

Development Management Sub Committee

Wednesday 6 October 2021

**Application for Planning Permission 21/00518/FUL
at Former Agilent Technologies, Scotstoun Avenue, South
Queensferry.**

**Residential development comprising 16 flats with associated
car and cycle parking, infrastructure and landscaping.**

Item number

Report number

Wards

B01 - Almond

Summary

The principle of development is acceptable, in compliance with LDP Policy Hou1 (Housing Development).

The proposal is appropriate in design and in keeping with the character of the surrounding area. The proposal will provide good amenity to future occupiers and will have no adverse impact on neighbouring amenity, in accordance with the Edinburgh Local Development Plan design policies and the Edinburgh Design Guidance.

An infringement of LDP Policy Hou 2 (Housing Mix) is accepted in this instance on the grounds the proposal will provide a suitable mix of accommodation within the context of the wider developed site.

The proposal will deliver a housing in a sustainable location that promotes sustainable modes of transport, in compliance with LDP Transport Policies Tra 2, 3 and 4.

The proposal complies with HES's (Managing change in the Historic Environment - Setting) and LDP Policy Env 3 (Listed Buildings - Setting) and will not impact upon the nearby listed building.

Overall, the proposal complies with the Edinburgh Local Development Plan. There are no material considerations which outweigh this conclusion.

Outcome of previous Committee

This application was previously considered by Committee on 08.09.2021

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES02, LDES04, LDES05, LDES06, LDES07, LEN09, LEN03, LEN09, LEN21, LEN22, LEMP09, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, LDEL01,

Report

Application for Planning Permission 21/00518/FUL at Former Agilent Technologies, Scotstoun Avenue, South Queensferry. Residential development comprising 16 flats with associated car and cycle parking, infrastructure and landscaping.

Recommendations

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

Background

2.1 Site description

The site measures 1159m² and comprises an area of car parking (15 spaces) to the west and grassland to the east.

Immediately to the north and west, there is an area of tarmacked car parking, beyond which there are two-storey detached, semi-detached and terraced houses. To the south there is a four-storey flatted residential block and to the east there is a three-storey flatted residential block.

The immediately surrounding area is predominantly new build residential and the wider surroundings comprise more established residential dwellings; varying in height from one to four storeys.

Dalmeny train station is a short walk from the site. Bus stops are available less than a five-minute walk from the site located at Sommerville Gardens. The Newbridge to Queensferry and Kirkliston Core Path (reference CEC10) is located in close proximity to the site, providing active travel connections across the wider area.

The site is located over 100 metres from the category B Listed Dalmeny Station (Ref: LB5511 dated 30/01/1981)

2.2 Site History

10 April 2008 - Outline planning permission was granted for a residential development (application reference: 06/00842/OUT).

14 May 2012 - Planning permission in principle was granted for redevelopment for residential and mixed use development including retail units (class 1), business use (class 4), financial and professional services (class 2), food and drink (class 3), non-residential institution e.g. creche (class 10) and associated access, parking and landscaping (application reference: 11/00995/PPP).

6 December 2013 - Application for Approval of Matters Specified in Conditions of application 11/00995/PPP granted for mixed use development of 450 houses and flats and commercial building. This included a 1400sq. m of Class 4 office floorspace (application reference: 13/03310/AMC).

22 March 2019 -An application granted permission to erect 3 storey building to include class 1 (retail) plus classes 2+4 (financial/professional services and office) uses (application reference: 18/08606/FUL).

Main report

3.1 Description of the Proposal

The application seeks planning permission to erect a residential block of 16 flats. It is proposed that 100% of the units will be delivered as affordable housing.

The application proposes a mix of accommodation; 50% one bed units, 37.5 % two bed units and 12.5 % three bed units, with the following breakdown:-

- 2no. x three-bed (91sqm)
- 8 no. x one-bed (52sqm)
- 6no. x two-bed (70sqm)

A mix of 3 bed family units and 1 bed units is proposed at ground floor level.

Approximately 32% of the total site area is proposed as usable green space. Landscaped communal green space, of approximately 370 square metres is proposed to the front and rear of the development for use by all residents. 217 square metres of this space is south facing. 153 square metres is proposed for private gardens for residents in ground floor units.

The proposal will be a four-storey development in an urban block form. A material palette of blonde brick and part white render cladding is proposed, reflecting the surrounding contemporary development.

Pedestrian access will be provided to the site from the eastern boundary and pedestrian, cycle and vehicular access will be provided from the southern boundary. Level access is proposed throughout the ground floor of the development.

12 car parking spaces are proposed, four of which will have EV charging infrastructure and two of which will be accessible. A total of 36 cycle parking spaces will be provided within a secure store adjacent to the car parking area.

Waste and recycling storage and collection facilities are proposed within an external store, adjacent to the car parking.

The application is supported by the following documents available to view on the Council's Planning and Building Standards Public Access Portal:

- Planning Statement;
- Design and Access Statement;
- Surface Water and Drainage Plan and Checklist;
- A1 Self Certification;
- Site Investigation Statement; and
- Affordable Housing Statement;

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 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the development is acceptable;
- b) the proposal will impact upon the setting of a listed building or conservation area;
- c) the proposal is acceptable in scale and design;
- d) the proposal will achieve a good level of residential amenity for future occupiers, and will adversely affect neighbouring amenity;
- e) the proposal is acceptable in terms of road safety and parking provision;
- f) any impact upon local infrastructure as a result of the proposed development can be mitigated;
- g) the proposal delivers adequate affordable housing provision;
- h) any adverse impacts upon air quality can be mitigated;
- i) the proposal will increase flood risk;
- j) the proposal meets sustainability standards;
- k) any comments received in public representations have been addressed.

a) Principle

Housing

The development plan identifies the site as being within the urban area where residential development would be acceptable, in principle, subject to compliance with other specific policies and non-statutory guidelines.

LDP Policy Hou 1 'Housing Development' d) prioritises the delivery of housing on sites identified in the LDP. This policy is intended to apply to all suitable sites in the urban area, including the application site which is vacant and unconstrained for development.

The principle of residential development at this site has been already been established as the site is allocated for mixed-use, housing led development (HSG 2) in the Local Development Plan. The site is surrounded by established residential uses and is well connected by existing public transport links, bus and rail links all within the locality, including connections to Edinburgh. The site is therefore an appropriate and sustainable location for housing.

Accordingly, the principle of residential use is acceptable at this location.

Policy Hou 2 (Housing Mix) is applicable to the proposed development and requires provision of a mix of house types and sizes, to meet a range of housing needs. The Edinburgh Design Guidance recommends that 20% of the total units should have three or more bedrooms.

In this instance, the proposed development proposes two three-bedroom units, equating to 12.5% of the total number. The reduced number of three-bedroom units is based on affordable housing need in the area, which has been accepted by the Council's Housing Service. The proposed mix will align with the local housing need and still deliver a mixed, sustainable community despite the shortfall in provision. The site has also been considered within the context of the wider masterplan housing that has been developed with a high percentage of family housing.

The proposal adds to an appropriate mix within the wider site. As such, the departure from LDP Policy Hou 2 is acceptable in this instance.

LDP Policy Hou 4 (Housing Density) seeks an appropriate density of development having regard to its characteristics and those of the surrounding area.

The proposal provides for a medium density development compatible with external open space and minimal area of car parking. This is in keeping with the character of the surrounding development which encompasses flatted buildings as a form of residential accommodation sitting alongside lower density two-storey dwellinghouses.

Employment Land

Whilst the former use of the site was employment, the allocation of the site in the Rural West Edinburgh Local Plan established the residential use as part of the masterplan. As such, the development of this site as residential is in keeping with the characteristics of the masterplan.

Commercial Use

The site was subsequently designed for commercial use under the developed masterplan (planning ref 13/03310/AMC). Previous permission (planning application ref: 18/08606/FUL) approved development of a three-storey building to include Class 1 (retail), Class 2 (financial/professional services) and Class 4 (office) uses at the application site.

This permission was never implemented. The applicant has stated that the intended commercial uses previously approved are not viable, as demonstrated by the letter prepared by Canning Vale Property submitted with the application.

Local residents have objected to the proposal on the grounds of loss of retail/commercial use. The nearest local centre (Scotstoun Grove, Queensferry) is located 1.25km to the west of the site. The closest largest supermarket (Tesco) is located 1.8 km away at Ferrymuir. At present the immediate area is under-represented in terms of choice of shopping provided. Notwithstanding, there is no policy requirement within the local development plan requiring the site to be reserved for commercial use.

Policy Conclusion

Overall, the application proposes a residential development in the urban area, in compliance with LDP Policy Hou 1. The development's density and proposed mix of accommodation is appropriate for the area, in compliance with LDP Hou 4. A departure from LDP Policy Hou 2 is acceptable in this instance.

b) Historical Environment and Setting

Historic Environment Scotland's guidance on Managing Change sets out the principles that apply and how it should inform planning policies. HES's document (Managing change in the Historic Environment - Setting) states that 'setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced.

Policy Env 3 (Listed Buildings - Setting) states that development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance, or historic interest of the building, or to its setting. Policy Env 6 Conservation Areas Development supports development that will impact the setting of a conservation area provided it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

The site is located approximately 100 metres from the category B Listed Dalmeny Station and the Queensferry Conservation Area and is screened from view by the intervening buildings which have recently been constructed.

The additional height, and positioning of the building within the site, will not impact upon key views such as the view across to the Forth Rail Bridge, designated as a UNESCO World Heritage Site. The proposals are no higher than existing development on the wider masterplan site and will maintain the limited views across to the Forth Rail Bridge.

In light of this, the proposed development will not have an adverse impact upon the setting of the Listed Building, the Conservation Area or the World Heritage Site.

c) Design, Scale, Layout and Materials

LDP Policy Des 1 (Design Quality) supports new development where the design reflects the positive characteristics of the area. Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design. LDP Des 4 (Design- Impact on Setting) requires new development proposals to have similar characteristics to the surrounding urban grain, paying close attention to scale, height and positioning of buildings, materials and detailing.

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

In terms of height, the previously approved building (planning application ref: 18/08606/FUL) was three storeys in height. However, to accommodate commercial premises, the internal configuration resulted in a greater floor to ceiling height at ground level. As such, there will only be a 4m height increase from that previously approved scheme. The proposed four storey building remains in keeping with the four-storey flatted blocks on the adjacent site and is acceptable.

The form and layout are appropriate in the context of the urban site, respecting the established street pattern and the proposed building will occupy the same area of the site as the previously consented scheme.

In terms of materials, the proposal provides for a contemporary design using a brick facade and render. The design incorporates vertical emphasis windows to maximise light. Overall, the proposed material palette is appropriate for residential development and is in keeping with the material palette already established in the area, preserving its appearance and character. The surrounding area is of mixed character which varies in style and material palette, with brick and render being the predominant material finishes.

Overall, the proposed height, scale, and massing of the proposals, along with the contemporary materials palette and fenestration pattern is therefore compatible with its surrounds, in compliance with policies Des 1, Des 4 and Section 2 of the Edinburgh Design Guidance (Designing places: buildings).

d) Amenity

Creation of a Satisfactory Living Environment

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

The proposed units will meet the floorspace requirements of the Edinburgh Design Guidance. All of the proposed flats will be dual aspect and adequate daylight will be available into windows, in line with Edinburgh Design Guidance.

Policy Hou (3 Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development. This policy requires a minimum of 20% of the total site area as useable greenspace and aims to ensure flats without a private garden have at least 10sqm of communal green space.

A landscaped communal green space will be provided to the north west and east of the development. This area will incorporate low-level planting, shrubs, and trees.

In accordance with this Policy, 32% of the total site area will be usable green space. The 12 flats without a private garden will have 370 square metres of communal green space in total, exceeding minimum requirements. This onsite greenspace is south facing, maximising sunlight to the space.

The ground floor flats will each have access to private front gardens.

The site is also located close to multiple areas of good quality publicly accessible open space including the large recreational fields adjacent to the Queensferry Sports and Community Hub. The site is accessible to areas of open countryside and the Newbridge to Queensferry and Kirkliston Core Path (reference CEC10), which provides access to surrounding areas of open space.

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

Neighbour Amenity

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

The proposed building will be located further away from surrounding properties than the consented commercial building; being set back from the northern boundary to provide garden ground to the front. There are no gable windows on the properties to the north, and there will be no direct overlooking or unacceptable impacts on neighbouring privacy.

Concerns have been raised with regards to loss of views in letters of objection from residents. The proposal will not impact upon any immediate outlook.

Whilst the proposal is 4 metres higher than the previously consented scheme, the building is set further back from the boundary, with a pyramid hipped roof form. The building occupies the eastern side of the site. This ensures any overshadowing will fall upon an area of the front garden ground of the nearest properties to the north west and the public street, and not their rear gardens. As such residential amenity will not be adversely affected.

Daylight and Sunlight analysis was submitted by the applicant. Daylight has been measured using the Vertical Sky Component (VSC) method, which models the level of daylight to each window on the two nearest existing dwellings and what impact the proposed development has on the availability of daylight. The VSC analysis demonstrates, that all of the windows are within acceptable daylight levels.

Overall, the proposal will not be to the detriment of neighbouring residential amenity. The proposal will achieve a good level of occupier amenity, in terms of access to daylight, onsite amenity space and access to local open space and core paths.

The proposal therefore accords with LDP Policy Des 5, Hou 3 and the Edinburgh Design Guidance.

e) Road and Pedestrian Safety

LDP Policy Tra 2 (Private Car Parking) relates to car parking provision and takes into consideration the accessibility of the site to public transport stops on routes well served by public transport, to shops, schools, centres of employment, cycle and public transport. Developers are encouraged to pursue lower levels of parking.

The proposed development will provide 12 car parking spaces for the 16 flats. Out of the 12 car parking spaces, two spaces will be accessible, and four spaces will incorporate electrical vehicle charging points. This car parking provision complies with Council's parking standards which could allow a maximum of 16 spaces for the proposed development, in Zone 3. The proposed development is therefore in accordance with LDP Policy Tra 2 and Edinburgh Design Guidance.

LDP Policy Tra 3 (Private Cycle Parking) relates to the cycle parking. The proposed development will provide a total of 36 cycle parking spaces for the 16 flats, exceeding minimum requirements of the EDG. The cycle parking will be provided in secure, covered external stores, promoted in EDG. The proposed development is therefore in accordance with LDP Policy Tra 3.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) is applicable to the proposed development. The proposed car parking area will have not impact on the active frontage to the public street or amenity areas or public realm. The proposed development is therefore in accordance with this policy.

The Roads Authority was consulted on the proposal and is satisfied that the proposed infrastructure will be able to accommodate the impact of the proposed development, and that the development raises no road safety issues.

Overall, the development complies with LDP Policies Tra 2, Tra 3 and Tra 4.

f) Developer Contributions

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) states that proposals will be required to contribute towards infrastructure provision where relevant and necessary to mitigate any negative additional impact (either on an individual or cumulative basis) and where commensurate to the scale of the proposed development.

Education

The Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that no contribution towards education infrastructure is required from developments that are not expected to generate at least one additional primary school pupil.

Whilst 16 flats are proposed, eight of these are one bedroom and are therefore excluded from assessment. The remaining development of eight flats is not expected to generate a requirement for additional capacity, and therefore, a contribution towards education infrastructure is not required in this instance.

Healthcare

The CEC Developer Contributions and Infrastructure Delivery Supplementary Guidance indicates that contributions are required towards the South Queensferry Medical Practice Contribution Zone. At the established cost of £210 per dwelling, this would equate to a total contribution of £3,360 to mitigate the impact of the proposed development on local healthcare infrastructure.

A Section 75 Legal Agreement will be required to secure the above contributions. On the proviso that a legal agreement is concluded to secure the necessary mitigation, the proposal is in compliance with LDP Policy Del 1.

g) Affordable Housing

LDP Policy Hou 6 (Affordable Housing) states that planning permission for residential development consisting of 12 units or more should include provision for affordable housing amounting to 25% percent of the total number of units.

An Affordable Housing Statement was submitted with the application. The application proposes 16 affordable units (12 more than the minimum that would be required under policy).

It should be noted that the applicant intends the 16 affordable units proposed as off-site affordable housing provision relating to a current planning application for 48 homes at 4 Barnton Avenue West (planning application reference 21/00461/FUL). This application is still to be considered. As such, the provision of 16 units is appropriate in this instance.

The affordable homes have been designed to be tenure blind with the surrounding units and will reflect Housing for Varying Needs. The applicant has confirmed discussions with a Registered Social Landlord (RSL) and that the RSL is supportive of the proposal to deliver the 16 units as affordable homes.

A letter of support has been received from the RSL. This states that the proposed housing and tenure mix has been developed in conjunction with City of Edinburgh Council, Juniper Residential, and Dunedin Canmore. The letter confirms the following:-

- Dunedin Canmore Housing will deliver the affordable housing;
- Juniper Residential has undertaken to provide housing that is acceptable to Dunedin Canmore in terms of layout and specification that complies with the requirements of the Dunedin Canmore Design Standards;
- The housing mix above meets the priority housing needs as identified in the HNDA and includes the following a mix of housing size and type that is acceptable to Dunedin Canmore; and
- The tenure will be agreed with CEC as part of the upcoming Strategic Housing Investment Plan discussions.

The proportion of homes to be delivered for social or mid-market rent has not been identified. This aspect will require further discussion and will need to be agreed with the Council prior to works commencing on site.

Overall, the proposal meets the required level of affordable housing contribution on site and is in compliance with LDP Policy Hou 6. A Section 75 legal agreement will be prepared and concluded to secure this provision.

h) Air Quality

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

The development will generate minimal vehicular movements and has been designed to mitigate operation impacts through the provision of cycling spaces and limited car parking which is good practice.

Overall, the proposal complies with Policy Env 22.

i) Flood Risk and Surface Water Management

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

The applicant has submitted Flood Risk information and a Surface Water Management Plan. The Council's Flood Prevention Team is satisfied that the mitigation proposed is acceptable.

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

j) Sustainability

Policy Des 6 (Sustainable Buildings) sets the criteria for assessing the sustainability of new development.

The use of sustainable transport will be encouraged by the proposed development, which will provide 36 secure, covered cycle parking spaces. The site is also situated close to the core path network and excellent public transport links, with a train station less than a two-minute walk from the site.

Separate refuse and recycling storage and collection facilities are integral to the design of the proposed development. The proposed development is therefore in accordance with Policy Des 6 of the ELDP.

k) Public Comments

64 letters of objections were received from the public which raised the following material considerations: -

- Principle of housing. This matter is addressed in Section 3.3a;
- Loss of retail. This matter is addressed in Section 3.3a;
- Loss of view. This matter is addressed in Section 3.3c;
- Overdevelopment of site. This matter is addressed in Section 3.3a;
- Impact on education and health infrastructure; This matter is addressed in Section 3.3f;
- Impact upon daylight and overshadowing. This matter is addressed in Section 3.3c;
- Parking provision. This matter is addressed in Section 3.3e;
- Congestion and emergency vehicle access. This matter is addressed in Section 3.3e;
- Height. This matter is addressed in Section 3.3 c and d; and
- Design not in keeping. This matter is addressed in Section 3.3 c; and
- Cycle Parking Security. This matter is addressed in Section 3.3 d;

Non-material considerations

- Noise disturbance caused by building works. Matter not controlled by Planning Legislation.
- Request for existing playpark and paths to be improved. Matter not subject to current proposal.
- Request that site is used for allotments, nursery, community garden or existing residents parking. Matters not subject to current proposal. There are no policy requirements within the Edinburgh Local Development requiring these uses to have priority over housing.

Letters of Support

Two letters of Support were received which raised the following: -

- Good quality of lifestyle for family.
- Fantastic location and space for family homes

Neutral Comments

- City Plan Provisions and interpretation of National Planning Framework and Scottish Planning Policy.

Conclusion

The principle of development is acceptable, in compliance with LDP Policy Hou1.

The proposal is appropriate in design and in keeping with the character of the surrounding area. The proposal will provide good amenity to future occupiers and will have no adverse impact on neighbouring amenity, in accordance with the Edinburgh Local Development Plan design policies and the Edinburgh Design Guidance.

An infringement of LDP Policy Hou 2 is accepted in this instance on the grounds the proposal will provide a suitable mix of accommodation within the context of the wider developed site.

The proposal will deliver a housing in a sustainable location that promotes sustainable modes of transport, in compliance with LDP Transport Policies Tra 2, 3 and 4.

The proposal complies with HES's (Managing change in the Historic Environment - Setting) and LDP Policy Env 3 and will not impact upon the nearby listed building.

Overall, the proposal complies with the Edinburgh Local Development Plan. There are no material considerations which outweigh this conclusion.

Addendum to Assessment

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

3.4 Conditions/reasons/informatives

Conditions:-

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

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

3. Prior to the commencement of development a Landscape Management Plan should be submitted for approval by the planning authority.

Reasons:-

1. In order to enable the Head of Planning to consider this/these matter/s in detail.
2. In order to enable the Head of Planning to consider this/these matter/s in detail.
3. To ensure landscape proposals are implemented and maintained accordingly.

Informatives

It should be noted that:

1. Developer Contributions Informative

Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation all of those matters identified in the proposed Heads of Terms. -

These matters are:

A total of 16 units are proposed for Affordable Housing units, equating to 100% in accordance with LDP Policy Hou 6 'Affordable Housing' with the following breakdown:-

- 2no. x three-bed;
- 8 no. x one-bed; and
- 6no. x two-bed.

The proportion of homes to be delivered for social or mid-market rent has not been identified. This aspect will require further discussion and will need to be agreed with the Council prior to works commencing on site.

A contribution is required towards the South Queensferry Medical Practice Contribution Zone. At £210 per dwelling, this equates to a total contribution of £3,360 to mitigate the impact of the proposed development on local healthcare infrastructure.

A legal agreement will be required to secure these funds.

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

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

5. Transport Informative

A contribution to the sum of £2,000 is required to progress a suitable order to introduce waiting and loading restrictions as necessary (The T-junction at the south east corner of the site requires waiting and loading restriction for safe visibility and crossing); and A contribution to the sum of £2,000 is required to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council

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;

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

Any off-street parking space should comply with the Council's Guidance for Householders dated 2018 (see http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guide_lines including:

- a. Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;
- b. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
- c. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
- d. Any gate or doors must open inwards onto the property;
- e. Any hard-standing outside should be porous;
- f. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits

http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation.

A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

6. Environmental Protection Informative

The parking spaces as shown on drawing referenced 6820-JMA-01-ZZDR-A-PL-1001 and dated April 2021 shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be installed and operational in full prior to the development being occupied.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

68 letters of representation have been received in relation to the proposal. The 68 submissions comprise of 64 letters of objection, two letters of support and two neutral comments.

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

12 February 2021

Drawing numbers/Scheme

01-02, 03A, 04-08,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Sonia Macdonald, Planning Officer

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

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy 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 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 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 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

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

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

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

LDP Policy Emp 9 (Employment Sites and Premises) sets out criteria for development proposals affecting business and industrial sites and premises.

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

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

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

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

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

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

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

Appendix 1

Application for Planning Permission 21/00518/FUL At Former Agilent Technologies, Scotstoun Avenue, South Queensferry Residential development comprising 16 flats with associated car and cycle parking, infrastructure and landscaping.

Consultations

Roads Authority Issues

The application should be continued.

Reasons:

- I. The proposed 32 cycle parking spaces do not comply with the minimum Council requirement of 34 spaces for the proposed development in Zone 3;*
- II. The proposed design is dominated by hardstanding/parking spaces contrary to Edinburgh Design Guidance requirement that street scene should not be dominated by parking. The applicant should explore using trees/soft landscaping to break up the proposed car parking space.*
- III. The T junction at the south east corner of the site will require waiting and loading restriction for safe visibility and crossing*

Should you be minded to grant the application the following should be added as conditions or informatives as appropriate

- 1. The applicant will be required to contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
 - a. Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;*
- 2. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;*

3. *In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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;*

4. *Any off-street parking space should comply with the Council's Guidance for Householders dated 2018 (see http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines including:*

- a. *Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;*
- b. *Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);*
- c. *A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;*
- d. *Any gate or doors must open inwards onto the property;*
- e. *Any hard-standing outside should be porous;*
- f. *The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point*

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

Note:

- a) *Applicant proposes 12 car parking spaces including 2 disabled bays and 2 EV charging spaces and complies with the Council's parking standards which could allow a maximum of 16 parking spaces for the proposed development in Zone 3;*
- b) *32 secure cycle parking spaces proposed for the development;*
- c) *Refuse collection to be undertaken from Craw's Close*
- d) *The proposed development is accessible by public transport- train, Lothian service 43, 63*

Communities and Families response

Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that no contribution towards education infrastructure is required from developments that are not expected to generate at least one additional primary school pupil.

Sixteen flats are proposed, although eight have one bedroom and have been excluded from this assessment. Using the pupil generation rates set out in the Supplementary Guidance, a development of eight flats is not expected to generate at least one

additional pupil. A contribution towards education infrastructure is therefore not required.

Roads Authority Issues updated

. *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 (The T-junction at the south east corner of the site requires waiting and loading restriction for safe visibility and crossing)*

b. *Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;*

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

3. *In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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;*

4. *Any off-street parking space should comply with the Council's Guidance for Householders dated 2018 (see http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines_including;*

a. *Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;*

b. *Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);*

c. *A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;*

d. *Any gate or doors must open inwards onto the property;*

e. *Any hard-standing outside should be porous;*

f. *The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits*

http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

5. *All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this*

legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

Note:

- a) Applicant proposes 12 car parking spaces including 2 disabled bays and 2 EV charging spaces and complies with the Councils parking standards which could allow a maximum of 16 parking spaces for the proposed development in Zone 3;
- b) The applicant proposes 36 secure cycle parking spaces for the proposed development and complies with the Council parking standards which requires a minimum of 54 spaces in zone 3;
- c) Refuse collection to be undertaken from Craw's Close
- d) The proposed development is accessible by public transport- train, Lothian service 43, 63

Affordable Housing response

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

- o Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing.*
- o 25% of the total number of units proposed should be affordable housing.*
- o The Council has published Affordable Housing Guidance which sets out the requirements of the AHP, and the guidance can be downloaded here:*

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

2. Affordable Housing Provision

This application is for a development consisting of up to 16 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (4) homes of approved affordable tenures.

The applicant has proposed that all 16 homes on this site would be affordable housing units and would consist of 8 x 1-bed flatted units, 6 x 2-bed flatted units and 2 x 3-bed flatted units.

The affordable homes have been designed to be tenure blind with the surrounding units and will reflect Housing for Varying Needs.

The applicant has had initial discussion with a Registered Social Landlord (RSL). The RSL is supportive of the proposal to deliver the 16 units as affordable homes in

principle. The applicant should continue to engage with the RSL to ensure that the design meets their requirements.

The proportion of homes to be delivered for social or mid-market rent has not been identified. This aspect will require further discussion and will need to be agreed with the Council prior to works commencing on site. The Council aims to secure 70% of new onsite affordable housing for social rent.

It should be noted that the applicant has proposed that the 16 affordable units (12 more than the minimum that would be required under policy) could include off-site affordable housing provision relating to a current planning application for 48 homes at 4 Barnton Avenue West (planning application reference 21/00461/FUL). This application is still being considered. For information, if the proposal for off-site affordable housing delivery on this site was accepted the delivery of 16 affordable homes would represent 25% of the total number of homes being delivered across both sites.

3. Summary

The applicant is proposing to provide a minimum 25% on site affordable housing and this will be secured by a Section 75 Legal Agreement. This approach will assist in the delivery of a mixed sustainable community:

- o The applicant has submitted an "Affordable Housing Statement", setting out their approach to the following points and which will be a public document available on the City of Edinburgh Council's Planning Portal;*
- o The applicant has entered into an early dialogue with a Registered Social Landlord (RSL) to deliver all 16 of the proposed homes as affordable housing;*
- o The applicant should make provision for a minimum of 70% of the affordable housing on site to be social rent;*
- o The affordable housing offers a variety of house sizes;*
- o In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the surrounding housing units, an approach often described as "tenure blind";*
- o The affordable homes should be designed and built to the RSL design standards and requirements;*
- o The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*

Flood Planning response

This application can proceed to determination, with no further comments from CEC Flood Prevention.

Environmental Protection response

Environmental Protection will not object to the application development.

The application proposes a residential development including 16 flats. Residential properties surround the site with a railway line further to the east.

The application proposal includes 12 car parking spaces for 16 residential units. Environmental Protection believe that the number of spaces could be reduced and indeed this team would support a car free development as the site is close to the railway station and bus services going to and from central Edinburgh. However, it is accepted that the site is presently a car parking area and parking levels are within those prescribed within the parking standards.

The proposal includes only 4 electric vehicle charging points. Whilst again, it is understood that the levels are within those prescribed within the guidance, Environmental Protection is of the opinion that this site is excellently placed to encourage electric vehicle use. As the development includes 12 car parking places, which will increase pollution when utilised by petrol and diesel vehicles, Environmental Protection would encourage the developer to increase the number of spaces which includes electric vehicle charging infrastructure on site.

The applicant is proposing to use gas as an energy source for spatial and water heating for the development. It is now well known that fossil fuel use impacts upon global warming and is not compatible with the Council's macro-policies for a sustainable future for the city. Environmental Protection would therefore urge the developer to remove this element of the proposal and utilise more sustainable measures within the flats. The applicant has included 36 PV panels on the roof which is supported by Environmental Protection however the use of gas simply goes some way to negating the sustainable gains from the PV panels proposed.

The site should also be investigated for site contamination to ensure that it is made safe for the proposed end use. A condition is recommended below in this regard.

In conclusion, there are some elements of the application which, in the opinion of Environmental Protection, do not chime with the Council's macro-policies for a sustainable future city. However, the applicant advises that they are complying with relevant policies and standards and so this team will not object to the application subject to the following conditions:

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

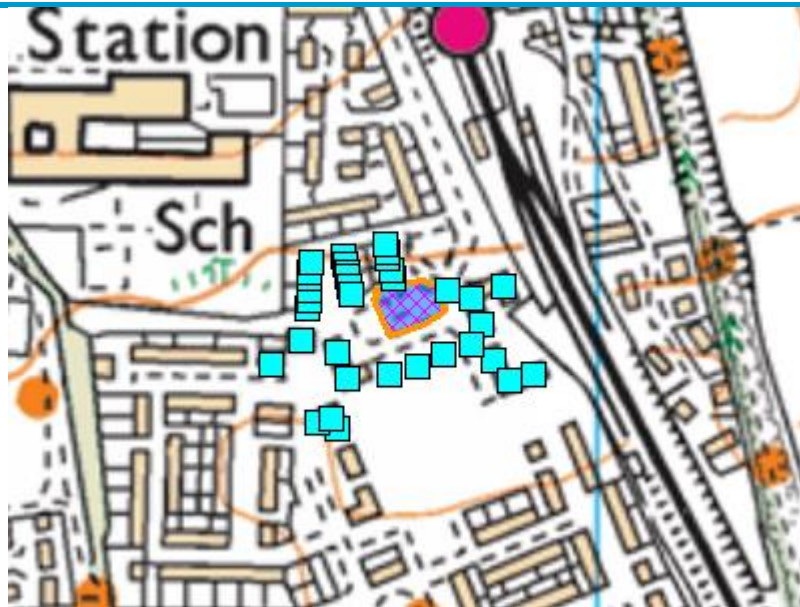
(a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective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

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

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

2. The parking spaces as shown on drawing referenced 6820-JMA-01-ZZDR-A-PL-1001 and dated April 2021 shall be served by at least a 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be installed and operational in full prior to the development being occupied.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420
END