

# Development Management Sub Committee

Wednesday 27 October 2021

**Application for Planning Permission 21/00461/FUL  
at Site 90 Metres East of 4 Barnton Avenue West,  
Edinburgh.**

**Erection of retirement accommodation comprising 44  
apartments and 4 dwelling houses with associated parking,  
drainage and landscaping arrangements.**

**Item number**

**Report number**

**Wards**

B01 - Almond

## Summary

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The principle of residential development in this location is acceptable and complies with the Edinburgh Local Development Plan.

Its approach to design, scale and density is compatible with the surrounding area. The development will provide a good level of amenity to future occupiers whilst having no detrimental impact upon neighbouring amenity or the natural environment. The proposed culvert diversion will provide betterment to an existing flooding problem.

The proposal complies with the Edinburgh Local Development Plan and associated supplementary guidance.

## Links

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[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES03, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN10, LEN12, LEN15, LEN16, LEN18, LEN19, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, NSG, NSGD02, NSHAFF, SGDC, LEN08, LEN09,

# Report

## **Application for Planning Permission 21/00461/FUL at Site 90 Metres East of 4 Barnton Avenue West, Edinburgh. Erection of retirement accommodation comprising 44 apartments and 4 dwelling houses with associated parking, drainage and landscaping arrangements.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site is located on the south side of Barnton Avenue West and is approximately 1.92 hectares. Large residential properties lie to the east and west of the site, set within spacious mature grounds set back from the main road. The Royal Burgess Golf Club lies directly to the south which is within the Green Belt, designated open space and classed as a Local Nature Conservation Site. Cargilfield School is located 350m to the north east of the application site.

The site was historically occupied by a large detached dwelling which is now demolished. The site is presently overgrown with no buildings present and bounded by a number of mature trees and shrubs. The topography of the site slopes down from the north east corner to the west by approximately 4 metres.

The wider surrounding area has a mixture of house types and densities and has seen some modern developments in recent years which can be found to the west of the site and along the eastern end of Barnton Avenue West. Cramond Conservation Area lies 250m to the west of the site. Neighbouring properties at 4 and 4B Barnton Avenue West are Category C Listed Buildings (Ref: LB43930).

The application site incorporates part of the Royal Burgess Golf Club to the south, part of 8 Barnton Avenue West to the east and a section of Whitehouse Road to accommodate the flooding and drainage proposals. TPO 93 at Almond Lodge Barnton Avenue West (confirmed December 1977), is located to the west of the site.

#### **2.2 Site History**

17 January 2001 - An outline planning application granted for proposed housing development (as amended to 4 houses) (Application number: 00/02056/OUT).

10 January 2004 - Outline permission granted for demolition of existing house and erection of 7 no. dwelling houses (Application Number: 03/02733/OUT).

23 December 2004 - Application for reserved matters approved to erect 7 new dwellings, demolish existing house (reserved matters relating to access formation) (as amended) (Application number: 04/02606/REM).

24 May 2006 - Application approved for reserved matters to erect 7 new dwellings, demolish existing single dwelling, reserved matters application for removal and retention of proposed trees (as further amended to include siting of houses) (Application number: 05/01180/REM).

19 November 2007 - Application for approval of reserved matters granted for the erection of one number dwelling - reserved matters application for design, height, site drainage, siting, external appearance, parking of per condition 2 of approval ref 03/02733/OUT. (Application number: 07/01701/REM).

30 November 2007 - Application for approval of reserved matters granted for the erection of five new dwellings - reserved matters application for design, height, site drainage, siting, external appearance, parking - of per condition 2 of approval ref: 03/02733/OUT. (Application number: 07/01704/REM).

23 April 2009 - Application withdrawn to vary condition 3 of approval reference no, 07/01701/REM, namely to fell additional trees on site. (Application number: 08/03855/FUL).

09 February 2021 - Application withdrawn for Sheltered Housing development comprising 36 apartments and 12 cottages, associated parking and landscaping (as amended). (Application number: 17/03129/FUL).

## **Main report**

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### **3.1 Description of The Proposal**

The proposal seeks development of the vacant site to construct retirement accommodation for those over 55 years of age, consisting of 48 units in total. The units comprise of 44 apartments and four dwelling houses. The development would be a single retirement complex with all facilities and services within the main block and grounds, including the services of a daytime house manager, available to all residents as part of a wider service agreement.

Four blocks of accommodation are proposed throughout the site. The north western part of the site will accommodate a three-storey block, with ten apartments. In the north eastern corner, four semi-detached dwellings are proposed which would be two storeys high each with a private garden. The largest block is to the south of the site; a four storey block consisting of 34 apartments, a communal area, a guest suite, a manager's office accommodation, a central lift and integrated scooter/ cycle storage

The proposal has one site access for vehicles and pedestrians, located in the centre of the site's frontage on Barnton Avenue West. A total of 48 private car parking spaces are proposed and 44 cycle spaces.

As the site has historical flooding issues due to an existing culvert which is not fit for purpose, the proposal includes a culvert diversion to the south of the site into the grounds of the neighbouring Royal Burgess Golf Club.

The Landscape Plan for the site includes three separate small areas of open space with seating areas. A number of trees are proposed to be removed to accommodate the development in the heart of the site whilst the majority of mature landscaping bordering the site will be retained.

### Supporting Documents

The applicant has submitted the following supporting documents:

- Design and Access Statement;
- Drainage Strategy;
- Ecological Assessment;
- Flood Risk Assessment;
- Planning Statement;
- Site Investigation Report;
- Transport Statement and
- Tree Survey.

These 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 principle of the development is acceptable;
- b) The proposed design, layout and density is acceptable;
- c) Flooding and drainage issues have been addressed;
- d) The proposal raises any concerns in relation to transport;
- e) The impact on landscape, trees and biodiversity is acceptable;
- f) The proposal would preserve the amenity of neighbours and future occupants;
- g) There is any impact on archaeology;
- h) Infrastructure contributions will be required;
- i) The proposal meets sustainability criteria and
- j) Issues raised in representations have been addressed.

### a) Principle of Development

The application site is identified as white land within the Urban Area in the Edinburgh Local Development Plan (LDP).

In accordance with LDP Policy Hou 1 (Housing Development) part d), housing development is suitable in this location as it is an infill housing site in a residential area. The principle of housing on this site has already been established by the previous planning permissions for housing on this site.

The principle of housing development on this site is therefore acceptable and complies with LDP Policy Hou 1.

### b) Design, Layout and Density

LDP Policies Des 1 (Design Quality and Context), Des 3 (Development Design - Incorporating and Enhancing Potential Features) and Des 4 (Development Design - Impact on Setting) ensure that developments will create or contribute towards a sense of place, based upon positive characteristics of the surrounding area, and planning permission will not be granted for poor quality or inappropriate design that would damage the surrounding character of the area.

The Edinburgh Design Guidance (EDG) seeks to ensure that new developments will have a positive impact on their surroundings through height and form, scale and proportions, site layouts and materials utilised.

The surrounding area has a varied built and architectural form. The dominant house type is large detached dwellings set in large garden grounds, but more recently there has been subdivision of plots, new dwellings erected in garden ground and flatted and terraced developments, most notably directly opposite the application site at 9 Barnton Avenue West (application reference: 18/09541/FUL). The character of the surrounding area is therefore varied, with a vast range of architectural style and scale.

The site is currently overgrown and does not make a positive contribution to the character or appearance of the area. The proposal aims to draw on the surrounding characteristics to ensure the development integrates well with the wider area. The retention of mature landscaping on the northern boundary will ensure the streetscape is not hugely altered, with a contemporary development nestled behind the positive frontage to Barnton Avenue West.

The main block to the south of the site ranges from two storeys to four storeys in height, with the top storey set back and recessed to reduce the overall scale and mass whilst achieving density and good design quality. The natural topography of the site also allows for the built form to be higher in this southern part of the site, as it slopes four metres down from Barnton Avenue West. This lower level in the southern section of the site helps to absorb the impact and density of the main block. The overall scale of the building is such that, the horizontal massing of the top storey has been broken down to ensure the scale is appropriate, with enhanced articulation on both the elevational and roof design. The proposal also benefits from extensive existing mature landscaping on the site boundaries which provides natural screening, from both Barnton Avenue West and the Royal Burgess Golf Club.

The design of this block has evolved throughout the planning process and whilst this design has four storeys, this has allowed for a smaller footprint for the block resulting in additional open space, landscaping, and a greater distance from neighbouring properties. In addition, the existing mature landscaping allows the height of the block to be visually contained and integrated within the surrounding context.

The smaller block to the north west of the site is three storeys in height and will host 10 apartments. Similar to the main block this has recessed sections with a set back upper storey. A further two units are proposed in the north east corner, providing four semi-detached houses of a similar contemporary design.

The proposed design is contemporary whilst incorporating traditional design qualities. Varying building heights and recessed elements provide interest to the built form. With regards to the height and scale of the main block, the upper floor has been further set back with enhanced roof articulation in the revised scheme on all four elevations to soften the visual impact. Whilst not a notable characteristic of the area, the flat roof design and change in materials assists in visually absorbing the height of this block.

The proposed materials are largely white render and stone coloured brick, with grey cladding features. Dark grey windows and galvanised railings and balconies are also proposed. It is considered that the proposed materials are reflective of their context and acceptable.

LDP Policy Des 7 (Layout Design) requires new development to have a comprehensive and integrated approach to the layout whilst enhancing site connectivity.

The proposed layout respects the existing building lines directly to the east and west of the site. The access road and parking form the central spine of the site but it is considered this is the most direct approach and allows for additional landscaping throughout the site.

LDP Policy Hou 2 (Housing Mix) emphasises the importance of providing a wide range of house sizes and types on development sites.

Whilst the proposal provides a specialist type of accommodation, exclusively for those over 55 years of age, a range of houses and flatted blocks are proposed to ensure a variety of unit types.

LDP Policy Hou 4 (Housing Density) seeks appropriate densities on development sites, having regard to the surrounding area.

The proposed density equates to 25 units per hectare, based on the application site boundary of 1.92 hectares. Whilst this is higher than the average density within the surrounding area, it is not dissimilar to recent flatted developments within close proximity. Historically the site was occupied by a single detached dwelling but it is considered that the site can accommodate the proposed density without having a detrimental impact on the spatial character of the surrounding area, which is already diverse. The site is large enough to accommodate the 48 units as proposed, whilst maintaining the existing boundary landscaping and offering open space within the development proposals.

The Design Brief for Barnton Avenue West (2004) sub-divides the street into four different zones and sets specific development aims for the street as a whole. It is considered that this Design Brief is out of date and has been superseded by the Edinburgh Design Guidance.

### c) Flooding and Drainage

LDP Policy Env 21 (Flood Protection) ensures that any new development does not result in increased flood risk for the site being developed or elsewhere.

This site and the surrounding area have an historic surface water flooding issue which arises from the existing culvert being in poor condition structurally with considerable capacity issues, particularly downstream of the site where the diameter of the culvert reduces significantly. A large part of the catchment area draining to the watercourse comes from within the golf course, although there is also contribution from some urban areas to the east of the site. Model results show that the culvert is unable to convey the estimated 1 in 200-year flood event, and the excess flows unable to enter the culvert flow overland along the line of the culvert and enter the southern part of the site.

City of Edinburgh Council are aware of the flood risk to existing properties and the poor condition of the culvert with historical plans to improve the capacity of the culvert. However, the timeframe of such work is not considered to be in the near future and resources are currently prioritised elsewhere.

The proposed mitigation is to divert the culvert along the edge of the golf course which borders the application site, capturing flood waters in the golf course and route it around the section of poor condition culvert to re-connect with the existing storm drainage system on Whitehouse Road. Furthermore, additional flood storage within the golf course is proposed which will be produced by raising land close to the existing golf tees and along the edge of the golf course. This package of mitigation measures will reduce the flows in the culvert between the golf course and Whitehouse Road, decreasing the risk of flooding to existing properties and allowing appropriate discharge to the culvert from the site and surrounding properties.

As the culvert route goes through a functioning golf course, the applicant has a specific time period during winter months to undertake the work. Whilst the work is being undertaken, the applicant will ensure the culvert remains in its current operational state until the diversion is complete. No on-site operations will affect the existing culvert's current performance, ensuring the situation is not made worse during construction. No new on-site drainage will be connected to the existing culvert and a surface water management plan will be developed prior to commencement on site to ensure that there is no detriment to the existing culvert and water environment from the development site. A suitable condition encompassing this has been recommended.

Scottish Environmental Protection Agency (SEPA) have been consulted on this application and support the proposed culvert diversion as it will provide betterment to existing, neighbouring properties by significantly reducing the flood risk in the area.

Whilst Edinburgh's Water Vision seeks for the conveyance, attenuation and storage of storm water above ground, this site is problematic due to existing culvert and flooding problems.



The proposed underground tanks and associated culvert diversion is the best solution to resolve the existing flooding issues for both the development site and surrounding properties.

It is considered that the proposals comply with LDP Policy Env 21.

The application site boundary contains part of the golf course to encompass the drainage proposals. Therefore LDP Policies Env 10 (Development in the Greenbelt and Countryside), Env 15 (Sites of Local Importance), Env 18 (Open Space Protection) and Env 19 (Protection of Outdoor Sports Facilities) are applicable.

It is the drainage works only that will physically encroach on the golf course and its sensitive location, providing long term benefits and enhancing surface water flood protection for the surrounding area and therefore the proposals do not conflict with the relevant natural environment policies noted above.

#### d) Transport and Access

LDP Policy Tra 2 (Private Car Parking) and Tra 3 (Private Cycle Parking) ensures that private car parking and cycle parking in new developments complies with and does not exceed the parking levels set out in the Edinburgh Design Guidance.

The proposal seeks to provide 48 communal car parking spaces which includes five disabled bays. A minimum of eight EV charging parking bays should also be required and an informative has been applied in relation to this. Representations were received raising concerns about the lack of parking and potential for cars to overspill park on Barnton Avenue West. However, in line with the Council's Parking Standards for Zone 3, the number of parking spaces have been reduced further (from 50 spaces to 48) to ensure compliance with the guidance. Similarly, SCOTS National Road Development Guide specify parking standards for retirement accommodation and suggest 1 space per dwelling as an appropriate provision.

A total of 44 cycle parking spaces will be provided within the main block, to the west of the main entrance. In line with the Guidance, 88 secure cycle spaces would usually be required in this zone, however given the demographic of the potential future residents the proposal of one space per flat is considered acceptable. Scooter parking will also be available in this location.

One main vehicular and pedestrian access is provided from Barnton Avenue West, consistent with numerous private accesses on this residential street. The access will link into the existing cycle network, National Cycle Route 1 which routes along Barnton Avenue West directly past the application site.

The site location provides good access to public transport. Bus stops serving the city centre are located on Whitehouse Road, some 280 metres from the site access. Lothian Buses Service 41 serves this bus stop every 15 minutes (weekday) into the city centre.

A Transport Assessment has been submitted in support of the application. This is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network.

The development is expected to generate a two-way vehicular trip of 8 and 12 respectively for the morning and evening peak periods. Due to the nature of the development and demographic of future residents, it is estimated that there will be a lack of commuting activity at peak times with generally a lower trip rate spread throughout the day.

The transport, parking and access proposals are satisfactory and accord with LDP Policies Tra 2 and Tra 3.

#### e) Landscape, Trees and Biodiversity

LDP Policy Env 12 (Trees) ensures there is no unnecessary damage to any trees or woodland worthy of retention.

The site has established mature landscaping on all four of its boundaries, as well as within the site. The proposal seeks to retain a large majority of the boundary landscaping to ensure the site is well screened and retain the biodiversity value.

The supporting Tree Survey for the development site recorded a total of 93 trees, with a large concentration of these on the southern boundary. This includes 10 Grade A trees and 39 Grade B trees. A separate Tree Survey has been submitted for the land within the Royal Burgess Golf Course which forms part of the application site and identifies 110 trees in total.

To accommodate the development, trees need to be removed and this is set out in the Tree Removal Plan submitted in support of the application. A total of 60 trees are proposed for removal to accommodate the development and storm drainage works within the golf course, including those trees recommended for removal for safety reasons. The proposed tree removals include seven Category A trees, 23 Category B trees, 18 Category C trees and 12 Category U trees. The proposal includes 53 replacement trees to be planted, using a variety of native species.

It is considered that the loss of mature trees is suitably compensated by the new planting proposed and the proposal therefore is in accordance with LDP Policy Env 12.

LDP Policy Des 8 (Public Realm and Landscape Design) supports proposals where all external spaces, and features, including streets, footpaths, green spaces and boundary treatments have been design as an integral part of a scheme as whole.

Given the importance of landscaping on this site, it is recommended that a condition be attached to confirm all hard and soft landscaping details prior to the development commencing.

LDP Policy Env 16 (Species Protection) ensures that development has no adverse impact on species protected under European or UK Law unless there is no alternative and suitable mitigation is proposed.

An Ecological Assessment has been submitted by the applicant which concluded that there are no matters in relation to protected species which would preclude development on this site, with negligible adverse impacts on biodiversity.

In addition, the applicant has proposed biodiversity enhancements in the form of dead wood piles, native hedge planting, wildflower areas and bat boxes. However, as there will be significant tree and vegetation loss, a condition regarding breeding birds is proposed

The proposal complies with LDP Policy Env 16.

#### f) Amenity

LDP Policy Des 5 (Development Design - Amenity) states that development will be permitted where the amenity of neighbouring development is not adversely affected. In terms of daylight, sunlight, privacy and outlook, the Edinburgh Design Guidance sets out criteria to ensure that these amenity factors are protected when new developments are proposed.

Two residential properties border the application site on the western boundary and one residential property to the east. The dwelling to north west of the application site is within 18 metres of the proposed 3 storey block. However, this existing dwelling has no windows on its eastern elevation and is well screened by existing mature landscaping. Furthermore, the applicant has submitted an addendum to the Planning Statement providing an assessment for daylighting, overshadowing and privacy which confirms there will be no detrimental impact on the neighbouring daylight, overshadowing or privacy.

The proposed development complies with the daylighting, overshadowing and privacy set out in the Edinburgh Design Guidance and LDP Policy Des 5 and will not result in an adverse impact on neighbouring amenity.

LDP Policy Hou 3 (Private Green Space in Housing Development) ensures that all new developments will provide adequate private green space for the amenity of future residents. The policy requires that 10 square metres per flat should be provided in communal areas for flatted blocks, and a minimum of 20% of the total site area should be useable greenspace.

The applicant has confirmed that over 120 square metres of communal open space is proposed for each flat and over 60% of the site (excluding the part within the golf course) will be useable open space. Therefore the proposal complies with LDP Policy Hou 3.

The Edinburgh Design Guidance sets out the minimum internal floor area for new developments. All of the proposed units comply with these.

#### g) Archaeology

LDP Policy Env 8 (Protection of Important Remains) and Env 9 (Development of Site of Archaeological Significance) ensures that development does not have an adverse impact on archaeological features.

The proposed development will require significant groundbreaking and landscaping works associated with the construction of dwellings and landscaping. Such works given the sites location have the potential for disturbing significant remains associated with the development of Barnton House and possibly the medieval estate of Cramond Regis. It is recommended therefore that a programme of archaeological excavation is undertaken prior to the development. A suitable condition has been recommended.

The proposal complies with LDP Policies Env 8 and 9.

#### h) Infrastructure Contributions

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

#### *Affordable Housing*

LDP Policy Hou 6 (Affordable Housing) states that residential developments consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units. In accordance with Scottish Planning Policy and the LDP, affordable housing may not be required in some instances where specialist housing is proposed. However, this proposal includes houses and flats built and marketed for sale or rent to a particular age group, but the age of owners or tenants does not make them a materially different land use and therefore it is common practice to seek affordable housing for sheltered housing proposals.

The applicant has proposed to deliver the affordable housing provision contribution through as off-site land transfer at Scotstoun Avenue, South Queensferry. This is in the same ward as the current application. A planning application to develop 16 flats on the site has been submitted (application reference: 21/00518/FUL) and is currently being assessed.

The Council's planning guidance on Affordable Housing sets out that if options for on-site delivery have been explored but are not viable, then a proposal for delivery on an alternative site can be considered.

The applicant has identified high construction costs associated with the scheme as the most significant factor in meaning that on-site delivery would not be viable. The applicant has submitted a detailed cost plan which identified a cost per unit of around £228,494. The cost plan has been reviewed by a third-party cost consultant and the submission is in line with current market trends. It is noted that around £46,000 of the per unit cost comes from abnormal costs, including from drainage, flooding and culvert-related matters.

A build cost of around £130,000 - £160,000 per unit is what would normally be expected for a project to be viable to an RSL. The funding gap is therefore significant and the use of any commuted sums or additional grant funding to bridge this gap would not represent value for money, particularly because an alternative site has been identified.

It is accepted that the nature of the development, and the high construction and abnormal costs are exceptional reasons that could justify the delivery of the affordable housing requirement on an alternative site.

The land should be transferred to the Registered Social Landlord (RSL) prior to commencement of the principal development and in line with the provisions of the Council's model legal agreement i.e. serviced and remediated land to be transferred at nil value. The off-site affordable housing contribution could be delivered quicker than if it was to be part of the principal development.

The proposed 16 affordable homes comprise a mix of one, two and three bedroom flats and would all be delivered as social rent.

A letter has been received from Dunedin Canmore Housing confirming their support, as the chosen RSL, for the proposals for off-site affordable housing.

Overall, the proposal to deliver the affordable housing requirement on an alternative site is in line with the expectations of LDP Policy Hou 6 and the relevant planning guidance and is therefore acceptable.

#### *Healthcare*

Whilst representations have been received concerning capacity at the local GP surgery, the LDP Action Programme does not identify an issue with existing capacity and therefore a contribution is not sought.

#### *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. Due to the type of development proposed and future demographic, a contribution towards education infrastructure is therefore not required.

#### *Transport*

The Roads Authority has requested various monies in connection with 20mph speed limits, re-determining the footway and waiting and loading restrictions. This will form part of a separate statutory regime and the monies will be paid in relation to that.

The Roads Authority has also requested provision for a car club vehicle. However, as the development complies with parking standards, this is not necessary and would therefore not comply with Circular 3/2012 on Planning Obligations.

#### i) Sustainability Criteria

LDP Policy Des 6 (Sustainable Buildings) aims to tackle the causes and impacts of climate change, reduce resource use and moderate the impact of development on the environment. The applicant has submitted an S1 Sustainability Statement Form which demonstrates that the proposal meets the essential criteria set out.

The proposal accords with LDP Policy Des 6.

### j) Representations

A total of 62 representations were received; 59 objections, two in support and one neutral comment. These are broadly summarised below:

#### **Material comments - Objection**

Principle of Development - addressed in section 3.3 a) and b):

- Proposals are not in line with the approved Design Brief for Barnton Avenue West;
- Overdevelopment;
- Approval would set the wrong precedent for future development in the area.

Placemaking and Design - addressed in section 3.3 b):

- Overall height of the development is too high;
- Development is not in keeping with existing streetscape character;
- The proposed scale and density is too high in an area which is largely low density individual large detached houses set in mature garden grounds;
- Flat roof design is inappropriate and not typical of surrounding developments;
- Site layout does not correspond with surrounding character;
- Unsympathetic development in close proximity to the sensitive Barnton Conservation Area.

Neighbouring Amenity - addressed in section 3.3 f):

- Development would result in loss of privacy and overlooking with neighbouring properties;
- Limited inadequate screening to neighbouring properties;
- Positioning of apartment is blocks too close to neighbouring properties.

Transport and Connectivity - addressed in section 3.3 d):

- Access to the development does not accord with Edinburgh Streets Design Guidance;
- Development would result in increased traffic on Barnton Avenue West which will be detrimental to walkers and cyclists using this route (national cycle route), as well as drop off and pick up at Cargilfield Scool;
- Road safety concerns;
- Insufficient amount of parking spaces proposed on site which will lead to overspill on street parking;
- No clear indication of suitable access for emergency vehicles;
- No public transport provision on Barnton Avenue West;
- Submitted Transport Statement is deficient.

Natural Environment - addressed in section 3.3 d) and e):

- Development would destroy habitats of protected species - most notably bats and badgers;
- Loss of mature trees;
- No Woodland Management Plan proposed;
- Concerns over further congestion and consequently air quality.

Flooding and Drainage - addressed in section 3.3 c):

- Flooding proposal needs to be accepted by Golf Club.

Local Infrastructure - addressed in section 3.3 h):

- Lack of healthcare resources in area with local GP surgery operating at capacity.

Affordable Housing - addressed in section 3.3 h):

- No proposal for on site affordable housing.

### **Material comments - Support**

- Good solution proposed for outstanding flooding issue.

### **Non-material**

- The area is at risk of becoming a ghetto for the elderly;
- Cargilfield School will be impacted by this development;
- Previous application was more suitable in terms of density and design.

### **Community Council**

Cramond and Barnton Community Council were consulted as a statutory consultee and supports the provision of accommodation for elderly residents and notes that the drainage proposals will resolve local flooding issues. They have the following reservations:

- Capacity of local GP surgeries; addressed in section 3.3 h);
- Lack of parking; addressed in section 3.3 d);
- Layout prevents direct pedestrian access to street; addressed in section 3.3 b) and d);
- Access to cycle/ scooter parking; addressed in section 3.3 d).

### **Conclusion**

The proposal complies with the development plan and relevant non-statutory guidance. The principle of housing is acceptable on this site and will deliver a good range of off-site affordable housing within the same ward. The development will provide a solution to the existing flooding problems, providing betterment for the surrounding properties. There are no material considerations that outweigh this conclusion.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions :-**

1. No development shall take place until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis and reporting, publication, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. All flood mitigation works, including the culvert diversion, shall be constructed and operational prior to the occupation of any units and no new on-site drainage will be connected to the existing culvert. The works shall be undertaken in a manner that does not increase the existing flood risk to the adjacent properties, and as a minimum maintain the existing culvert in its current condition. The applicant shall develop a surface water management plan to be submitted to the Head of Planning prior to commencement on site to ensure that there is no detriment to the existing culvert / water environment from the development site.
3. Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the approval of the Planning Authority.
4. 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.
5. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

#### **Reasons:-**

1. In order to safeguard the interests of archaeological heritage.
2. To ensure no flooding issues are exacerbated as a result of the development.
3. In order to safeguard trees on site.
4. In order to enable the planning authority to consider these in detail.



5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
6. In order to ensure that the approved landscaping works are properly established on site.

### **Informatives**

It should be noted that:

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

These are as follows:

The provision of off-site affordable housing in the form of 16 units at the Former Agilent Technologies site, South Queensferry.

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. 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.
6. A minimum of 8 EV charging spaces required.
7. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation.

8. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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.
9. 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.
10. 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.
11. Works affecting 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>
12. 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.
13. A Method Statement for the treatment and removal of Japanese Knotweed should be submitted to the planning authority for approval prior to works commencing on site.
14. A Method Statement for the removal of trees with low bat roost potential should be produced.
15. Development will not have a significant impact on the species, but a precautionary approach is recommended, putting measures in place to ensure small mammals do not come to harm during this time; open pipes should be closed up at the end of each working day, and trenches should be covered, or a ramp provided to permit animals that fall in a means of exit, to prevent animals becoming trapped. Chemicals and materials should be stored securely.
16. The nests of all species of bird should be protected when the nests are active (Wildlife and Countryside Act 1981, as amended). Clearance of any vegetation should avoid the breeding bird season (March to August inclusive). If this is not possible a suitable qualified individual should check the areas prior to removal.

## **Financial impact**

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### **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**

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

## **Equalities impact**

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### **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**

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### **7.1 The sustainability impact has been assessed as follows:**

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

## **Consultation and engagement**

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### **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 62 representations were received; 59 objections, 2 in support and one neutral comment. These are summarised in the Assessment section of the report.

## **Background reading/external references**

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- 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**

1 February 2021

**Drawing numbers/Scheme**

01, 02, 03A, 04B, 05-09, 10C, 11, 12, 13A, 14A, 15-17,  
18A,,  
19, 20A, 21B, 22-24,

**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**

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**Relevant Policies:**

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

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

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

LDP 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 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 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 Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

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

LDP Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

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

LDP Policy Env 19 (The Protection of Outdoor Sports Facilities) sets criteria for assessing the loss of outdoor sports facilities.

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 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.

### **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.

**Non-statutory guidelines** - on affordable housing gives guidance on the situations where developers will be required to provide affordable housing.

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

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

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

# Appendix 1

## **Application for Planning Permission 21/00461/FUL At Site 90 Metres East Of , 4 Barnton Avenue West, Edinburgh Erection of retirement accommodation comprising 44 apartments and 4 dwelling houses with associated parking, drainage and landscaping arrangements.**

### **Consultations**

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#### **Archaeology**

site lies within the grounds of the former site of Barnton House (Cramond Regis), demolished in the early part of the 20th century. This house originally stood to the northeast of this property centred upon No.'s 13 & 31 Barnton Avenue West and was formally known as Cramond Regis, taking its later name of 'Barnton House' from the original which stood c.1km further to the east until it was demolished during the 1st half of the 19th century. Barnton/Cramond Regis House is depicted in John Wood's The ancient and modern state of the Parish of Cramond, published in 1792, as a substantial storey L shaped mansion and probably dates from the late 16th/17th century.

It is also likely that the site was formed part of the important medieval crown estate of Cramond Regis referred to in charters dating from 1391 onwards. The 1st edition OS map of the estate indicates that the site lies on or close to a large group of outbuildings associated with house.

Based on the historical and archaeological evidence the site has been identified as occurring within an area of potential archaeological significance. Accordingly, this application must be considered under terms of Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, HES's Historic Environment Policy for Scotland (HEPS) 2019 and CEC's Edinburgh Local Development Plan (2016) Policies ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

The proposed development will require significant groundbreaking and landscaping works associated with the construction of dwellings and landscaping. Such works given the sites location have the potential for disturbing significant remains associated with the development of Barnton House possibly also the earlier medieval estate of Cramond Regis. It is recommended therefore, that a programme of archaeological excavation is undertaken prior to development in order to fully excavate, record and analysis any significant buried remains affected by groundbreaking.

This will see a phased archaeological programme of works the initial phase being the undertaking of an archaeological evaluation of the site (10%). The results of this

evaluation will allow for the production of detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains prior to construction. Depending on the results of the evaluation a programme of public engagement information boards, public viewing etc may be required to be undertaken during subsequent phases of archaeological work.

It is recommended that the following condition be attached to permission, if granted, to ensure that this programme of archaeological works is undertaken either prior to or during construction.

'No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

## **Flood Planning**

1. *Could the applicant please provide a signed copy certificate A1 covering the Drainage proposals?*
2. *Please provide a SWMP checklist. A copy of the checklist can be found at the link below. The checklist provides a summary of the information provided to support this application.*
  - o <https://www.edinburgh.gov.uk/downloads/file/22712/surface-water-management-checklist>
3. *Please identify existing and proposed ground level surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outside of the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. First, to understand if there is any significant re-direction of surface flows to surrounding land. Second, to identify if surface water will flow towards property entrances and sensitive receptors. It would be useful to understand how the proposed bund changes overland flow paths.*
4. *An underground surface water storage tank is proposed. Could the applicant please confirm that above ground surface water attenuation and treatment features are not feasible. Above ground features that are integrated into the landscape, such as raingardens and basins, allow for easier maintenance and identification of potential reduction in storage capacity or blockages. SuDS features that encourage evapotranspiration and infiltration also have the potential to reduce the volume of surface*



*water discharging from the site. We are also keen to see SuDS features that encourage wider benefits such as biodiversity improvements.*

*5. The drainage calculations identify some flooding from the surface water network during a 1:200-year+40%CC 15-minute winter storm. Please confirm that this flood volume can be safely managed on site, without posing a flood risk to the proposed or neighbouring properties.*

*6. Regarding the proposed culvert diversion, has an open channel been considered as opposed to a culvert?*

*7. The diversion, bund and proposed golf course attenuation should be constructed prior to the development of the site.*

### **Flood Planning updated**

*To facilitate the diversion of the culverted watercourse through the Royal Burgess Golf Course it is necessary to undertake these works through the winter months and if any delays occur this may not be completed until the following year. All flood mitigation works, including the culvert diversion, shall be constructed and operational prior to the occupation of any units and no new on-site drainage will be connected to the existing culvert.*

*The works shall be undertaken in a manner that does not increase the existing flood risk to the adjacent properties, and as a minimum maintain the existing culvert in its current condition. The applicant shall develop a surface water management plan prior to commencement on site to ensure that there is no detriment to the existing culvert / water environment from the development site.*

### **Cramond+Barnton Community Council**

#### *Summary of Cramond+Barnton Community Council's Submission*

*The Community Council supports provision of accommodation for elderly residents and notes that the drainage proposals will resolve local flooding issues. The CC has reservations regarding -*

*a. The capacity of local GP services to cater for additional elderly residents*

*b. Any reductions the Council may consider applying to parking provision - given potential mobility needs of elderly residents, the distance from Barnton shops and need to minimise on-street parking - especially as Barnton Avenue West is a key part of two National Cycle Network routes. Suggestions for underground/undercroft parking have been ignored by the applicants.*

*c. The layouts of parking, footways and specimen trees prevent direct pedestrian access between the main residential block and Barnton Ave. West and potential hazards to pedestrians. There is no continuous footway on the east side of the access road.*

d. *The entrance to the cycle/mobility scooter stores should have a separate external access, rather via the entrance lobby and hallway.*

*The Community Council supports, in principle, the provision of additional residential accommodation for elderly people given the current and forecast growth of this demographic. It welcomes, also, the pre-application consultations by Juniper residential, which have resulted in some amendments to the developers' plans.*

*In general, the Community Council supports the proposals and notes that the drainage proposals will help to resolve long-standing, periodic, flooding issues within and adjacent to the site.*

*The CC wishes to draw the planning authority's attention to the CC's reservations about the following aspects -*

a. *It is essential that the Planning Service works closely with the health and care authorities to monitor the growth of care homes, retirement estates and similar developments in areas such as Cramond, where local GP practices are already operating at/over-capacity, and ensures that sufficient facilities are available to cater for the residents of such properties, who often have higher than average medical and personal care needs;*

b. *Given the elderly and relatively affluent characteristics of likely occupants and their visitors and their potential use of services, such as cleaners, tradesmen and shopping deliveries, it is essential that sufficient parking space is provided on-site. The Community Council suggested the provision of underground or undercroft parking, but this has not been provided. In order to minimise residents'/visitors' parking on Barnton Avenue West and potential conflicts with cyclist on the popular National Cycle Network routes using this road, the Community Council strongly recommends that the City Council accepts the 50 proposed parking spaces, or, preferably, provision of additional on-site parking spaces.*

c. *Concerns, previously mentioned to the applicants by the Community Council, regarding pedestrian movements and safety within the development have not been satisfactorily met. The layouts of parking spaces and footways and positioning of specimen trees, results in -*

o *Potential safety hazards for elderly and less mobile pedestrians using the footway on the west side of the main access road, who will need to detour around parked cars and leave the footway, where a tree is planted, to cross the access road.*

o *Lack of a direct and continuous footway on the east side of the access road between the main accommodation building and Barnton Avenue West.*

d. *For users' convenience and cleanliness, it would be advisable for the cycle/mobility scooter stores to have a separate external access, rather than access via the main entrance lobby and hallway.*

*Representatives of the Community Council will be please to discuss any of the above matters with Council staff and look forward to your positive consideration of the issues outlined.*

## **Roads Authority Issues**

*The application should be continued.*

*Reasons:*

- I. The proposed 50 car parking spaces breaches the Council parking standards which could allow a maximum of 48 spaces in Zone 3;*
- II. Footway required on both side of the site access. The proposed footway on the west side should be direct. The proposed footway is indirect and compromised by car parking spaces;*
- III. Continuous raised crossing with tight junction corner radii is required for the site access to promote pedestrian and cycle friendly crossing;*
- IV. The proposed design is dominated by car parking spaces/hardstanding and is contrary to the principles of Edinburgh Design Guidance which requires that in all new development parking should not dominate the street scene;*
- V. A minimum of 88 secure cycle parking spaces required for the proposed development in Zone 3 and the applicant is required to demonstrate by design the minimum cycle parking spaces required can be achieved;*

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

- 1. The applicant will be required to:*
  - a. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*
  - b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
  - c. Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit on Barnton West Avenue, 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;*
  - d. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of a car club vehicle in the area;*
- 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 applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;*

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

5. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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 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. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;

Note:

a) A transport statement has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The development is expected to generate a two-way vehicular trip of 8 and 12 respectively for the morning and evening peak periods. The submitted document is generally in line with the published guidelines on transport assessments.

b) Visibility splay of 2.4m by 43m is achievable for the site access junction;

c) Barnton Avenue West form part of the National Cycle Route 1;

- d) *Lothian service 41 along whitehouse Road with weekday service frequency 15 minutes;*
- e) *Toucan crossing on whitehouse Road to provide safe crossing.*

### **Roads Authority Issues updated**

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. The applicant will be required to:
  - a. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
  - b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
  - c. Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit on Barnton West Avenue, 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;
  - d. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of a car club vehicle in the area;
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;
3. A minimum of 44 secure cycle parking spaces is required for the proposed development (see note c below);
4. A minimum of 8 EV charging spaces required;
5. Continuous footway to be provided at the site access junction;
6. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;
7. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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;
8. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

9. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;

10. Works affecting 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>

11. 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) A transport statement has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The development is expected to generate a two-way vehicular trip of 8 and 12 respectively for the morning and evening peak periods. The submitted document is generally in line with the published guidelines on transport assessments.
- b) The proposed 48 car parking spaces including 5 disabled bays complies with the Council parking standards for the proposed development in Zone 3;
- c) A minimum of 88 secure cycle parking is required for the proposed development but given the age of prospective tenants, 44 cycle spaces (1 space per flat) is considered acceptable;
- d) The layout has excessive hardstanding due to provision of car parking spaces and it is considered that the design layout does not fully accord with the principles of Edinburgh Design Guidance;
- e) Visibility splay of 2.4m by 43m is achievable for the site access junction;
- f) Barnton Avenue West form part of the National Cycle Route1;
- g) Lothian service 41 along whitehouse Road with weekday service frequency 15 minutes;
- h) Toucan crossing on whitehouse Road to provide safe crossing.

### **Roads Authority Issues updated**

*No objections to the application subject to the following being included as conditions or informatives as appropriate:*

1. *The applicant will be required to:*

- a. *Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*
  - b. *Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
  - c. *Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit on the proposed vehicular access;*
  - d. *In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of a car club vehicle in the area;*
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;*
  3. *A minimum of 44 secure cycle parking spaces is required for the proposed development (see note c below);*
  4. *A minimum of 8 EV charging spaces required;*
  5. *Continuous footway to be provided at the site access junction;*
  6. *The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;*
  7. *In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of 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;*
  8. *The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;*
  9. *Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;*
  10. *Works affecting 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>*
  11. *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) A transport statement has been submitted in support of the application. This has been assessed by transport officers and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The development is expected to generate a two-way vehicular trip of 8 and 12 respectively for the morning and evening peak periods. The submitted document is generally in line with the published guidelines on transport assessments.*

*b) The proposed 48 car parking spaces including 5 disabled bays complies with the Council parking standards for the proposed development in Zone 3;*

*c) A minimum of 88 secure cycle parking is required for the proposed development but given the age of prospective tenants, 44 cycle spaces (1 space per flat) is considered acceptable;*

*d) The layout has excessive hardstanding due to provision of car parking spaces and it is considered that the design layout does not fully accord with the principles of Edinburgh Design Guidance;*

*e) Visibility splay of 2.4m by 43m is achievable for the site access junction;*

*f) Barnton Avenue West form part of the National Cycle Route 1;*

*g) Lothian service 41 along whitehouse Road with weekday service frequency 15 minutes;*

*h) Toucan crossing on whitehouse Road to provide safe crossing.*

### **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.*

*I have looked at the drawings provided and we would require further input to the points raised below in conjunction with our current instruction for architects and developers guidance, available at <https://www.edinburgh.gov.uk/wasteplanning> , to ensure waste and recycling requirements have been fully considered.*

*1. Please provide a scaled plan of the bin store, showing the allocation (below) in place and door opening sizes Etc, confirming with our guidance.*



*Based on 44 flats you would require the following amount of waste containers -*

*6x 1280L Domestic  
4x1280L Dry Mixed Recycling  
2x 660 Glass  
2x 500L Food*

*The 4 houses would get Individual wheelie bins, please ensure that there is storage on each premises for the following.*

*1 x 140 Domestic  
1x240 Recycling  
1x 240 Garden Bin  
1x 55l Blue box  
1 x Food Waste Caddy*

*In view of these factors I would ask that the Architect/developer contact the officer for the area directly Claire Bolton (CC'd above) [Claire.Bolton@edinburgh.gov.uk](mailto:Claire.Bolton@edinburgh.gov.uk) or [waste@edinburgh.gov.uk](mailto:waste@edinburgh.gov.uk) at the earliest point to agree their options so that all aspects of the waste & recycling service are considered.*

## **Waste Services updated 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.*

## **SEPA response**

the basis that Drawing E12068/0902 Rev D forms part of the planning application and any planning permission, we have no objection to planning application 21/00461/FUL.

The proposed culvert diversion will provide a betterment to existing, neighbouring properties by reducing significantly the flood risk in the area. We are supportive of providing betterment to existing developments. Drawing E12068/0902, Revision D, indicates there are no 90 degree bends within the realigned culvert and, therefore, we have no objection to the proposed development on flood risk grounds.

As mentioned in earlier correspondence, we agree with the City of Edinburgh Council flood protection officer's comments that this diversion should be completed before any units are occupied.

## **Affordable Housing response**

### *1. Introduction*

*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 44 apartments and four houses and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (12) homes of approved affordable tenures.*

*The development will deliver housing for people aged 55 or over. The entire scheme will be developed as a single retirement complex with all facilities and services within the main block and grounds, including the services of a daytime house manager, available to all residents as part of a wider service agreement.*

*Although, the proposal is for a development for people aged over 55 with shared facilities the requirement for affordable housing remains. The applicant has proposed to deliver the affordable housing contribution through an off-site land transfer on a site in South Queensferry.*

*For applications of 20 or more units, the Council expects the 25% affordable housing contribution to be delivered on-site. More than 9 out of every 10 applications have affordable housing delivered onsite. However, the Council's planning guidance on 'Affordable Housing' sets out that if options for onsite delivery have been explored but are not viable, then a proposal for delivery on an alternative site can be considered.*

*The guidance sets out the circumstances that an off-site land contribution can be accepted, which will be considered below:*

- a) There are exceptional reasons to avoid on-site provision;*
- b) An agreed mechanism to deliver the requisite number of affordable units in the same area of the city is in place;*
- c) The proposed alternative site meets an equally satisfactory contribution to meeting unmet local housing needs.*

### *Exceptional reasons*

*For the affordable housing be delivered on-site and integrated to the main development it would have to align with the over 55 model to avoid management issues between the two parts of the development. The applicant did contact RSLs about the project, but the proposed scheme was not a viable option for cost reasons set out below. Housing*

*Management and Development asked the applicant to consider if the apartment block proposed for the front of the site could be redesigned to provide separate on-site affordable housing but a viable on-site solution was not forthcoming.*

*The applicant has identified high construction costs associated with the scheme as the most significant factor in meaning that on-site delivery would not be viable. The applicant has submitted a detailed cost plan which identified a cost per unit of around £228,494. The cost plan has been reviewed by a third-party cost consultant and the submission is in line with current market trends. It is noted that around £46,000 of the per unit cost comes from abnormal costs, including from drainage, flooding and culvert-related matters.*

*A build cost of around £130,000 - £160,000 per unit is what would normally be expected for a project to be viable to an RSL. The funding gap is therefore significant and the use of any commuted sums or additional grant funding to bridge this gap would not represent value for money, particularly because an alternative site has been identified.*

*It is accepted that the nature of the development, and the high construction and abnormal costs are exceptional reasons that could justify the delivery of the affordable housing requirement on an alternative site.*

#### *Delivery mechanism*

*The applicant has identified an alternative site for affordable housing delivery in South Queensferry which is in the same ward as the principal development site. The land should be transferred to the RSL prior to commencement of the principal development and in line with the provisions of the Council's model legal agreement i.e. serviced and remediated land to be transferred at nil value. The off-site affordable housing contribution could be delivered quicker than if it was to be part of the principal development.*

#### *Contribution to meeting local housing needs*

*The alternative site is part of the recent development of the former Agilent site in South Queensferry. A planning application to develop 16 flats on the site has been submitted (21/00518/FUL) and is currently being assessed.*

*If planning permission is granted, the delivery of 16 flats will exceed the principal site's requirement to deliver 12 affordable homes.*

*Although 16 affordable homes is what would be required when considering the 64 homes in total to be delivered across the two sites, if the 16-unit development was a stand-alone proposal it might have been too small for an RSL to deliver on-site. Payment of a commuted sum might have been proposed instead. The off-site proposal may therefore deliver four extra affordable homes than would otherwise have been achieved.*

*The applicant has engaged with a RSL to deliver the 16 affordable homes. The 16 homes comprise a mix of one, two- and three-bedroom flats which is a good mix and will help to meet a range of local housing needs. The proposal includes two larger three bedroom flats on the ground floor which will suit larger families. The site is close to Dalmeny train station and other local amenities.*

*The Council aims to secure 70% of new affordable housing for social rent. The RSL has indicated that all of the 16 homes would be delivered as social rent. The design of affordable housing will be informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides and we require that applicants work with the Council and the RSL to achieve this.*

### *3. Summary*

*NOTE: A decision on the affordable housing aspect of this application should not be taken until it has been determined that planning permission for application 21/00518/FUL will be granted. This is to give the Council confidence that the required number of affordable homes can be delivered on the alternative site.*

*The development will deliver 48 homes for people aged 55 or over. The affordable housing requirement for this development is 12 units. The applicant has proposed to provide the 25% affordable housing requirement on an alternative site which can accommodate 16 homes. The alternative site is to be remediated and serviced and transferred to a RSL at nil value. This will be secured by a Section 75 Legal Agreement.*

*The applicant has justified not delivering on-site affordable housing as high construction and abnormal site costs means that it would not be viable for a RSL to deliver.*

*The alternative site is within the same ward, can be delivered quickly, and will meet an equally satisfactory contribution to meeting local housing needs. It will potentially deliver more affordable homes than would have been achieved if an on-site solution was possible. The applicant has engaged with a RSL who is supportive of the proposal and seeks to deliver 100% social rent.*

*Overall, the proposal to deliver the affordable housing requirement on an alternative site is in line with the expectations of the relevant planning guidance and is therefore accepted by Housing Management and Development.*

## Location Plan

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