

Development Management Sub Committee

Wednesday 2 March 2022

Report for forthcoming application by

E&A Partnerships Ltd & Niddrie Development Company Ltd. for Proposal of Application Notice

22/00112/PAN

at land south of 26 Cleikiminrig, Edinburgh.

Residential development with associated landscaping, vehicular link route, active travel route, SUDS, infrastructure, engineering works including removal of on-site material, and other ancillary works.

Item number

Report number

Wards

B17 - Portobello/Craigmillar

Summary

The purpose of this report is to inform the Development Management Sub-committee of a forthcoming application for planning permission in principle for proposed residential development with associated infrastructure, vehicle link route, active travel route, SUDS, engineering works and landscaping.

Links

Coalition pledges

Council outcomes

Single Outcome Agreement

Recommendations

- 1.1 It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

Background

2.1 Site description

The application site is 6.39 hectares of vacant and derelict land between The Wisp to the west, Whitehill Road to the east, Cleikiminrig to the north and fields within Midlothian Council area to the south. The site was previously a former colliery coal heap known as the Niddrie Bing. The cap to a major vertical mine shaft lies at the south-west corner of the site. The site has largely been unmaintained since the 1980s and now contains an undulating landscape due to its previous use, with trees and bushes on the outer edges of the site, in a diagonal band across the centre in the area of lower ground with more semi-mature trees at the eastern boundary of the site. There are overhead powerlines at the eastern boundary of the site. There appears to be vehicle access at the east of the site from Whitehill Road and the wider Edinburgh Fort Kinnaird Retail Park.

2.2 Site History

31 January 2007 Planning permission minded to grant for proposed residential development (as amended) subject to the conclusion of the legal agreement. The legal agreement was not concluded, the application considered a legacy case and was withdrawn in February 2014.

Main report

3.1 Description of Proposal

The proposal is for planning permission in principle for residential development, with landscaping, vehicular link route, active travel route, SUDS, infrastructure, engineering works and other ancillary works including the removal of on-site material. No further details on the proposal are submitted at this time with the proposal of application notice.

3.2 Key Issues

The key considerations against which the eventual application will be assessed include whether:

- (a) the principle of development is acceptable in this location;
- (b) the site can be fully remediated;
- (c) the design, scale and layout are acceptable within the character of the area and the proposal complies with the Edinburgh Design Guidance;
- (d) the access requirements and active travel links are acceptable in terms of road safety and public transport accessibility and
- (e) There are any other environmental factors that require consideration.

(a) the principle of development is acceptable in this location

The site is located within the urban area as defined by the Edinburgh Local Development Plan (LDP) (2016). The acceptability of the proposal at this location in principle will be considered in the context of LDP policy Hou 1 (Housing Development) which supports housing in the urban area subject to compliance with other relevant policies in the LDP.

The LDP is now over five years old, therefore should the applicant submit a planning application prior to the adoption of City Plan 2030, consideration would also need to be given to the 13 principles of sustainable development that are outlined in Scottish Planning Policy. The emerging National Planning Framework 4 would also be a material consideration.

(b) the site can be fully remediated

As a former bing, decontamination is a principal concern. The applicant will need to undertake professional studies and site assessment to ensure that the site can be made suitable for residential development to the satisfaction of the Council in consultation with the Coal Authority.

(c) the design, scale and layout are acceptable within the character of the area and the proposal complies with the Edinburgh Design Guidance

The applicant will be required to comply with all relevant design policies within the LDP as well as non-statutory guidance where applicable (e.g. Edinburgh Design Guidance).

A Design and Access Statement will be required to support the application. An assessment of the impacts on amenity of neighbouring and future occupiers, as set out in LDP Policy Des 5 (Development Design - Amenity) is also required. This will include the requirement for greenspace provision, in accordance with LDP Policy Hou 3 (Private Greenspace in Housing Development) and a Noise Impact and Vibration Assessment should be submitted as part of the application.

The design will also be required to demonstrate compliance with the 13 guiding principles of sustainable development as outlined in Scottish Planning Policy.

(d) the access, accessibility and active travel links are acceptable

LDP transport policies, the Action Programme and Edinburgh Design Guidance, including the Edinburgh Street Design Guidance and relevant factsheets will apply to the proposal. The LDP proposes an active travel Cycleway Footpath Safeguard from The Wisp to the Fort Kinnaird link (T7) and Road Safeguard Improvement (T15) through the site from west of the Fort Kinnaird Road to The Wisp. Therefore, pedestrian permeability and connectivity through the site and beyond will be key considerations.

The applicant will be required to provide transport information including a travel plan and will need to demonstrate how the proposal complies with parking standards including service arrangements and cycle parking provision.

(e) There are any other environmental factors that require consideration

The applicant will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment. This is likely to include an environmental management plan for each phase of the works.

In order to support the application, it is anticipated the following documents will be submitted:

- Planning Statement;
- Sustainability Form S1;
- Pre-Application Consultation (PAC) Report;
- Architectural Plans;
- Design & Access Statement;
- Transport Assessment;
- Site Investigation Report;
- Engineering Report;
- Quality Audit;
- Land Remediation Strategy;
- Drainage Design;
- Flood Risk Assessment;
- Noise and Vibration Impact Assessment;
- Environmental Management Plan;
- Arboricultural Report;
- Air Quality Assessment and
- Archaeological Desktop Assessment.

As the application will fall under Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Planning Authority will be required to undertake screening to determine whether an Environmental Impact Assessment will be required.

3.3 Assessment

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received, and consultees and the public have the opportunity to comment.

Financial impact

4.1 The forthcoming application may be subject to a legal agreement.

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 This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

Sustainability impact

7.1 A sustainability statement will need to be submitted with the application.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions are taking place.

8.2 Publicity summary of representations and Community Council comments

In light of the ongoing Covid-19 situation, Scottish Government guidance on pre-application consultation makes provision for public consultation to be carried out without the need for a face-to-face public event.

Following receipt of the proposal of application notice (PAN) the applicant has given details of a dedicated project website (<https://thewispdevelopment-edinburgh.co.uk/>) where members of the public will be able to view proposals and submit comments.

An interactive consultation event was scheduled on 09 February 2022 between 3pm and 7pm. Between these times a web chat function was available on the webpage and a member of the project team was available to answer any questions. The closing day for comments via the website was 21 days after the live event (1 March 2022), and the website was live 7 days in advance of the live event.

The live event was to be advertised in the Edinburgh Evening News a minimum of seven days prior to the eventing being held; no details of the publication date are submitted at the time of writing.

The results of the consultation event(s) will be submitted with the future planning application as a Pre-application Consultation (PAC) Report.

The applicant notes in the PAN application form that they have sent a copy of the PAN to Craigmillar Community Council, Danderhall Community Council for the attention of any interested parties. Local ward Councillors Councillor Kate Campbell, Councillor Mary Campbell, Councillor Maureen Child and

Councillor Callum Laidlaw were notified on 10 January 2022. The local MP, MSP and Edinburgh Council North East Locality Office were also notified on that date. The applicant also agreed to distribute leaflets and posters to neighbouring properties and public areas.

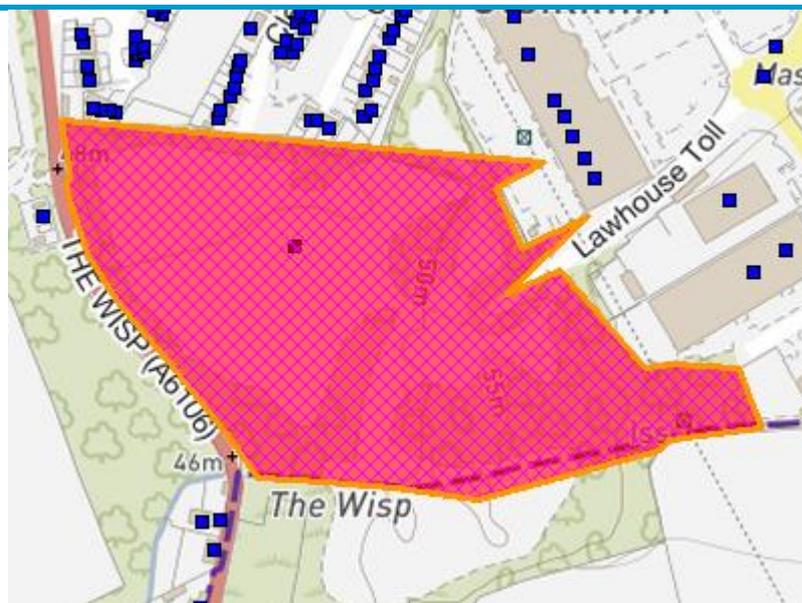
Background reading/external references

- To view details of the proposal of Application Notice go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Catriona Reece-Heal, Senior Planning Officer
E-mail: catriona.reece-heal@edinburgh.gov.uk Tel:0131 529 6123

Location Plan



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