections of timber fencing within the site but not used to create a division between private space and public open space. Smaller garden walls and soft landscaping is used for the main boundary treatment adjacent to areas of public open space.

Overall, the proposed landscaping is appropriate, and the applicant has demonstrated that the site can accommodate a wide range of plants and trees, which will enhance the creation of a strong sense of place.

d) Transport, road safety and active travel

LDP Policy Tra 8 - Transport Infrastructure requires all development proposals relating to major housing sites which would generate a significant amount of traffic to demonstrate through an appropriate transport assessment and proposed mitigation that, any required transport infrastructure and site specific requirements have been addressed as relevant to the proposal.

A Transport Assessment was submitted and agreed with the PPP application. This assessment covered the transport impacts of up to 100 units on the development site. As this application is for 124 units, an addendum to the Transport Assessment has been submitted. Whilst the proposed 151 car parking spaces exceeds the numbers set out in the Council's parking standards, the proposed level of parking is considered

acceptable due to the reduction of 20 car parking spaces from the previous consented scheme.

The Roads Authority have confirmed that the additional units will not have any significant impact on the surrounding road infrastructure including the Kirkliston Main Street/ Station Road/ Queensferry Road junction. The upgrading of traffic signalling at this junction will be carried out prior to the occupation of the thirtieth dwelling house, as per condition 8 of the PPP consent.

The relevant developer contributions relating to transport infrastructure have been secured through the Section 75 Legal Agreement associated with the PPP application.

As per the requirement of condition 1 of the PPP consent, the proposed roads, footways, cycleways, servicing and layout of car parking and cycle parking provision meets the requirement of the Edinburgh Street Design Guidance.

Access to the site is taken from one point in the north west corner on Carlowrie Castle Road. As per condition 9 of the PPP consent, this will be provided by a means of a priority controlled junction (with a visibility splay of 2.4m by 40m), implemented prior to the occupation of the first dwelling and agreed in writing by the Planning Authority.

A pedestrian footpath is proposed to the very northern boundary of the site adjacent to the main road which connects the site to Kirkliston Main Street and a nearby bus stop. A further off road shared cycle and pedestrian path is located to the south of this path, behind the mature treebelt. A further series of shared cycle and pedestrian paths are proposed throughout the site. These paths provide a series of active travel connections throughout the site and further afield connecting into the existing path network and encouraging integration with Kirkliston.

Five different bus services can be reached within 500m walking distance of the site. Whilst this is slightly above the 400m walking distance recommended in Planning Advice Note (PAN) 75, this is deemed to be an acceptable distance and provision to ensure sustainable transport modes are easily accessible.

Overall the proposal is satisfactory in terms of the transport provisions, road safety and active travel.

e) Material considerations

Drainage and flooding

The proposals have been considered by CEC Flooding Team and the proposed drainage and flooding details are considered to be acceptable. The SUDs basin will be maintained by the factor under the Landscape Maintenance Plan.

An informative is proposed to advise the developer to seek Scottish Water adoption of the SUDs system.

Ecology and Biodiversity

In relation to condition 10 of the PPP consent, Edinburgh Airport have confirmed that the submitted Bird Hazard Management Plan and SUDS details are satisfactory from an Aerodrome Safeguarding perspective and this condition can be discharged.

A Bat Protection Plan was submitted which contains mitigations and recommendations in respect of the protected species and it is expected these will be enacted as per the report.

Noise

In relation to condition 6 of the PPP consent, the Council's Environmental Protection Officer has confirmed that the noise assessment in relation to transport noise is satisfactory, and no further information is required concerning transport noise.

Environmental Protection is seeking additional acoustic barrier treatment to mitigate the impacts of a future proposal at the adjacent Conifox Nursery to the south of the site. However this was not requested as part of the PPP application and therefore cannot be considered as part of this AMC application.

Archaeology

A requirement of the PPP application was that the site was evaluated (metal detecting and trial trenching). This was undertaken in January 2020 and the results from this work were negative in terms of significant buried remains. The Council's Archaeologist has noted that given the negative results, there is no further requirement for archaeological mitigation.

Air Quality

LDP Policy Env 22 - Pollution and Air, Water and Soil Quality aims to ensure that development will have no significant adverse effects on air, water or soil quality.

An Air Quality Impact Assessment was submitted with the PPP application which provided an overview of the local air quality and the impact of the development during construction and upon completion. In light of this, Environmental Protection recommended suitable informatives were applied to the PPP consent in relation to EV charging points and mitigation measures for the period during construction.

Amenity

LDP Policy Des 5 - Development Design - Amenity states that 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.

As noted in the PPP, the development site is well screened and an acceptable distance from neighbouring residential properties, including those on Wellflats Road and has been designed to ensure that no overshadowing or overlooking of neighbouring properties will occur. Landscaped areas in the form of the mature woodland and the southern parkland provide an appropriate buffer between the proposed development and existing housing.

For future residents, all properties will benefit from the required amount of sunlight, daylight and privacy as set out in the Edinburgh Design Guidance.

Across the site, a variety of house sizes are provided to ensure a diverse and sustainable future community can be created. The overall development represents a positive contribution to meeting a range of housing needs and meets the policy requirements of LDP Policy Hou 2.

LDP Policy Hou 3 - Private Green Space supports housing development which makes adequate provision for green space to meet the needs of future residents. There is a generous provision of public open space throughout the development site including the southern parkland, pocket parks and existing mature woodland. Overall, the total open space provision on site exceeds the required 20% and satisfies the requirements of this policy. The distinction between public and private spaces also accords with LDP Policy Des 5 d).

Local Infrastructure

Affordable Housing

The provision of 25% on-site Affordable Housing has been secured through the Section 75 Legal Agreement associated with the PPP application.

Education

The impact of this site on education was assessed at the PPP stage and the relevant developer contributions have been secured through the Section 75 Legal Agreement.

Health care

The site is not within a contribution zone for health provision.

f) Representations

A total of 11 objections were received and can be summarised as follows:

- Increase in units not acceptable - addressed in section 3.3 a) and b);
- Expansion will be detrimental on existing town - assessed through PPP application;
- Building on greenfield not acceptable - assessed through PPP application;
- Loss of greenspace unacceptable - assessed through PPP application;
- This will exacerbate existing traffic congestion - addressed in section 3.3 d);
- Education infrastructure already at capacity - assessed through PPP application and section 3.3 e);
- Healthcare facilities already at capacity - assessed through PPP application and section 3.3 e);
- Density not acceptable - addressed in section 3.3 b);
- Existing public transport inadequate - addressed in section 3.3 d);
- Removal of trees unacceptable - addressed in section 3.3 c);
- Pedestrian and cycle access does not appear fit for purpose and raises safety concerns - addressed in section 3.3 d);
- Flood risk, particularly to 26 and 28 Wellflats Road - assessed through PPP application;
- Cycle path will result in loss of privacy and noise disturbance to existing properties - addressed in section 3.3 d);
- Overlooking and loss of privacy to houses to the south of the application site - addressed in section 3.3 b);
- Increase in air pollution - addressed in section 3.3 e).

Non-material representations:

- Development would result in increase in litter and dog fouling;
- Increase in cyclists will enhance difficulties for existing residents loading/ unloading cars;
- Concerns over residents parking on Wellflats Road;
- Aircraft noise will affect site;
- Potential cost to the Council of adopting Wellflats Road.

Conclusion

The principle of the development is supported and is in accordance with the Edinburgh Local Development Plan and the planning permission in principle. The proposed design, layout, landscaping and access are all acceptable. Conditions 1, 6 and 10 can be discharged. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. 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.

2. 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.

3. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.

4. The applicant must seek Scottish Water adoption of the SUDs system prior to commencement.

5. 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.

6. 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.

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:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

A total of 11 objections were received.

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

14 June 2021

Drawing numbers/Scheme

01,02B,03,04B,05,06B,07B,08A,09A,10A,11B,12B,,
13B,14B,15B,16-45,46A,

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Nicola Orr, Planning Officer
E-mail: nicola.orr@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 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Appendix 1

Application for Approval of Matters Specified in Conds 21/03112/AMC

**At Land 135 Metres Northeast Of 28, Wellflats Road,
Kirkliston**

**Approval of matters specified in conditions 1, 6 and 10 of
17/04571/PPP comprising residential development,
landscaping, access and associated works (amendment of
planning permission 20/00718/AMC).**

Consultations

Scottish Water response

of Proposal

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

Water Capacity Assessment

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

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

Waste Water Capacity Assessment

There is currently sufficient capacity for a foul only connection in the Newbridge Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Please Note

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

Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Surface Water

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

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

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

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

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

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

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

Next Steps:

All Proposed Developments

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

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

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

Trade Effluent Discharge from Non Dom Property:

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system.

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com.

Archaeology response

this AMC application does not directly request the discharging of the archaeological condition (3) attached to this application, the results of this work may have had an impact upon the master-planning (re condition 1) in terms of preservation. Accordingly, it was a requirement that the site be evaluated (metal detecting and trial trenching) as part of this process. This was undertaken in January 2020 by AOC Archaeology with the DSR (AOC ref 24856) submitted in late February. The results from this work were negative in terms of significant buried remains and indicated that the area had also been subject to metal-detecting in the past.

Given the negative results, there is no further requirement for archaeological mitigation and accordingly no impact upon the areas covered by these three conditions.

Edinburgh Airport response

*The information submitted relevant to Conditions stipulated by Edinburgh Airport are satisfactory from an Aerodrome Safeguarding perspective.
We are therefore happy to discharge these conditions.*

Environmental Protection response

Environmental Protection have made comments on the 2020 AMC application. The applicant has now submitted various updated supporting material in order to discharge the following conditions that are relevant to Environmental Protection;

Condition 1

Before any work is commenced on site details of the undernoted matters shall be submitted to and approved in writing by the Planning Authority. The submission shall be in the form of a detailed layout of the site in accordance with the approved parameters plan (ref.02).

Approval of matters:

- Roads, footways, cycleways, servicing and layout of car parking and cycle parking provision meeting Edinburgh Street Design Guidance - Note: the pedestrian access points shown in the parameters plan shall be designed to accommodate cyclists;

- Site investigation/decontamination arrangements;

Landscaping:

(v) Any boundary treatments, including noise barriers.

Condition 6

Detailed noise assessments must accompany each AMC to assess internal noise and vibration impacts from transport noise, on the proposed residential developments. This must identify appropriate mitigation measures. Any recurring mitigation shall be agreed in writing with the Planning Authority and completed prior to occupation of each dwelling.

Environmental Protection are satisfied that that condition 6 on traffic noise can be discharged based on the earlier supporting noise impact assessment. Condition 1 is regarding landscaping and does cover any required acoustic barriers. Environmental Protection have concerns with regards the neighbouring adventure park, not its current use but what it has consent for. The neighbouring adventure park has consent to introduce go-karts, quadbike and tractor rides around the adventure park. There are no restrictions on where these activities can be located or on the hours of use. Environmental Protection did not support this proposal as can be seen below (17/04223/FUL). The type of noise these uses create can be intrusive and difficult to measure using existing noise guidelines.

Environmental Protection are of the opinion that an acoustic barrier is required as a minimum and located along the boundary between the two sites. This would reduce the impacts the consented uses being introduced into the adventure park on the amenity of future tenants.

The applicant has now provided another supporting NIA that has model a scenario that in their opinion demonstrates that there will be no adverse impact from the adventure park on the residential amenity. This modelling has been done with no acoustic barrier. The applicant believes no acoustic barrier is required.

Environmental Protection are still of the opinion that if developed with no acoustic barrier/bund it is likely that complaints will be received from future occupiers. It will be difficult for Environmental Health to even demonstrate a nuisance under the Environmental Protection Act due to the nature of the noise. From looking at the noise reports from the adventure park the proposed uses could be extremely noisy. If a statutory nuisance is demonstrated, then Environmental Health would need to serve notice on the Adventure Park which would likely impact their operations. Therefore, Environmental Protection cannot support the discharging of this aspect of condition 1.

The applicant has provided a car parking allowance plan which highlights that there will be 151 car parking spaces provided across the site with 14 unallocated spaces having access to 'Potential' 7KW (32AMP) electric vehicle (EV) charging points. This falls short of the minimum requirements stipulated in the Edinburgh Design Guidance. The applicant was advised at the pre-planning stage to include the EV charging points at all houses with driveways even if they were only external three pin plugs (16AMPS). This needs to be highlighted on drawings and there should also be an option for residents to upgrade the plug to a 7KW (32AMP) socket. The drawings must show exactly where the chargers will be located and the specification/output of each charger. The use of words such as 'potential' is not satisfactory or specific enough to be included as a condition. The Edinburgh Design Standards would require as a minimum 26 spaces having access to 7KW EV charging points. Until this infrastructure is confirmed and demonstrated on a plan this aspect of condition 1 cannot be discharged.

Contaminated Land is conditioned separately and will need to remain until the development is completed.

Therefore, as it currently stands Environmental Protection cannot fully support the discharging of all the conditions. We have also included various relevant consultation responses below;

17/04223/FUL - Adventure Park introduction of go-karts, quadbikes and tractor rides

Environmental Protection The applicant proposes introducing a number of potentially noisy operations onto a site currently used as an outdoor activity centre and garden centre. The site is located within a remote area which already has outdoor leisure use established. The plans do not provide specific details on the proposed final layouts and design. It is noted that there are some residential properties located near the periphery of the site where some of the newly proposed uses may be located. It is not possible to recommend conditions restricting the specific uses to certain areas within the application boundary.

Environmental Protection had raised concerns that the proposed uses may adversely impact the neighbouring residents. The applicant subsequently submitted a supporting noise impact assessment. The noise impact assessment has assessed the potential noise breakout from the proposed outdoor petrol go-kart and quad bikes only.

The noise impact assessment has modelled the noise levels of a 16 hour period and focused on the impacts on residential properties to the south of the property. The noise impact assessment has concluded that this residential property will not be adversely affected. The main reasons stated for this are due to its distance from the gokarts/quad bikes, intervening industrial buildings providing a barrier, the residential property being exposed to high background levels of noise due to aircraft noise and that the go-kart quad bikes will only be used for short periods of time. The applicants noise impact assessment has advised that one go-kart going around the track will be over 100dB.

The applicant has also concluded that no acoustic mitigation will be required. Environmental Protection are concerned that the noise impact assessment has not fully considered the worst case scenarios and possible impacts on residential properties to the north. These properties are not exposed to the higher background aircraft noise or have any intervening buildings between them and the proposed noise sources. The assessment has not consider the impacts that all the proposed operations will have on the amenity of all the nearby residential properties. The assessment has not considered all the potential noise impacts for example dog barking. The noise impact assessment has based its conclusions on a 16 hour measurement.

This type of measurement is acceptable to measure continuing sounds, such as road traffic noise or types of more-or-less continuous industrial noises. However, when there are distinct events to the noise, as with go-karts, quad bikes and dog barking noise, measures of individual events such as the maximum noise level (LAmax), or the weighted sound exposure level, should also be obtained in addition to LAeq,T.

Therefore, Environmental Protection still has concerns due to the likely adverse impacts it will have on neighbouring amenity.

19/02606/FUL

From: Andrew Campbell, Environmental Protection Date: 07/08/2019 TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 19/02606/FUL | Change of Use, Sui Generis use of existing adventure Park previously approved application ref: REF 17/04223/FUL) to include outdoor Events Space. This events area will form an integral part of the existing countryside recreation Adventure Park business. | Foxhall Foxhall Kirkliston Environmental Protection had raised concerns with the potential noise impacts the consented application to extend the adventure would have on neighbouring residents (17/04223/FUL). The consented proposal includes extending existing adventure park into two field west of the site. New approved activities include: a dog agility area, fortress (currently with planning approval on another part of the site) fortress, petrol go-karts, mini quad bikes, tractor + quad bike trailer rides, crazy golf, remote control cars, laser tag, jump pillow and a flying fox.

The applicant has consent to introduce a number of noisy operations onto a site currently used as an outdoor activity centre and garden centre. It is noted that the location of this proposed hard standing is furthest away from the sensitive receptors. The proposed operations for this specific proposal would likely have no impact on residential amenity.

Although, Environmental Protection are concerned that the wider proposed uses may adversely impact upon the residential amenity of the neighbouring residents, this specific proposal would not be a cause for concern.

Therefore, Environmental Protection offers no objection.

Flood Prevention response

The applicant has provided the Flood Risk Assessment and Surface Water Management Plan self-certification forms. These are accepted. Our only remaining comment relates to Scottish Water providing confirmation they accept maintenance responsibility for the SUDS attenuation basin.

The applicant has noted that Scottish Water have provided positive initial feedback on their proposals. If required, we would therefore accept a condition that prior to construction, the applicant confirms that Scottish Water agree to adopt and maintain the proposed SUDS detention basin.

Waste Services response

As this is to be a residential development, waste and cleansing services would be expected to be the service provider for the collection of any household domestic and recycling waste produced.

Waste strategy agreed at this stage Y/N? Y

I have looked at the drawings available in the planning portal file and can confirm a waste agreement based on the information you have provided.

Based on 124 houses and 2x 2storey cottage flats, we would agree an individual service where there must be storage in the gardens for the waste bins and these will be presented on the kerbside for collections.

Each household will require the following -

*140 Grey bin
240 Green bin
Blue box
Food waste bin*

(The residents can request a 240 Garden bin also but this is a payable service now)

Please keep us up to date with the progress of this development and give us plenty notice prior to when bins are required on site so that we can order bins and set up the payments.

Waste Services response updated

As this is to be a residential development, waste and cleansing services would be expected to be the service provider for the collection of any household domestic and recycling waste produced.

Waste strategy agreed at this stage Y/N? Y

I have looked at the drawings available in the planning portal file and can confirm a waste agreement based on the information you have provided.

Based on 124 units making up of 116 houses and 4x 2storey cottage flats, we would agree an individual service where there must be storage in the gardens for the waste bins and these will be presented on the kerbside for collections.

Each household will require the following -

*140 Grey bin
240 Green bin
Blue box
Food waste bin*

(The residents can request a 240 Garden bin also but this is a payable service now)

Please keep us up to date with the progress of this development and give us plenty notice prior to when bins are required on site so that we can order bins and set up the payments.

Affordable Housing response

1. Introduction

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

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

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

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

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

2. Affordable Housing Provision

The S75 attached to the original PPP application secures a minimum of 25% of the housing units for affordable housing. The S75 states that the development cannot commence until the tenure, location and the design standards of the affordable housing units has been agreed with the Council. It is noted that a detailed proposal for delivering affordable housing on the site was agreed as part of a previous application (20/00718/AMC).

The proposal is for 124 new homes in total. 31 affordable homes are identified on the site plan which is 25% of the total number of homes to be delivered on the site.

Tenure

The applicant has engaged with a Registered Social Landlord who will deliver 25 (81%) of the affordable homes as social rent. This exceeds the Council's expectation that a minimum of 70% of the homes will be available for social rent and the proposal will make a welcome contribution to meeting local housing needs.

It is proposed that six homes (19%) are delivered as 'Golden Share' (a form of low-cost home ownership where homes are sold at 80% of market value) which is in line with the previously approved scheme. The applicant has confirmed that when sold at 80% of market value the units will be below the maximum sales price of £214,796 for a Golden Share home. It should be noted that if prices rise to a point where the homes would not be within the maximum Golden Share sales price when sold at 80% market value, Housing Management and Development would expect the applicant to work with an RSL to deliver them instead.

Housing Mix and Design

The 31 affordable units have been designed as follows:

- 19 (61%) of the proposed affordable units have two-bedrooms. Eight of these are flats and 11 are houses;*
- 12 (39%) of the proposed affordable units are three-bedroom houses.*

Of the market homes, 16% are two-bedroom houses and 84% are houses with three, four or five bedrooms. None of the market homes are apartments.

The Council's planning guidance on 'Affordable Housing' states that the proportion of housing suitable for families with children included within the affordable element should match the proportion of such housing on the wider site and a representative mix of house types and sizes should be provided.

During pre-application discussion the applicant responded positively to concerns raised by Housing Management and Development by reducing the number of flats and increasing the number of three-bed family affordable homes. Nonetheless, the proposed mix of affordable home sizes and types is still not entirely representative of the market homes.

However, the scheme will deliver a viable range of affordable home types and sizes with a good proportion of larger family houses. The RSL was engaged at an early stage of the design process and is supportive of the mix. The proposed mix is an improvement on what was previously agreed for the site (the percentage of three-bedroom affordable houses in the previous proposal has increased from 33% to 39%).

The affordable homes will be "tenure-blind". Although there are no market flats, the affordable flatted blocks will be two storey and have a form and material that will integrate reasonably well with the two storey houses across the wider site. This is in line with the expectations for "tenure blind design" set out in the Edinburgh Design Guidance.

The design of affordable housing should be informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides and we require that the applicant continues to work with the Council and RSL to achieve this.

3. Summary

Although the proposed mix of affordable units is not entirely representative of the market homes, the scheme will deliver a viable range of affordable home types and sizes with a good proportion of larger family houses. The affordable homes will be "tenure blind". The proposal is an improvement on what was previously agreed for the site. The applicant has engaged with an RSL who is supportive of the proposal. A high proportion (81%) of the affordable homes will be delivered for social rent.

Overall, Housing Management and Development is supportive of the proposal.

Roads Authority Issues

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 introduce waiting and loading restrictions as necessary;*
 - b. *Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development and on Carlowrie Castle Road fronting the proposed 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. *The proposed paved and lit shared cycle and pedestrian path connection to the Wellflats Road at the south of the site is required to be built to adoptable standards;*
4. *Both the south west and south east corners of the internal road should be curved;*
5. *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;*
6. *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;*
7. *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;*

8. Works affecting an adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>;

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

10. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.

Note

a) The applicant proposes 151 car parking spaces (in a form of private, garages and on-street car parking spaces) and does not comply with the Council's parking standards which could allow a maximum of 124 car parking spaces for the proposed development in Zone 3. The proposed level of parking is considered acceptable because there is a net reduction of 20 car parking spaces from the previous 108 consented residential development of the site although the proposed residential units have been increased by 16.

b) Cycle storage will be provided in-curtilage of the houses (2 spaces per 2/3 habitable rooms and 3 spaces for 4 or more habitable rooms).

c) The applicant proposes 2m wide footway fronting the proposed development on south side of Boathouse Road /Carlowrie Castle Road as per planning condition of the PPP;

d) Electric charging point (10 no on-street parking spaces) and for dwellings with garage / driveway passive provision

e) Speed reduction measures have been incorporated in the design to promote slow vehicular speeds and walking/cycling;

f) The applicant has demonstrated by swept path that the entire site can be serviced by refuse collection vehicle;

g) The site has been designed to link with active travel infrastructure within and off site;

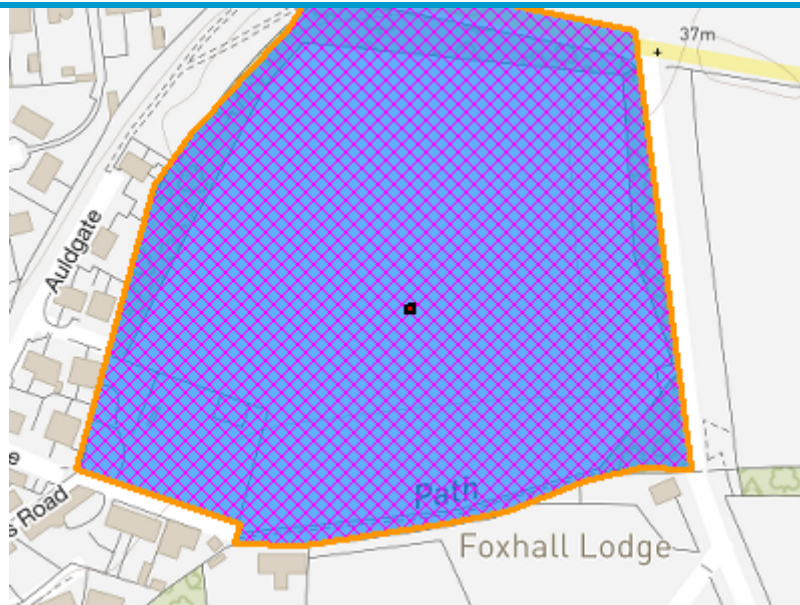
h) It is considered that 16 additional residential units to the consented 108 residential units will not have any significant impact on the surrounding road infrastructure including Kirkliston Main Street/Station Road/Queensferry Road junction;

i) All speed reduction measures (carriageway narrowing or chicanes) on the main road within the site are to be hardstanding and not grass verge;

j) As per condition of the PPP, the applicant will be responsible for upgrading of Main Street / Queensferry Road / Station Road traffic signal junction with MOVA traffic control system, at no cost to the Council. Details to be agreed in writing with the Council's Officers;

k) Per section 75 legal agreement of the planning permission (PPP), the applicant will contribute £31,740 for upgrading existing path link at the north west corner of the site to the core path/walking and cycling route along the old railway line west of the site and thereby replacing PPP transport condition 3. b (Paved and lit, shared cycle / pedestrian path connection(s) to be provided at the northwest corner of the site (as highlighted in the applicant's development parameters plan). Paving and lighting to be extended to provide improvement to the existing ramp from this connection up to the Main Street). Reason - Land is not owned by the applicant.

Location Plan



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