

Development Management Sub Committee

Wednesday 11 September 2019

Application for Approval of Matters Specified in Conditions 18/10524/AMC

At Former, 9 - 21 Salamander Place, Edinburgh

Approval of Matters Specified in Conditions 1 to 17 of 16/03356/PPP for Phase 5+ of approved masterplan.

Details of residential development of ten buildings consisting 155 units (as amended)

Item number

Report number

Wards

B13 - Leith

Summary

The proposal is acceptable in principle; it accords with the LDP and complies with the principles set out within the original PPP approval. The development complies with the Edinburgh Design Guidance, with the exception of unit size and dual aspect flats, where a minor relaxation of guidance is justified. The proposal comprises a good mix of housing and is well-designed, set within a suitable landscaped areas with access to pedestrian open spaces. The development is acceptable in terms of access and parking, and cycle routes are provided. Features of historic interest are addressed or incorporated within the design. Amenity is acceptable or issues can be addressed, and potential flood issues are addressed. The remainder of the requirement for affordable housing will be provided via the phase 6 and 7 phases of the overall development, and contributions for Education and Transport infrastructure are addressed through the s75 legal agreement attached to the PPP. It is recommended that the application be approved subject to suitable conditions and informatives.

Links

[Policies and guidance for this application](#)

LDEL01, LDEL03, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN06, LEN20, LEN21, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA03, LTRA02, LTRA04, LTRA08, LTRA09, CRPLEI, NSG, NSGD02, LEN18,

Report

Application for Approval of Matters Specified in Conditions 18/10524/AMC

At Former, 9 - 21 Salamander Place, Edinburgh Approval of Matters Specified in Conditions 1 to 17 of 16/03356/PPP for Phase 5+ of approved masterplan. Details of residential development of ten buildings consisting 155 units (as amended)

Recommendations

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

Background

2.1 Site description

The site is part of a larger area formerly occupied by the White and Mackay bottling plant, now demolished. The majority of the site has been cleared and has an area of 2.8 hectares. To the south of the site are existing allotments which lead onto Leith Links further beyond to the south, and a cricket pavilion lies to the south east. To the west are earlier phases 1-4 which are currently under construction. To the north are existing commercial/ warehouse and industrial units, and to the east is land for development of phases 6 and 7.

This application site is located within the Leith Conservation Area.

2.2 Site History

30 December 2011 - Permission granted for mixed use development, including residential. This permission has been partly implemented through the development of affordable housing (application number 07/03238/FUL).

12 May 2017 - Planning Permission in Principle granted for residential and commercial development - Class 1 (Retail), Class 2 (Financial, Professional and other services), Class 3 (Food and Drink), Class 4 (Business); open space including extension to the allotment facility, and all ancillary development. The PPP granted permission for over 600 residential units over 7 phases. Phases 1 and 2 of the development were approved in detail as part of this consent (application number 16/03356/PPP).

23 November 2017 - Approval of matters specified in conditions for phases 3 and 4 of approved masterplan (application number 17/02658/AMC).

4 June 2019 - Application submitted for approval of matters specified in Conditions 1 to 17 of 16/03356/PPP for Phase 6 and 7 of approved masterplan. Development comprises four apartment blocks consisting of 151 units. Under consideration (application number 19/02664/AMC).

Main report

3.1 Description Of The Proposal

The application is for the approval of matters specified in conditions attached to the approved PPP (planning permission in principle) application. The PPP approved the general siting, height and distribution of blocks throughout the site.

The application relates to phase 5 and part of phase 6 of the overall development and comprises a total of 155 residential units in ten blocks with a mix of unit types.

The blocks are aligned in a north-south orientation as established in the PPP consent with the primary vehicular route running east - west. This route provides a central spine through the development from the main entrance on Salamander Place. Secondary roads running perpendicular to this are designed as shared surfaces that prioritise pedestrians and cyclists but also provide vehicular access for residents and service vehicles. Routes are provided to Leith Links and the existing allotments for pedestrians and cyclists and will encourage permeability through the site. A cycle route is proposed also in an east west direction.

A variety of housing types will be accommodated within the site which include flats, townhouses and colony type proposals.

The most western block is seven storeys in height and will terminate the access boulevard, acting as a marker building. It will have a flat roof and brick parapets and narrow front and back gardens. The remainder of the proposal will be lower in scale with three storey townhouses and three storey colonies which will line with the southern edge. The residential blocks will be surrounded by a mix of private gardens and large areas of open space to promote a quieter, residential environment which will help target this phase towards families.

A mix of house sizes are proposed as follows:

- *six x studio units;*
- *31 x one bed units;*
- *68 x two bed units (of which 23 are duplex units); and*
- *50 x three bed units.*

The main external material across the site will be brick in complementary shades of red and buff to add variety and to align with the earlier phases. Dark grey cladding and white render are also proposed as well as glass reinforced plastic (GRP) dormers on the townhouses and concrete roof tiles.

A total of 131 car parking spaces are proposed including 18 at level 00 in block C1. Twenty-seven electric car charging points and passive car charging points are to be provided for this development. Cycle parking for 148 bikes is proposed including those located in shared cycle stores within the western block.

The central area of the site is characterised by the landscaped green link with an area of parkland. In accordance with the PPP, the allotment extension area forms the southern boundary of the site.

An electric substation is proposed to the south east corner of the proposed park.

Scheme One

The original proposal was amended to alter the access to the allotments following discussion with allotment holders including the relocation of the electricity substation and to improve the ground floor elevations of the western block. Parking numbers have been revised to reduce car parking and increase cycle parking provision.

Supporting Documents:

In support of the application, the following documents have been submitted. These documents are available to view on the 'Planning and Building Standards Online Services'.

- Archaeological report;
- Public Art and Historic Interpretation Strategy;
- Design Statement;
- Parking report;
- Noise Assessment;
- Surface Water Management Plan; and
- Sustainability Statement.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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 development is acceptable;

- b) the character or appearance and setting of the Conservation Area is protected and enhanced;
- c) the design details and landscaping of the development are acceptable;
- d) transport issues can be adequately addressed;
- e) amenity for future and existing residents is acceptable;
- f) there are any other material issues;
- g) there will be any equalities or human rights impacts; and
- h) material representations and community council comments have been taken into account.

a) Principle of Development

The proposal is for 155 dwellings which will help deliver the housing land supply in accordance with LDP policy Hou 1. The majority of the development site is part of a larger area which is identified in the Edinburgh Local Development Plan (LDP) development proposal reference: EW 1c. The plan describes this as an opportunity for housing-led mixed use development over a number of sites. Policy Del 3 Edinburgh Waterfront states that planning permission will be granted for development which will contribute towards the creation of new urban quarters at Leith Waterfront subject to six requirements. These requirements are met in principle by this development proposal, with the exception of part e) for the provision of local retail facilities; these however are provided at earlier phases of the development.

The development principles for EW 1c include the implementation of a park extension. An area is identified as Greenspace proposal GS 3 (Leith Links Seaward Extension) in the LDP. An area of open space in the centre of the site is proposed as a pedestrian park and open space areas to meet the requirements of Greenspace proposal GS 3; it will link to the existing allotments and Leith Links to the south. The Leith Links Seaward Extension Landscape Design Study 2008 identified the opportunity for the provision of additional allotment space. The proposal includes seven new allotments in addition to the existing allotment area. The incorporation of these allotments accords with the Landscape Design Study and will be a positive contribution to the area.

The existing allotments are retained. This area of the site is allocated as Open space in the LDP and the proposal therefore accords with the LDP.

The principle of residential development has been established in planning permission 16/03356/PPP in this location and is acceptable.

b) Effect on character of Conservation Area

LDP policy Env6 permits development which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal. Development should also demonstrate high standards of design and utilise materials appropriate to the historic environment.

Leith Conservation Area Character Appraisal (extract from)

"Leith Links is the largest area of open green space in the Leith Conservation Area. The Links are intimately associated with the history of Leith...they form an attractive, large open space with tree lined avenues and walkways and are used for a whole range of recreational purposes..... An allotment area is situated on the north side.....Around the north side of the Conservation Area a harder character is maintained by victorian tenements.... The sense of containment of development is more to the west....The western side of Leith Links is surrounded by a continuous line of four storey buildings of good architectural quality and provide a strong edge to the park.....Smaller streets onto Links Place create permeability."

The position of the proposed colony style buildings to the north of the existing allotments and school provide a sense of enclosure and privacy resulting in a sensitive treatment to this edge of the conservation area. This phase of the development creates a transition from the new and existing development to the west, moving from this harder character to a more open, softer character of the park and allotments. The detailed design, layout and materials of the buildings proposed would preserve and enhance the character of the setting of this part of the Leith Conservation Area. The orientation of the buildings within this phase of the development was established within the PPP approval. The proposed allotment extension, pocket park and pedestrian park will further enhance the character and appearance of the Conservation Area by introducing extending the area of open character in the form useable and attractive amenity space.

c) Design, scale and massing

The PPP approval contains a number of detailed conditions and informatives which relate to the whole site and specifically to this application.

The park area, allotment extension and pocket park create an attractive area of open space which links though to the existing allotments and Leith Links to the south of the site. This complies with the layout and intended use approved in the PPP.

The block layout of the site is in accordance with the position of buildings approved under the PPP. The mix of flatted development, colonies and townhouses within the part of the PPP approved area introduces a plan form on a north south axis, at 90 degrees to the boundaries. This allows buildings to present gables to the school and industrial properties. This creates visual permeability to the boundaries as well as reducing potential noise nuisance from neighbouring industrial premises. The colony spatial pattern and scale creates a sympathetic edge development onto the school and allotments. The orientation of buildings, together with the design of private, semi-private and public open space is brought together with a comprehensive streetscape/landscape design.

The scale and height of the buildings are appropriate and were set at PPP approval stage. There are minor deviations from the PPP approval due to the ongoing development of the scheme. The deviations are acceptable and reasonable and are not significant in the scale of the overall development. The density and height creates an open feel to this part of the development. The scale creates a well considered relationship to the adjoining school and retains views across the site.

The lower buildings near the boundary with the school and adjoining the new greenspace retain views across the site and the lower density in this location creates a more open feel to the development. The flatted block to the west will create a positive response to the recent developments on Salamander Place. The proposed blocks in terms of their orientation, setting and heights will create a positive impact on Leith Links.

The architectural style is of simple building form with a consistent palette of materials. The design incorporates a mix of flat roofs and pitched roofs. This and the varied roof scape adds interest to the development. The proposal is in accordance with the design policies of the LDP and will have a positive and appropriate impact on the context by creating a high quality townscape.

Block C1 does not provide an active frontage but this is mitigated by landscaping and the fact that the street is overlooked on both sides by the existing building to the west and the proposed townhouses.

Open space provision for residential units is provided in the form of a mix of private gardens and the large green/amenity space in the centre of the site. The site is also close to Leith Links. Boundary treatments proposed are acceptable, and the range and density of tree and shrub species proposed to the public and private amenity areas are acceptable. A SUDs maintenance manual has been submitted with the application and is acceptable.

The AMC application includes a pedestrian/cycle route across the site from east to west as well as a route to Leith Links to accord with the PPP.

The applicant has been in discussion with representatives from the Leith Links Allotments Association; as a result of this the developers have agreed to provide a vehicular drop off adjacent to the allotments, relocate the proposed electricity substation, retain deciduous trees and relocate the previously proposed allotment composting toilet. The Leith Links Allotment Association has confirmed their acceptance of these proposed changes.

In terms of housing mix, the Edinburgh Design Guidance requires at least 20% of homes to be for families. This phase of the development provides 32% of the units with three bedrooms. In addition, there are 23 duplex two bedroomed properties proposed which meet the required size for three bedroomed units and these are considered acceptable as family accommodation. There is therefore a good mix of housing provided, with the number of family units equating to a total of 48%, well in excess of the 20% guideline.

The majority of housing units within the development meet or exceed the minimum floor areas for residential units as set out in the Edinburgh Design Guidance. The exception to this are nine one bedroomed units within block C3; these are 2sqms smaller than the recommended standard of 52sqms. This equates to 6% of the total number of units. The applicant states that these units are all dual aspect, with three of them being triple aspect. They have an open plan design to maximise habitable space and have their own front door. Two-thirds of the units have a private garden to improve the quality of the occupants amenity and those that don't have access to private gardens have access to the proposed pocket park. In addition, the public park proposed will provide a good quality amenity area for occupiers. Given these reasons, the reduced floor area for these one bedroomed units are justified.

In terms of design, scale and landscaping the proposals are acceptable.

d) Transport issues

The application has been assessed under the 2017 Parking Standards; the proposed 131 car parking spaces are acceptable as a maximum of 155 car parking spaces (1 per unit) is required. A minimum of 148 cycle parking spaces (1 space per studio unit, 2 spaces per 2/3 room unit and 3 spaces per 3+ room units are required by the Standards and 148 cycle parking spaces are proposed.

Nine accessible parking spaces are proposed and 23 EV spaces and these are both acceptable.

In terms of parking provision, the proposals are acceptable and comply with the terms of the PPP consent.

A pedestrian/cycle route across the site from east to west improves connectivity to other areas, as well as a route to Leith Links to further enhance accessibility to the south. The provision of twenty three electric car charging points and passive car charging points are acceptable and meet the Parking Standards; this will assist in reducing vehicle emissions.

In terms of parking, access and linkages the proposal is acceptable.

e) Amenity issues

A Noise Assessment has been submitted with the application which relates to the PPP. This concludes that the assessment of the noise climate during daytime and night-time suggests that the proposed development will be suitable for residential use with the provision of the following certain requirements. Environmental Protection recommend an updated Noise Assessment for this phase to ascertain whether current noise levels from existing industrial premises to the north of the site would adversely affect the amenity of future occupiers of the development. A condition is recommended to assess and implement any mitigation required to address this issue, and Environmental Protection accept this approach.

Air quality was addressed at PPP approval stage.

44% of the units in block C1 are dual aspect; this is below the minimum requirement of 50%. The whole site however provides 67% of units having a dual aspect. In addition, each apartment has its own private balcony which face east or west and provide views across the site. This is considered acceptable and mitigates against the reduced single aspect units in block C1.

A Daylighting Report has been submitted with the application. This finds that the impact on neighbouring property in terms of daylighting is acceptable. The proposed communal space, proposed allotments, and existing allotments all achieve acceptable levels of sunlight. A minor number of gardens (5%) do not achieve good sunlight. However, the building siting and heights were set at PPP stage; this is a minor infringement given the overall size of the development and the development includes a new park as well as being close to Leith Links.

The proposed site layout ensures that all units will achieve an appropriate level of privacy both within the site, and to neighbouring property.

There will be no adverse overshadowing to neighbouring property as a result of the proposed development; building siting and height was set at PPP approval stage.

f) Other material planning issues

Archaeology

Condition 3 of the PPP approval requires an archaeological written scheme of investigation (WSI) for each phase of the development; this condition remains in place for this phase of the development.

The applicant has submitted a Historic Interpretation Scheme with the application which sets out details of their proposals. The relocation of the golf plaque has been agreed and is acceptable. Its provision has been superseded by the construction of the John Rattery Statue in Leith Links; this is acceptable to the Community Council and the City Archaeologist. A gate is proposed to the allotments which is acceptable and makes reference to the WWII Dig for Victory. The proposal includes a commemorative plaque and lettering on the brick wall to the north of the park in recognition of the Ropeworks. These are acceptable details to meet the requirements of certain conditions attached to the PPP approval.

Sustainability

The applicant has submitted a sustainability statement in support of the application. The proposed development will meet current Building Standards, will be constructed on brownfield land and will meet 30% carbon reduction.

The proposal has been assessed against part B of the sustainability standards. The points achieved against the essential criteria are set out in the table below:

Essential Criteria	Available	Achieved
Section 1: Energy Needs	20	20
Section 2: Water conservation	10	10
Section 3: Surface water run off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	20
Total Points:	80	70

The proposal meets most of the essential requirements of the Edinburgh Standards for Sustainable Buildings. In terms of window materials, uPVC is proposed as this was approved in the earlier phases. The proposals will include some desirable elements. Photovoltaic panels will be installed as well as no tropical hardwood being proposed.

The sustainability measures are acceptable as proposed.

Infrastructure

Affordable housing

Policy Hou 6 of the LDP requires 25% affordable housing. The affordable housing requirement is 25% which equals 203 of the total (813 units). This site forms part of a wider site which benefits from consent which has been partly implemented through the erection of 145 affordable housing units on Salamander Place/Sailmaker Road. The legal agreement for the PPP approval (16/03356/PPP) requires the final 58 units to be completed in remaining phases and the Council's Housing and Regeneration team have approved this approach. Application 19/02664/AMC submitted on 4th June 2019 (not yet determined) proposes 151 mid-market rent homes on phases 6 and 7 of the wider site. This approach is welcomed by Affordable Housing as it will deliver in excess of the 58 affordable units required to be provided on the overall masterplan area.

In terms of affordable housing provision the requirement established under the PPP application approval will be more than fully met on completion of all phases of this development.

Education

The legal agreement for the Planning Permission in Principle secured developer contributions towards the education infrastructure in respect of alleviating accommodation pressures at schools within the Leith Trinity Education Contribution Zone. The payment procedure is set out in the legal agreement. An annual payment will be made based on the number of completions per phase.

Health

Provision for health care facilities was considered at the PPP stage. At that time it was noted that 'NHS primary care services are identified in the LDP Action Programme. At this time the requirements have not been detailed and the level of any contribution required cannot be reasonably calculated. It is anticipated that the next LDP Action Programme will identify these infrastructure requirements and funding mechanisms.'

There is no mechanism to require healthcare contributions through this AMC application.

Flooding and drainage

One of the development principles for this site states that any proposals within the area must review the flood risk assessment that was provided at PPP stage. The Councils Flood team has confirmed it has assessed the information supplied by the applicant relating to flood risk and it is satisfied minimum floor levels are required to be at least 5.4 metres AOD. SEPA has no objection to the proposals. In terms of flood risk the proposal is acceptable.

A maintenance schedule has been provided for the proposed drainage for the site; this is acceptable.

g) Equalities and Human Rights Impacts

There are no impacts in terms of equalities or human rights.

h) Material letters of representation

Material Representations - Objection:

- Parking problems - assessed in 3.3(d) and found that PPP already has been granted for the development of this site, and parking proposals are acceptable;
- Density - increase in population whilst not addressing issues of parking, schools or other amenities -assessed in 3.3(c), (d) and (e);
- Building position - buildings are too close. Assessed in 3.3(e);
- Loss of open vistas and trees. Assessed in 3.3(c);
- Noise issues from existing premises will lead to complaints. Assessed in 3.3(e); and
- Security issues - assessed in 3.3(c).

Material Representation - Support:

- The revised plans have addressed concerns raised by allotment plottolders. Assessed in 3.3(c).

Non-Material Representation:

- development encroaches onto neighbouring land.

Conclusion

The proposal is acceptable in principle; it accords with the LDP and complies with the principles set out within the original PPP approval. The development complies with the Edinburgh Design Guidance, with the exception of unit size and dual aspect flats, where a minor relaxation of guidance is justified. The proposal comprises a good mix of housing and is well-designed, set within a suitable landscaped areas with access to pedestrian open spaces. The development is acceptable in terms of access and parking, and cycle routes are provided. Features of historic interest are addressed or incorporated within the design. Amenity is acceptable or issues can be addressed, and potential flood issues are addressed. The remainder of the requirement for affordable housing will be provided via the phase 6 and 7 phases of the overall development, and contributions for Education and Transport infrastructure are addressed through the s75 legal agreement attached to the PPP. It is recommended that the application be approved subject to suitable conditions and informatives.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. Note: samples of the materials may be required.
2. The approved landscaping scheme shall be fully implemented within six months of the occupation of 100% of the residential units of the phase.
3. The park space shall be fully implemented within six months of the occupation of 50% of the residential units within phase 5 or phase 6, whichever is the sooner.
4. The pocket park and allotment extension shall be fully implemented within six months of the occupation of 100% of the residential units within phase 5 or phase 6, whichever is the sooner.
5. The approved pedestrian / cycle link through the existing allotments shall be fully implemented within 12 months of the occupation of 100% of the residential units within phase 5 or 6, whichever is the latter, or a suitable time agreed by the Head of Planning.
6. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

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

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

7. Full details of a scheme for protecting the occupiers of the residential units within this phase from traffic and industrial noise shall be submitted for consideration and approval by the Planning Authority. All works which form part of this approved scheme shall be completed to the satisfaction of the Head of Planning, prior to each residential unit being occupied.

Reasons:-

1. In order to enable the Head of Planning to consider this/these matter/s in detail.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to protect the amenity of the occupiers of the development.
4. In order to protect the amenity of the occupiers of the development.
5. In order to ensure the site has adequate sustainable transport connectivity.
6. In order to ensure the most efficient and effective rehabilitation of the site.
7. In order to protect the amenity of the occupiers of the development.

Informatives

It should be noted that:

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

4. 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:
- A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;
 - In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
 - 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;
 - 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;
 - 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 T/TP/DC/36989/CB disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;
 - 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;
 - The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 15th January 2019 and 5th July 2019. Four letters have been received three of which object to the proposal and one which comments on the proposal.

Background reading/external references

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

**Statutory Development
Plan Provision**

Local Development Plan

The site is located within area EW 1c (Leith Waterfront, East of Salamander Place) for a housing-led mixed use development. Part of the site to the east is allocated a Greenspace proposal GS 3 (Leith Links Seaward Extension). The existing allotments are allocated as an area of Open Space. The Leith Conservation Area lies to the south of the site and covers the existing allotments.

Leith Links Seaward Expansion Study 2008

The Study sets out a strategic vision for the extension of Leith Links. The vision included the reprovision of allotments.

Salamander Place Development Brief 2007

The Salamander Place Development Brief sets out key principles for developing the area in which this site is located. These include proposals providing key streets and frontages as set out in the Brief, the implementation of the park extension, provision of a cycle route, extend the existing mix of uses and provide sites for smaller industrial units.

Date registered

15 January 2019

Drawing numbers/Scheme

1a, 2a, 3b,5c,6-
10,11b,12a,12c,13,14a,15,16a,17a,18,19a,20,,
21a-23a,24b,25a,26a,27b-31b,32,

Scheme 2

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Karen Robertson, Senior Planning Officer
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Links - Policies

Relevant Policies:

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

LDP Policy Del 3 (Edinburgh Waterfront) sets criteria for assessing development in Granton Waterfront and Leith Waterfront.

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

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

LDP Policy Des 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 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

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

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

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

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

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

LDP Policy Tra 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

The Leith Conservation Area Character Appraisal emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value

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.

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

Appendix 1

Application for Approval of Matters Specified in Conditions 18/10524/AMC

At Former, 9 - 21 Salamander Place, Edinburgh

Approval of Matters Specified in Conditions 1 to 17 of 16/03356/PPP for Phase 5+ of approved masterplan. Details of residential development of ten buildings consisting 155 units (as amended)

Consultations

SEPA response dated 30 January 2019

Thank you for your consultation email which SEPA received on 16 January 2019.

Advice for the planning authority

We have no objection to this planning application. Please note the advice provided below.

1. Flood risk

1.1 SEPA were consulted on the previous application at this site (ref: 16/03356/PPP) and had no objection to the proposals on flooding grounds. Parts of the site are shown to be at surface water flood risk and we also noted that there may be a risk of coastal flooding, as site levels are only marginally higher than the predicted 1 in 200-year still water level as calculated by the Coastal Flood Boundary Method. We would note that these levels are being updated and may increase the area of coastal flood risk at this location. We also noted a potential risk from a failure of the Leith Docks as information we hold indicates levels could exceed 5.27mAOD under this circumstance.

1.2 We have been consulted on a number of applications in the Leith Dock area and have recommended, in accordance with the City of Edinburgh Council recommendations, that site levels are set no lower than 5.5mAOD and finished floor levels at 6mAOD where feasible. However, we do note that this site is at a further distance from the docks than many of these other sites. The information provided in the previous application indicated that site levels would be raised to 5.3mAOD and finished floor levels to 5.55mAOD and further mitigation to reduce flood risk would be incorporated within the site. We supported these proposals.

1.3 The information provided with the current application indicates, so far as we can determine from the site levels layout drawing, that site levels are set at a minimum of 5.25mAOD and finished floor levels at 5.5mAOD. It is unclear whether any additional mitigation is provided; however, the post-development overland flow pathway drawing in the surface water management plan indicates that water will be directed away from buildings towards the road network and drainage system.

1.4 Given the site is only shown at risk of surface water flooding and the buildings and site levels are shown to be 600mm above the predicted 1 in 200-year coastal still water level, we have no objection to the proposals. The Council should satisfy themselves that the proposals meet any requirements they have for development in this area in terms of flood risk.

2. Drainage

2.1 The planning application details that the proposed development will be utilising the public sewer for foul drainage. The applicant should consult with Scottish Water to ensure a connection to the public sewer is available and whether restrictions at the local sewage treatment works will constrain the development. If the proposals should change we would wish to be consulted at the earliest opportunity.

2.1 We advise that developers should follow the approach set out in the CIRIA SUDS Manual (C753) and ensure the surface water management proposals are in compliance with The Controlled Activities Regulations General Binding Rules 10 and 11. Applicants should be using the Simple Index Approach (SIA) Tool to determine if the types of SUDS proposed are adequate. We therefore refer your authority to our standing advice on SUDS.

2.2 Construction phase SUDS should be used on site to help minimise the risk of pollution to the water environment. Further detail with regards construction phase SUDS is contained in Chapter 31 of SUDS Manual (C753). The applicant may also need to apply for a construction site licence under CAR for water management across the whole construction site. Please refer to Section 4.3 below for further details.

2.3 Comments should be requested from Scottish Water where the SUDS proposals would be adopted by them and, the views of your authority's roads department and flood prevention unit should be sought on the SUDS strategy in terms of water quantity and flooding issues.

Detailed advice for the applicant

3. Flood risk

3.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland.

3.2 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

3.3 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to City of Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities' outlines the transitional changes to the basis of our advice in line with the phases of this legislation.

Regulatory advice for the applicant

4. Regulatory requirements

4.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

4.2 Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

4.3 A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

* is more than 4 hectares,

* is in excess of 5km, or

* includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

4.4 Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

4.5 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office.

Archaeology response dated 25 February 2019

Further to your consultation request I would like to make the following comments and recommendations concerning this application for approval of matters specified in conditions 1-17 of 16/03356 for Phase 5+ of approved masterplan.

The application affects site of the former 18/19th century rope works as well as the site of the 1644-45 plague cemetery now known to be located underlying the current allotments fronting onto Leith Walk. Accordingly, this site was identified as occurring within an area of archaeological significance.

Given the archaeological significance of the site three conditions were attached to the 2016 PPP application, regarding both archaeological mitigation (condition 3) and aspects of onsite archaeological & historic interpretation conditions 12 (regarding the relocation of a memorial plaque to the sites golf heritage) and condition 13 (regarding interpretation).

In terms of condition 3 relating to archaeological investigations and reporting, although a mitigation has been agreed this work has still to be completed in respect to Phase 5+. Accordingly, this condition remains active and should not therefore be discharged in full.

In terms of condition 12 regarding the re-sighting of the site's former golf memorial, this has been superseded by the installation currently being undertaken in Leith Links of a statue to John Rattery and the role the Links played in the creation of modern golf. Therefore, this condition is now felt to be redundant as it duplicates this new statue.

In terms of Condition 13 concerning the wider archaeological/historic interpretation, having looked over the submitted proposals I'm broadly happy to accept them. However, I feel that it is important that a simple commemorative plaque is added to the 'rope works' park boundary wall providing details of the rope-works and date. Details to be approved with this office, in order to provide some background as to why the park and area is named.

Additional Archaeology response dated 15th August 2019

Please see the attached the edited archaeological report covering the evaluation carried out by AOC. Although significant archaeology discovered during this work and was content for development to proceed there is still mitigation required for associated works across the area of the current allotments, which is known to overlie the site of the 1644/5 plague burial ground. I'm unaware of work starting in this area so the excavation element still remains live.

In regards to conditions 12 & 13 the subsequent construction of the Rattery Statue in Leith Links has superseded the need to commemorate the early golf links on this site and therefore this condition can now be discharged. However although agreed, I don't seem to have anything on file regarding the final design/location of plaque.

Environmental Protection response dated 8 August 2019

The conditions that are relevant to (18/10524/AMC) Environmental Protection are listed below:

2) a scheme for protecting the occupiers of the residential units within each phase, or phases, from traffic and industrial noise;

4. 1. Prior to the commencement of construction works on each phase, or phases: (a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and (b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

6. Phases 3-7. All works which form part of the approved scheme for protecting the occupiers of the residential units within each phase, or phases, from traffic and industrial noise shall be completed to the satisfaction of the Head of Planning, prior to each residential unit being occupied.

Environmental Protection cannot support the discharging of all the above conditions. The comments we made for the PPP application were as follows.

The original noise impact assessment for the PPP application/ detailed Phase 1&2 highlighted that the existing industrial noise sources would potentially have a significant effect at the proposed closest receptors. These receptors are not part of the details Phase 1&2 part of the site with the main industrial noise sources identified as:

- * ECG outdoor dust extractor during daytime;
- * BOC gas transfer during daytime; and
- * Capital Wholesale delivery vehicles during night-time.

The following mitigations options were recommended for the PPP area and this was on the understanding that the site already has consent for residential use:

- * The site layout could be used to assist in minimising noise disturbance. Careful design measures such as orientation of dwellings so that sensitive rooms, i.e. living room or bedroom, do not face the noise source, or avoidance/minimisation of doors or windows on these façades;
- * The internal layout of the dwellings should be carefully designed to ensure that habitable rooms do not, as far as possible, directly overlook the facility buildings. Also, wherever possible, lobby areas, stairways and non-habitable rooms should be used as buffer zones within the properties;
- * Balconies, terraces and other outdoor amenity spaces should not face the noise sources and could be located on the opposite ends of the building;
- * Use car parking, garaging or bin stores in the areas closest to the facility to provide acoustic screening and increased distance;

Environmental Protection recommended that further noise impact assessments are included when the details of PPP application are submitted. The noise impact assessments should consider the above options and provide specific noise mitigation details. We recommended this as a condition for the remaining phases of the PPP area. However, the applicant has just resubmitted the original Noise Impact assessment for the 16/03356/PPP. They have submitted the same noise impact assessment for all the following application;

* 18/10524/AMC | Approval of Matters Specified in Conditions 1 to 17 of 16/03356/PPP for Phase 5+ of approved masterplan. Details of residential development of ten buildings consisting 155 units. | Former 9 - 21 Salamander Place

* 19/02664/AMC | Approval of Matters Specified in Conditions 1 and 17 of 16/03356/PPP for Phase 6 and 7 of approved masterplan. Details of development of four apartment blocks consisting of 151 units. | Former 9 - 21 Salamander Place

* 17/02658/AMC | Approval of Matters Specified in Conditions 1,2 and 17 of 16/03356/PPP for Phase 3 and 4 of approved masterplan. Details of mixed use development of six apartment blocks consisting 199 units with under deck car parking and 2 ground floor commercial units (Class 1 (Retail), Class 2 (Financial, Professional or other Services), Class 4 (Business). | Former 9 - 21 Salamander Place

Environmental Protection would not be able to discharge the contaminated land condition fully without any reference documents being attached to the application.

Affordable Housing response dated 15 August 2019

1. Introduction

I refer to the consultation request from the Planning Department about this planning application.

Housing and Regulatory Services have developed a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.

* The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is 25% (of total units) for all proposals of 12 units or more.

* This is consistent with Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan.

* An equitable and fair share of parking for affordable housing, consistent with the relevant parking guidance, should be provided.

2. Affordable Housing Provision

This application is for a development consisting of up to 155 homes and as such the AHP will apply.

This application is part of a phased development falling under the 9-21 Salamander Place, 16/03356/PPP. The affordable requirement for 16/03356/PPP is 203 units in total, which is 25% of the 813 market houses provided by this application. To date 145 units have been provided as part of the development on the site by Hillcrest, making a balance of 58 units still to be provided across the masterplan area.

The applicant is in advanced negotiations with PfP Capital to deliver a portion of the masterplan area as as mid market rent to deliver 151 homes as 100% affordable housing, under application 19/02664/AMC. This approach taken is welcomed by this department as it will deliver in excess of the 58 affordable units required to be provided on the overall masterplan area.

The applicant has entered into a Section 75 legal agreement to secure the affordable provision and a title restriction on the 16/03356/PPP has been applied to secure the affordable housing provision required for this application.

Should the required 58 units be secured on application 19/02664/AMC by PfP Capital, in accordance with the terms of the Scottish Government Invitation Fund, the affordable housing policy for this application (18/10524/AMC) will be satisfied.

3. Summary

There is a requirement of 203 units to be provided across the 16/03356/PPP masterplan.

145 units have been provided to date

There is a remaining 58 units to be delivered through the AHP

There is a proposal for 151 affordable units to be provided on 19/02664/AMC that will exceed the required number of affordable units across the masterplan area.

Transport response dated 27 August 2019

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

1. 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;
2. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;

3. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
4. 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;
5. 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;
6. 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;
7. 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;
8. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.

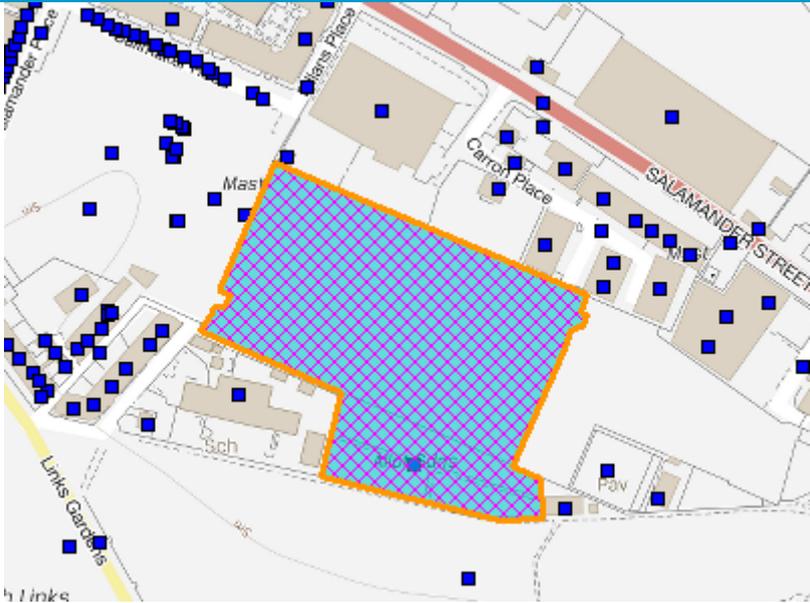
Note:

- I. The application has been assessed under the 2017 parking standards. These permit the following:
 - a. A maximum of 155 car parking spaces (1 per unit). 131 car parking spaces are proposed;
 - b. A minimum of 148 cycle parking spaces (1 space per studio unit, 2 spaces per 2/3 room unit and 3 spaces per 3+ room units). 148 cycle parking spaces are proposed;
 - c. A minimum of 8% of the car parking to be designated as accessible, applying this to the 111 parking spaces (not including the 22 driveways) results in a requirement of 9 spaces, 9 accessible spaces are proposed;
 - d. A minimum of 1 of every 6 car parking spaces needs to be equipped for electric vehicle charging, this results in a requirement of 22 EV spaces, 23 EV spaces are proposed;
 - e. A minimum of 6 motorcycle parking spaces (1 per 25 units), 6 spaces are proposed;
- II. The justification for the proposed level of car parking is related to trying to minimise the impact of overspill and inconsiderate car parking on the streetscape. Included within justification is details of the parking levels for each phase of this development set out in the approved Planning Permission in Principle (PPP), which the proposals comply with and also it complies with the 2017 Parking Standards, therefore this level of car parking is considered acceptable;

III. No requirement for cycle parking to be provided in relation to the town houses and the colonies as they have secure private gardens. The cycle parking requirement of 148 spaces is in relation to block C1 (140 spaces) and as they have no secure private garden, Colonies C3C (8). The proposed cycle store for C1 is on the ground floor at the northern end of the block and has a direct access from the car park with an external access point that leads to the eastern side of the block. The proposed cycle parking is a two-tier system with Sheffield stands as the lower tier that will also provide cycle parking for non-standard bikes and the top tier is gas sliding racks with a gas strut to assist lifting the rack into place. The 8 spaces associated with block C3C are Sheffield stands within a secure external store. The proposed level of cycle parking, style and layout are considered acceptable;

IV. Assessment based on proposed landscape drawings provided, these show a more comprehensive layout that includes pedestrian and cyclist priority measures and service strips. It should be noted that there is still some minor concerns regarding the road layout, but it is expected that these can be dealt with through the Quality Audit and Road Construction Consent (RCC) process.

Location Plan



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