

# Development Management Sub Committee

Wednesday 11 September 2019

**Application for Planning Permission 19/01107/FUL  
At 116 Colinton Road, Edinburgh, EH14 1BY  
Demolition of existing garage and re-development for 19  
residential and 2 retail units, access, parking, associated  
infrastructure and landscaping (as amended).**

**Item number**

**Report number**

**Wards**

B09 - Fountainbridge/Craiglockhart

## Summary

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The proposal is acceptable in principle and the density, layout, scale, form and design are appropriate within this sustainable location. The proposal will achieve an acceptable environment for future occupiers and will not have an adverse impact on the amenity of neighbouring properties. The proposal will not have a detrimental impact on road safety, traffic, drainage, archaeology, air quality or biodiversity.

The proposal complies with the Development Plan and Non-statutory Guidance. The proposal is acceptable and there are no material considerations which outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES03, LDES05, LDES06, LDES08, LEN09, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LEN21, LTRA02, LTRA03, NSG, NSGD02, NSHAFF,

# Report

## **Application for Planning Permission 19/01107/FUL At 116 Colinton Road, Edinburgh, EH14 1BY Demolition of existing garage and re-development for 19 residential and 2 retail units, access, parking, associated infrastructure and landscaping (as amended).**

### **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 approximately 0.36 hectares in area and is located on the west side of Colinton Road in between the junctions of Craiglockhart Road North and Colinton Road.

The site's existing use is for the sale and display of motor vehicles (*sui generis*) and until recently was occupied by Western Motors but is now vacant. The site comprises a collection of connected garage and showroom buildings and a car wash. The buildings cover approximately 46% of the site, have a commercial/industrial character and range in height from one to two storeys with a mix of pitched and flat roofs. Parking for vehicles for sale was located along part of the site's frontage with Colinton Road with a larger customer parking area to rear of the site. Vehicular and pedestrian access into the site is provided from Colinton Road.

The levels across the site drop by approximately 3.6m from south-east to north-west, and the access route from the car park has a relatively steep incline onto Colinton Road. The north-western boundary of the site is higher than the adjacent land by approximately 2.5m and a retaining wall edges this part of the site along with a row of conifers. Due to the change in levels across the site and adjacent land, buildings bounding the site at the corner of Colinton Road and Craiglockhart Road North step up to three storeys at the rear.

Residential development bounds the site to the east, north and west and consists predominantly of semi-detached and detached bungalows and two storey terraced dwellings. The site's north-western and north-eastern boundaries and majority of the site's southern boundary abut rear gardens and are edged with a mix of walls and planting.

Craiglockhart Local Centre is located adjacent to the site and comprises a variety of uses including a post office, convenience store, pharmacy and hairdressers (use class 1), a dentist (use class 2), a hot food takeaway (sui generis) with a commercial flue to the rear. The pub and convenience store that adjoined the site have now been demolished.

The wider area comprises a mix of residential and commercial uses including Craiglockhart Leisure Centre across Colinton Road to the south-east. Large two storey stone built villas characterise the eastern side of Colinton Road. Two flatted developments exist in close proximity to the site; one comprises a two and a half storey block at Lockharton Avenue. Further east comprises a three and a half storey block adjacent to the leisure centre to the south. Generally, lower densities prevail to the south and west of the site in the form of one and two storey semi-detached and detached houses.

Colinton Road is a principal route into the city centre from the A720 city bypass and is served by a number of buses which connect to the city centre and beyond. National Cycle Route 754 (NCR 754) is accessible approximately 400m west of the site along the northern bank of the Union Canal.

## **2.2 Site History**

There is a lengthy history associated with this site, the most relevant of which is as follows:

03 August 2017 - Application for planning permission refused for demolition of existing garage and re-development for 37 units, access, parking, associated infrastructure and landscaping (as amended) (application number 16/04062/FUL).

09 October 2018 - Appeal dismissed and planning permission refused for demolition of existing garage and re-development for 37 units, access, parking, associated infrastructure and landscaping (as amended) (application number 16/04062/FUL. Appeal reference: PPA-230-2212-1).

### Adjacent site to the south

12 February 2019 - Application for planning permission granted for demolition of two existing shop units and the erection of a new retail unit and 3 residential units (application number 18/09815/FUL).

It should also be noted that there is a current application under consideration for the erection of a new retail unit and 6 residential units (application number 19/01839/FUL).

## Main report

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### 3.1 Description Of The Proposal

This application seeks planning permission for the demolition of the existing garage, car wash and showroom buildings and the re-development of the site for a mixed-use development of two retail units with 19 residential flats and associated open space, access and parking.

The proposal is for one continuous development block that fronts onto Colinton Road and extends to the rear of the site. The frontage includes two retail units at ground floor with flats above with the remainder of the rear block containing a mixture of two, two/three and three bedroom flats.

The proposal will be two storey with accommodation in the roof to the Colinton Road frontage and three storey (with accommodation in the roof) dropping to three storey with a flat roof further to the rear.

The mix of units is as follows:

Two retail units:

- Unit 1 - 111.8 square metres; and
- Unit 2 -120.5 square metres.

Nineteen residential units:

- Three x 2 bed units with an internal floorspace ranging from 108 square metres - 142.5 square metres;
- Fifteen x 2/3 bed units with an internal floorspace ranging from 113.5 square metres - 118.7 square metres; and
- One x 3 bed unit with an internal floorspace of 157. 7 square metres.

It is proposed that a mix of natural stone, buff brick and slate are used to the front elevation. A mix of buff brick, off white render and light grey cladding panels are proposed to the remaining elevation. Aluminium clad timber windows are proposed throughout.

The lower ground floor along the Colinton Road frontage will be subterranean and will be used for two car parking spaces, communal cycle storage and bin storage.

Vehicular access will be off Colinton Road in the same location as the existing site access. The proposal provides 19 parking spaces including six spaces with electric charging points and two disabled spaces. Fifty-seven residents cycle parking spaces are proposed to the lower ground floor. Six customer/staff spaces are located to the front of the retail premises on Colinton Road.

There is a secure access controlled pedestrian gate which provides access through the communal gardens to the cycle storage /Colinton Road via the rear of the adjacent site.

Communal open space with planting is to be provided to the north and south side of the building. A low wall will be erected to the site's Colinton Road frontage to separate the site from the pavement and provide screening to the resident's bin collection point. The existing site's boundary walls will be retained and made good where necessary. A new 1.8 m high wooden fence will be erected along the east facing edge of the communal open space.

With the exception of levelling works to create the lower ground floor for Block A, there will be no material change in the existing levels of the site. The drop in levels at the boundary of the site with rear gardens associated with properties along Colinton Grove will remain at approximately the same distance as the existing.

Sustainable Urban Drainage (SUDs) will be incorporated by utilising porous surfacing materials.

### Scheme 1

The proposal has been amended from the submitted scheme in the following ways:

- The design of the front elevation has been altered to include an increase in the width of the roof, a change in the design of the roofscape to include a pitch and the inclusion of dormer windows.
- The massing to the rear four storey part of the building has been reduced by the replacement of the flat roof with a pitched roof with dormers to the first two wings on the rear return of the proposal. The development then drops in height to three storey with a flat roof.
- The extent of the four storey part of the building has been reduced.
- Changes to the car parking layout to provide 19 residents parking spaces, six with electric vehicle charging points and two disabled spaces.
- Cycle parking provision has been modified so that all residents cycle parking is provided within a secure and covered space to the lower ground floor of the building.
- The hard landscaping has been modified and marginally reduced. Increased landscaping has been provided to the north side of the building.
- Balconies have been removed from the southern end of the proposal, to both the north west facing corner and the south east facing corner.

### **Supporting Statements**

The following documents have been submitted in support of the application and are available to view on the Planning and Building Standards Online Services:

- Planning Statement;
- Design and Access Statement;
- Site Investigation Report;

- Transport Statement;
- Flood Risk Assessment and Drainage and SUDS Strategy;
- Noise Impact Assessment;
- Landscape Statement;
- Bat Survey; 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.

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 proposed development is acceptable;
- b) the proposal is of an appropriate density, layout, scale, mix and design;
- c) the proposal raises any issues in terms of neighbouring amenity;
- d) the proposal raises any issues in terms of residential amenity for the occupiers of the development;
- e) the proposal raises issues in terms of traffic, parking or road safety;
- f) is acceptable in relation to other relevant material considerations;
- g) the proposal is acceptable in respect of affordable housing and infrastructure and;
- h) there are any equalities or human rights impacts;
- i) comments raised have been addressed.

#### a) Principle

The application site is located in the Urban Area as designated by the Edinburgh Local Development Plan (LDP), and is previously developed.

LDP Policy Hou 1 (Housing Development) supports new housing development on suitable sites within the urban area, subject to compliance with other relevant policies in the LDP.

The site is in a sustainable location within easy walking distance of amenities including Craiglockhart Local Centre and Craiglockhart Leisure Centre, bus services and a national cycle route.

LDP Policy Ret 5 supports planning permission on the edge of a local centre provided that the proposal can be integrated into the centre, is compatible in terms of scale, makes a positive contribution to the shopping environment and appearance of the centre, will not have an adverse impact on the city centre or any town/local centre and is easily accessible.

Whilst the site does not fall within the boundary of the local centre it is close enough to be considered as 'on the edge of' the existing centre to be supported by policy Ret 5 (Local Centres) of the LDP. The proposed new shop units on this frontage are of an appropriate scale and would make a positive contribution to the shopping environment and appearance of the centre. The proposals would not have a significant adverse impact on the city centre retail core or any town or local centre and the site is easily accessible by public transport, foot and cycle.

The proposal is therefore acceptable in principle, in accordance with Policies Hou1 and Ret 5 of the LDP.

#### b) Density, Layout, Scale, Mix and Design

##### **Density**

The north, south and west is dominated by detached dwellings set within consistently sized and spaced plots. Generally higher densities and larger built form and footprints exist further along the Colinton Road corridor particularly to the north and east of the site, the closer it gets to the city centre. There are a number of higher density flatted developments within the area.

The proposal equates to approximately 53 dwellings per hectare. Whilst this is a higher density than the character to the immediate north, south and west of the site this is balanced against the opportunity to redevelop the site and deliver housing in a sustainable location.

The density of the proposal is acceptable.

##### **Layout**

The existing garage and showroom buildings are fairly large both in footprint and scale particularly along the Colinton Road frontage, and sit close to the site's eastern, southern and western boundaries. No greenspace is provided as part of the existing site layout and the majority of the external space is used for parking. The proposal represents an opportunity to reconfigure the site so it relates better to its context in terms of the positioning, scale and footprint of the buildings and the integration of greenspace.

The proposal has been significantly altered from the scheme previously refused and dismissed at appeal. The number of residential units has been dropped to 19 and now includes two retail units within the Colinton Road frontage.

The proposal now sits within one continuous block that fronts onto Colinton Road and returns into the site. The footprint has been moved further away from the site boundaries and the height and massing generally reduced, with the higher parts of the building located to a central core.

The majority of the communal greenspace, which equates to approximately 30 % of the total site, is located to the southern half of the site and softens and separates the edge of the development from the rear gardens of neighbouring properties to the west and north west. The existing boundary walls will be augmented and made good where necessary. A new 1.8 m high close boarded timber fence will be erected along the eastern edge of the communal landscaped garden. With the exception of levelling works to create a lower ground floor for Block A, there will be no material change in the existing levels of the site.

The quantity and quality of communal green space complies with LDP Policy Hou 3. Access into and around the site will be provided by a shared surface for pedestrians, cyclists and vehicles which is acceptable.

Externally, parking is arranged to the northern side of the site. A small amount of undercroft parking is also provided which represents a space efficient response and will reduce the visual impact of parked cars.

The provision of communal bin storage within the lower ground floor of the frontage block is acceptable.

The layout of the proposal is acceptable.

## **Scale**

The front of the proposal responds to the scale of the adjacent commercial buildings along its Colinton Road frontage and, whilst slightly higher than the residential dwellings to the north, will sit comfortably in the street scene. The rear return is 3.5 storey in height but due to the drop in ground levels, set back to the rear wing and continuous roof ridge, will sit behind the frontage when viewing the site from Colinton Road and will not therefore be unduly dominant.

The Reporter, in the appeal decision for the previously refused scheme (16/04062/FUL) found conflict with the proposal in terms of Policies Des1 and Des 4 of the LDP in terms of the height, layout and scale. In comparison to the refused scheme the proposal has been amalgamated into one building with a reduction in units from 37 to 19. The overall height of the building has increased to the front elevation and to the 3.5 storey part of the building. The overall massing and impact of the development has however been reduced by the change to the footprint of the building, its position on site and the generally increased separation to the site boundaries. In addition, the design has been amended from the submitted scheme (scheme 1) by reducing the four storey element with flat roof to the central core of the building by a depth of approximately 5 metres, to 3 storey in height. The remaining four storey element has incorporated a pitched roof, reducing the bulk of the building and further pulling the massing away from the north western boundary.

The Edinburgh Design Guidance (EDG) states, in relation to density, that back land development must be designed to ensure that any proposed building is subservient to surrounding buildings and does not have an adverse impact on spatial character. Given the difference in site levels and the existing height, pattern and scale of development in the adjoining residential area to the north, west and south the development of the rear of the site is challenging. The revised footprint, location on the site, reduction in units, changes to the design and roof scape have resulted in a more sensitively scaled building. The existing building offers a poor frontage to the street scene and the showroom buildings are already a discordant feature to this part of Colinton Road. The proposal will improve the street scape to the front of the site. The additional green space around the building footprint will tie in where the site abuts the rear gardens of neighbouring properties and appropriate landscaping will be secured via condition. Whilst not reflective of the prevailing lower density suburban character, the proposal in the context of the varied character along Colinton Road will not have an adverse impact on spatial character. The proposal will also deliver more housing in a sustainable location.

On balance, the scale of the proposal is acceptable.

### **Mix**

The proposal comprises a mix of two, two/three bed and three bed units all of which exceed the minimum internal floor area requirements set out in the EDG.

The EDG states that in developments over 12 units, 20% of the total number of units should be designed for growing families comprising three bedrooms and good access to private gardens or safe play areas for children. The proposal exceeds the EDG as 16 of the 19 flats can accommodate 3 bedrooms. These all have a floorspace in excess of 91 square metres. A private balcony or external communal outdoor space is provided in 14 flats.

The mix of units proposed is acceptable.

## **Design**

The existing garage buildings on the site are a discordant feature, and make a minimal contribution to the wider townscape. Whilst the use of the site for the sale and display of motor vehicles is established, bringing it into residential use, including retail, presents the opportunity to create a greater sense of place and activity around Craiglockhart Local Centre.

The proposed flats have a contemporary design, with the predominant materials being glazing, render, stone and cladding. A mix of contemporary, post war and traditional building styles exist in the wider area in addition to the use of stone, render and cladding. The use of natural stone on the buildings frontage will assist in integrating the development with the surrounding stone built villas and terraces. The use of render in contrast to the grey cladding and brick will help to break up the elevations and add interest. The design and materials proposed are appropriate within the site's context. A condition has been added requesting further details of materials.

It is noted that the adjacent site to the south has planning permission for re-development for a new shop unit with three flats above (application number 18/09815/FUL). The proposal will satisfactorily tie in with the adjacent site and result in an appropriate frontage.

The Sustainability Statement confirms that the proposal will meet the requirements of LDP Policy Des 6 (Sustainable Buildings) through adherence to current Building Standards. The proposal incorporates a Sustainable Urban Drainage System (SUDS).

The design of the proposal is acceptable.

## **Conclusion**

The proposal is of an acceptable density, layout, scale, mix and design and responds appropriately to its location. The proposal will make a positive contribution to the wider townscape.

The proposal complies with LDP policies Des 1, Des 4, Des 6, Des 7, Des 8, Hou 2, Hou 3, Hou 4 and the Council's Edinburgh Design Guidance.

### **c) Neighbouring Amenity**

The proposed mixed use of the site is compatible with the surrounding area which comprises a mix of residential and commercial uses. It is noted that one neighbour representation has raised concerns regarding the likely impact of the retail use on neighbouring amenity. The site is adjacent to and relates well to the existing local centre. Trading hours for small shops are not restricted by law in Scotland. Should any noise issues arise in association with the retail units, these will be dealt with under statutory noise protection legislation.

The appeal decision concluded that the refused scheme was contrary to Policy Des 5 as the proposal would appear dominant and overbearing in relation to adjoining properties and the established pattern of development with a consequent detrimental and unacceptable impact on current levels of residential amenity which are a valued characteristic of this suburban area.

The current scheme has been significantly altered from the refused scheme. The proposal now has one continuous footprint, which has been re-orientated and pulled further away from the boundaries with neighbouring properties. The highest part of the building has been located to the central core of the building and the roofline altered to a pitched roof to further reduce the massing. These measures have resulted in a more sympathetically scaled building, that when viewed from the south and west of the site will not appear unduly dominant or overbearing.

The proposal is well set back from the rear of neighbouring properties with minimum building to building separation distances of at least 20 metres achieved. The proposal achieves in excess of 9 metres separation from the rear boundary across the site, with the exception of the southern end elevation, which is approximately 7.6 metres at the closest point, increasing to approximately 10.4 m away from the neighbouring boundary, as the building returns into the site. No balconies will be provided to the flats to this part of the site. Landscaping including heavy duty trees is also proposed along this boundary. On balance therefore, this relationship is acceptable.

A daylight assessment has been undertaken by the applicant, in accordance with the Technical Guidance contained within the Edinburgh Design Guidance. This assessment shows that the proposal complies with guidance in terms of protecting daylight to existing buildings and sunlight to gardens.

The proposed blocks will be located at sufficient distances from site boundaries and existing residential properties to ensure that requirements regarding privacy, daylighting, outlook and overshadowing, as set out in the Edinburgh Design Guidance, are met.

The proposal is acceptable in terms of protecting existing neighbouring amenity and complies with LDP Policy Des 5 (Development Design - Amenity) and the Edinburgh Design Guidance.

#### d) Amenity of Occupiers

The floor areas for each unit comply with the Edinburgh Design Guidance, and all of the units will have a dual aspect. Sixteen of the flats have a private balcony/decking area and all have access to shared communal green space.

A noise impact assessment has been submitted with the application. This has identified that acoustic glazing is required to address road noise. The details of this can be secured via condition.

There is a commercial flue on the neighbouring Chinese take away. As this flue is outwith the application boundary it is not possible to control this through planning. Environmental Protection generally requires a separation of 30 metres between new properties located above the termination point of a commercial flue/extract. The majority of the development complies with this, however, five units are located 27 metres away from the flue. Due to the limited number of units exposed and the fact that they are still a considerable distance away from the flue, Environmental Protection are satisfied with this arrangement.

A Site Investigation Report has been submitted with the application which includes details on the presence of ground contamination and ground conditions. Ground conditions relating to potential contaminants in, on or under the soil as affecting the site require further investigation and evaluation in line with current technical guidance and any remediation requirements require to be approved by the Planning Authority. A condition has been added to this effect.

Environmental Protection does not therefore raise any concerns with regard to noise, disturbance, odours from the adjacent commercial units, and ground contamination subject to the addition of relevant conditions.

The layout of the proposal does not therefore raise any concerns regarding the amenity of future residents in relation to privacy, daylight, outlook or overshadowing.

The proposal is acceptable from the perspective of protecting future residential amenity and complies with LDP Policy Des 5, Policy Hou 3 and the Edinburgh Design Guidance.

#### e) Traffic, Road Safety and Parking

The Council's Parking Standards for this area require a maximum of 19 spaces for the type and scale of development proposed. Nineteen car parking spaces, including 2 disabled spaces, and 6 electric charging points will be provided. Zero parking for the retail element of the proposal is acceptable. Therefore the proposal meets the Council's standard.

The provision of 44 cycle spaces for residents, in a double tier format is acceptable and exceeds the requirement for the scale of development. These will be provided to the lower ground floor of the building with secure access control to residents only. Six cycle parking spaces are provided to the front of the site for customers visiting the retail stores to use.

The Roads Authority does not raise any concerns with regard to road safety, traffic impact and parking.

The proposal is acceptable from a traffic, road safety and parking perspective and complies with LDP policies Tra 2 and Tra 3 and the Council's Parking Standards.

## f) Other Material Considerations

### **Archaeology**

The Council's Archaeology Officer confirms that there are no known archaeological implications for this application.

The proposal will not have a detrimental impact on archaeology and therefore complies with LDP Policy Env 9.

### **Biodiversity**

The Bat Survey confirms that no bats were recorded on site therefore no concerns are raised with regard to this protected species.

The Bat Survey sets out recommendations for how the site can be enhanced for biodiversity relating to protection of mammals, bats boxes, lighting and habitat enhancements. These have been included as informatives.

The proposal is acceptable from a biodiversity perspective and complies with LDP Policy Env 16.

### **Flooding and Drainage**

The site is located outwith areas at risk of flooding from rivers and the sea (fluvial), however part of the southern and northern area of the site has been highlighted as potentially being at risk of surface water flooding (pluvial). The applicant has confirmed that either a ramp or a 20mm bullnose kerb upstand will be incorporated to prevent surface water entering the site from Colinton Road. This detail will be approved as part of the Road Construction Consent process. Porous paving is proposed to the car parking spaces.

Scottish Water has not objected to the planning application and has confirmed that the surface water discharge will be accepted into the combined sewer. The applicant is also required to liaise directly with Scottish Water regarding the need for any re-alignment to Scottish Water assets.

The proposal is acceptable in terms of flood risk, drainage and surface water management requirements and complies with LDP policies Env 21 and RS 6 subject to the applicant securing consent to discharge into Scottish Water's combined system.

## g) Affordable Housing and Infrastructure

### **Affordable Housing**

LDP Policy Hou 6 (Affordable Housing) requires that residential development consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed. For proposals of less than 20 dwellings, a commuted sum may be acceptable.

At 19 units, the 25% affordable housing contribution would be four on site units or 4.75 units commuted sum equivalent. The Council's Housing and Regulatory Services confirm that, in the case of the proposed development, the payment of a commuted sum is acceptable in principle. This is because four on site affordable units in a single flatted development would not give a Registered Social Landlord (RSL) ownership of all homes within one stair core leading to maintenance issues. Furthermore, RSLs do not want to take on small numbers of units in a development as this makes the delivery of the project and ongoing management arrangements inefficient.

Golden share was considered for a previous planning application on the same site but was discounted as the values were too high. This remains to be the case as house prices have increased, pushing this tenure further out of reach.

The developer will provide a commuted sum equivalent to 4.75 units through a Section 75 agreement, with payment made prior to the commencement of construction on the application site. The sum will be used to support the delivery of affordable housing in the same or adjacent Ward of the city.

The exact amount of the commuted sum to be paid has not yet been calculated but is likely to be in the range between £40,000 - £70,000 per unit ie between £190,000 and £332,500 for the 4.75 units. If Committee is minded to grant this application, the exact amount will be calculated based on an independent valuation by the District Valuer equivalent to 4.75 units.

## **Education**

Communities and Families confirms that the development is only anticipated to generate one additional primary school pupil, therefore no additional infrastructure action would be required to mitigate the impact of the development. On this basis, no financial contribution towards education is required.

### **h) Equalities and Human Rights**

The existing topography of the site means that there is a significant incline from road level into the site. Significant levelling works would be required to address this and would compromise the overall layout of the proposal. The layout includes a 1: 12 ramped access from the site access to the building. This is a reasonable adjustment, given the constraints of the site and is acceptable.

The application has no impact in terms of human rights.

### **i) Public Comments**

#### **Scheme 1 - Material Comments - objections**

- Design, height, proportions and materials out of character with the surrounding area - assessed in section 3.3 b);
- Overdevelopment of the site/density of the development - assessed in section 3.3 b);
- Adverse impact on neighbour amenity - assessed in section 3.3 c);

- Increased congestion and impact on existing parking - assessed in section 3.3 e); Concerns over change in levels/retaining wall/boundary treatments - assessed in section 3.3b);
- Noise and disturbance from retail use - assessed in section 3.3 c); and
- Impact of retail units on existing Post Office - assessed in section 3.3 a).

### **Scheme 1 - Material Comments -neutral**

- Support reduction in units and provision of retail units - assessed in section 3.3 a).

### **Scheme 1 - Material Comments - support**

- Representation in support of proposal - no reason why provided.

### **Scheme 1 - Craiglockhart Community Council - neutral**

The board indicated a preference for a neutral response that neither supported nor objected to the planning application but raised the following comments:

- The retail units merge well with proposals for the adjacent site. This is a vast improvement on the previous Block A. - assessed in section 3.3 b);
- Replacement of blocks B and C with L shaped building well received - assessed in section 3.3 b);
- Fourth floor portion of the building is too high - assessed in section 3.3 b);
- Preference for a sloping roof - assessed in section 3.3 b);
- the balconies facing outwards could cause neighbour disagreements - assessed in section 3.3 c);
- External clothes drying should be included - this is not a planning policy requirement;
- New trees at perimeter to be semi mature - assessed in section 3.3 c); and
- Substantial fencing should be provided around the perimeter - assessed in section 3.3 b).

### **Scheme 1 - Non-Material Comments**

- There are inaccuracies in the trees shown on the plans - sufficient drawings and information is available to make a determination.
- Impact on dry stone wall close to application boundary and - this is a civil matter.
- Impact during the construction phase on site security and privacy of neighbouring properties - this is outwith the control of the planning authority.

### **Scheme 2 - Material Comments - objections**

- Adverse impact on neighbour amenity - assessed in section 3.3 c); and
- Design, height and massing out of keeping with the character of the surrounding area - assessed in section 3.3 b).

## **Scheme 2 - Material comments - neutral**

- The proposal is an improvement - assessed in section 3.3 b).

## **Scheme 2 - Material comments - support**

- I support this application and wish for work on the site to begin asap.

## **Scheme 2- Craiglockhart Community Council - support**

- Changes to the fourth floor to include a sloping roof with dormer is less imposing and provides a more pleasant aspect - assessed in section 3.3 b).

## Conclusion

The mixed-use proposal is acceptable in principle and the density, layout, scale, form and design is appropriate within this sustainable location. The proposal will achieve an acceptable environment for future occupiers and will not have an adverse impact on the amenity of neighbouring properties. The proposal will not have a detrimental impact on road safety, traffic, drainage, archaeology, air quality or biodiversity.

The proposal complies with the Development Plan and non-statutory guidance. The proposal is acceptable and there are no material considerations which outweigh this conclusion.

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

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

### **Conditions:-**

1. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
2. 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.
3. Prior to the commencement of development, a scheme for the protection of trees shall be submitted to and approved in writing by the Planning Authority. The scheme shall include details of protective fencing (in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction") and a method statement of operations including those trees adjacent to the site boundary. The development shall there after be carried out on site in accordance with the approved scheme throughout the construction phase.
4. Prior to the occupation of the development hereby approved, the following noise protection measures shall be fully implemented on site, in accordance with the noise protection measures identified in the Airshed 'Environmental Noise Assessment' report (Ref AS 0517), dated 26 February 2019:

- Glazing units with a minimum insulation value of 4/16/4mm double glazing should be installed for the external doors and windows of all bedrooms with trickle vents capable of a minimum of 30dB Dn.e noise reduction.
- Glazing units with a minimum insulation value of 6/16/8.8mm double glazing should be installed for the living-room external doors and windows of the bedrooms overlooking Colinton Road with trickle vents capable of a minimum of 42dB Dn.e noise reduction.
- Glazing units with a minimum insulation value of 4/16/8mm double glazing should be installed for the bedroom external doors and windows of the bedrooms overlooking Colinton Road with trickle vents capable of a minimum of 35dB Dn.e noise reduction.

5. 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.

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.

**Reasons:-**

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to safeguard protected trees.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
5. In order to ensure the most efficient and effective rehabilitation of the site.

**Informatives**

It should be noted that:

1. Permission should not be issued until the applicant has entered into a suitable legal agreement to ensure that affordable housing is provided in accordance with Council policy.

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. Habitat and biodiversity enhancements  
Swifts

Although no swifts were nesting on the site, consideration should be given to incorporating swift bricks into the development. Policy Des 3 and the Edinburgh Design Guidance Chapter 3, aim to identify opportunities, through development, to enhance local biodiversity. This also accords with the Edinburgh Biodiversity Action Plan 2019-2021. This application has the potential to provide opportunity for swifts (*Apus apus*) by incorporating swift bricks into the building, guidance is attached.

6. Birds

To ensure compliance with the Wildlife and Countryside Act 1981 (as amended), demolition and clearance of the site should be undertaken outside the nesting bird season (which is weather and species dependent but generally extends between March and September inclusive). If this is not possible, then any vegetation or buildings that will be impacted by the works should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds were found to be nesting, any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally.

7. Invasive Non-native Species

Under the Wildlife and Natural Environment (Scotland) Act 2011, it is an offence for any person to plant or otherwise cause to grow any plant in the wild at a place out with its native range. As such, any works that will impact upon invasive non-native plant species, should be undertaken with care, following appropriate guidelines. Virginia Creeper (*Parthenocissus quinquefolia*) is present on site and should be removed according to SEPA guidelines.

Any waste vegetation must be disposed of appropriately. Waste with non-native invasive plant species (Japanese Knotweed (*Fallopia japonica*) in this instance) is a controlled waste type and must be disposed of under SEPA guidelines. Japanese Knotweed contaminated areas should be clearly marked out on site. Areas that do not need to be disturbed during the works should be fenced off, allowing a buffer of at least 7 metres radius (from the edge of identified areas) to allow for the likely extent of the rhizomes.

On leaving areas of the site known to contain Japanese Knotweed, any tracked machinery that has been used should be thoroughly cleaned within a designated area. This area should be as close as possible to the contaminated area on which the machinery has been working to avoid the spread of Japanese Knotweed. This area should be monitored in the spring for knotweed growth and a spraying programme implemented if necessary. Any machinery used in clearing contaminated areas should be similarly cleaned. Care should be taken to ensure that contaminated material is not dropped or transferred to other areas of the site.

If working between November and March in an area where Japanese Knotweed is known to be present, then dead shoots from the previous year can be a good indication of its location. In winter no growth is evident above ground but the below-ground parts of the plant will still be alive. Breaking up this root network and transporting either off site or around the site on vehicle tracks will spread the plant. Use the precautions outlined above to reduce the risk of spreading the plant.

## 8. Bats

Although no bat roosts were identified, a number of recommendations are made regarding best practice and habitat enhancement for the site.

All workers should receive a 'toolbox' talk during which contractors will be informed of any potential issues with regard to protected species on site. This will ensure that all site workers are inducted in relation to the ecological requirements on the site.

An emergency procedure should be in place should any protected species or their resting site (e.g. active bird nest, bat or bat roost) be encountered during operations. All work should cease in the area immediately and a suitably experienced ecologist should be consulted to determine any mitigation requirements i.e. suitable set-backs or buffer zones, and consultation with statutory bodies or licence applications if required.

Should species be encountered during works, which do not receive enhanced statutory protection, a suitably experienced ecologist should be consulted where required.

Consideration could be given to incorporating some bat roost bricks into the walls of the new buildings.

Given that some of the surrounding habitat is suitable for bat foraging and commuting, lights should be positioned to avoid illuminating hedges and trees around the site boundaries. Advise to follow BCT Guidance (Miles et al 2018)

## **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:**

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

## **Sustainability impact**

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

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

Twenty seven representations have been received in total.

#### Scheme 1

Neighbours were notified on 28.03.19. Nineteen representations have been received. Of these 16 object to the proposal, one supports the proposal and two are neutral.

#### Scheme 2

Neighbours were re-notified of the revised scheme on 29.05.19. Eight representations have been received. Five object to the proposal. Two support the proposal and one is neutral.

## 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 and relevant Non-Statutory Guidance.

### **Date registered**

4 March 2019

### **Drawing numbers/Scheme**

01, 02 A, 03, 04, 05 B, 06 D, 07 E, 08 C, 09 B, 10 B, 11 B,,  
12 C, 13 B, 14 B, 15, 16 A, 17, 18,

Scheme 2

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Astrid Walker, Planning Officer

E-mail:astrid.walker@edinburgh.gov.uk Tel:0131 529 3620

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

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

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

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.

### **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.

# Appendix 1

## **Application for Planning Permission 19/01107/FUL At 116 Colinton Road, Edinburgh, EH14 1BY Demolition of existing garage and re-development for 19 residential and 2 retail units, access, parking, associated infrastructure and landscaping (as amended).**

### **Consultations**

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#### Environmental Protection dated 24/07/19

Environmental Protection have comment on a similar proposal for a higher density development on this site (16/04062/FUL).

Environmental Protection had concerns regarding the application and the level of amenity it would provide for future residents.

Noise from Colinton Road, the adjacent public house, at 124 Colinton Road, and from the hot food takeaway had the potential to affect the amenity of future residents e.g. due to noise and odours from the kitchen exhaust serving the Public House/hot food premises.

It has been noted that the Public House has been demolished and there is an active planning application for proposed residential use on the grounds where the Public House was located. Therefore the Public House is no longer a concern with regards noise or odours.

The applicant has submitted a noise impact assessment in order to address the noise concerns. The noise impact assessment has identified that noise mitigation measures are required in the form of acoustic glazing to ensure satisfactory indoor noise levels can be achieved. The specific details of the acoustic glazing units can be conditioned.

Odours from the neighbouring commercial flue and extract may adversely impact the amenity of the proposed residential properties. As the extracts are located outside the applicants' boundary it is not possible to control them through planning. Environmental Protection requires a separation distance of 30m between new properties located above the termination point of a commercial cooking flue/extract. The applicant has ensured that the residential units are located as far from the commercial flue as far as reasonably practicable with only 5 windows located 27m from the flue which is a considerable improvement from the previous scheme. Due to the limited number of units exposed and the fact they are still a considerable distance from the flue Environmental Protection are satisfied with this.

The applicant has submitted a Ground Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed.

The applicant has stated that they will install 3 electric vehicle charging points. It should be highlighted that this is the minimum requirement stipulated in the Edinburgh Design Guidance that must be achieved. Edinburgh has made huge progress in encouraging the adoption of electric/hybrid plug-in vehicles, through deployment of extensive charging infrastructure. As plug-in vehicles make up an increasing percentage of the vehicles on our roads, their lack of fuel emissions will contribute to improving air quality, and their quieter operation will mean that a major source of noise will decrease.

The proposed car parking area is well placed to make installation of chargers extremely simple. The applicant should consider providing more than the minimum requirement for charging points due to the development. The applicant would need to install 7Kw (Type 2 sockets) charging points throughout the car park as a minimum standard. Environmental Protection shall recommend a condition to ensure this happens.

Environmental Protection offer no objections subject to the following conditions;

1. 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.

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.

2. The following noise protection measures to the proposed residential development, as defined in the Airshed 'Environmental Noise Assessment' report (Ref AS 0517), dated 26th February 2019:

- Glazing units with a minimum insulation value of 4/16/4mm double glazing should be installed for the external doors and windows of all bedrooms with trickle vents capable of a minimum of 30dB Dn.e noise reduction.

- Glazing units with a minimum insulation value of 6/16/8.8mm double glazing should be installed for the living-room external doors and windows of the bedrooms overlooking Colinton Road with trickle vents capable of a minimum of 42dB Dn.e noise reduction.

- Glazing units with a minimum insulation value of 4/16/8mm double glazing should be installed for the bedroom external doors and windows of the bedrooms overlooking Colinton Road with trickle vents capable of a minimum of 35dB Dn.e noise reduction.

shall be carried out in full and completed prior to the development being occupied.

Electric vehicle charging points shall be installed to serve a minimum of three carparking spaces. Charging points shall have a minimum output of 7Kw (type 2 sockets) and be fully installed and operational prior to occupation as per drawing PL 04 REVA dated Jan 2019

Should you wish to discuss the above please contact me on 0131 469 5160.

#### Archaeology dated 20/03/2019

116 Colinton Road

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the demolition of existing garage and re-development for 19 residential and 2 retail units, access, and parking and associated infrastructure and landscaping.

Historic maps indicate that the site remained open partially wooded ground until the early 20th century, adjacent to the site associated with an 18th century house called Forest Hall. As such the site is identified as occurring within an area of archaeological interest. However due to the extensive nature of development associated with the current 20th garage occupying the site, it is considered unlikely that significant remains will have survive insitu.

Accordingly, it has been concluded that there are no known archaeological implications regarding this application.

#### Flood Planning dated 02/04/19

I have reviewed the documents on the portal and have the following comments to be addressed by the applicant.

-SEPA pluvial flood maps identify a high flood risk at the site. Could you please request that the applicant confirm how surface water flood risk will be managed on the site. If a pluvial flood risk is identified within the site, a suitable free board above the 200year+CC flood level should be applied. The applicant should confirm how this requirement is satisfied, given the pluvial flood risk identified in the SEPA flood maps.

-The flow paths for pre and post the development have been reviewed. Could you please request the applicant confirm how runoff entering the north east part of the site, from Colinton Road, will be managed. Will a control structure, such as a kerb or speed bump, be used to prevent surface water runoff entering the site and overloading the on-site drainage systems.

-The applicant should confirm that a minimum 5m offset distance is achieved between the re-aligned combined sewer and the proposed buildings.

-As the applicant is proposing to discharge to the combined sewer Scottish Water will be required to accept the discharge prior to determination as it is a material consideration in terms of drainage. Scottish Water do not typically accept surface water into their network and so evidence of agreement by Scottish Water will be required prior to determination.

### **Flood Planning dated 24/07/19**

Thank you for the additional clarifications.

Once you have heard back from Scottish Water regarding discharging to the combined system and the offset between the re-aligned combined sewer and the building, could you please provide me with confirmation of their approval.

### **Flood Planning dated 29/08/19**

Thank you for confirming that Scottish Water have confirmed that the surface water discharge will be accepted into the combined sewer. I am happy for this application to be determined with no further comment from our department.

### Edinburgh Airport dated 09/04/2019

The proposed application has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to the proposal.

### Communities and Families dated 09/04/2019

The Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' states that if a development is expected to generate at least one primary school pupil but less than one secondary school pupil, only the 'primary school contribution' is required.

Using the pupil generation rates set out in the Supplementary Guidance, the development of 19 flats is expected to generate at least one additional primary school pupil but less than one secondary school pupil.

This site falls within Sub-Area T-1 of the 'Tynecastle Education Contribution Zone'. The Supplementary Guidance does not identify a requirement for a primary school contribution in this area.

As the development is only expected to generate one additional primary school pupil, no additional infrastructure action would be required to mitigate the impact of the development. A contribution towards education infrastructure is therefore not required.

### Affordable Housing dated 30/08/2019

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

- o The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.
- o This is consistent with Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan.

## 2. Affordable Housing Provision

This application is for a residential development consisting of 19 homes and as such the AHP requirements will apply. The AHP states "The affordable element should normally be provided on-site. However, provision may be acceptable on an alternative site where the total number of dwellings is below 20. The payment of commuted sums in lieu of on-site provision will only be acceptable where the total number of dwellings is below 20"

At 19 units, the 25% affordable housing contribution would be 4.75 units, or 4 onsite units, as the requirement is rounded down when delivered onsite. In a single flatted block development, it is unlikely that an RSL would take ownership of less than six units, as this would not give them ownership of all homes within one stair core, and this could lead to maintenance issues. In addition to this RSLs do not want to take on small number of units as this makes the delivery of the project and ongoing management arrangements inefficient.

Golden share was previously considered for a previous iteration of a planning application for this same site but was discounted as the values were too high and will remain to be the case as house prices have increased, pushing this tenure further out of reach.

The developer will provide the commuted sum through a Section 75 agreement, paying a commuted sum, prior to the commencement of construction on the principal site. The sum will be used to support the delivery of affordable housing in the same or adjacent Ward of the city. The commuted sum will be subject to independent valuation by the District Valuer equivalent to 4.75 units. This sum is likely to range between £40-70,000 per unit based upon recent valuations close to this project.

The developer will be required to enter into a Section 75 legal agreement to secure the affordable provision. This should be included in the Informatives section of the report to committee.

### Waste dated 11/06/2019

I have provided below some general information in relation to this development, but the detailed arrangements need to be agreed with myself at later stage. The architects or developers should liaise directly with me, via email at [justine.stansfield@edinburgh.gov.uk](mailto:justine.stansfield@edinburgh.gov.uk)

### Compliance with Waste Strategy (Domestic Waste Only)

The provision of a full recycling service is mandatory in Scotland, so developers must make provision for the full range of bins (either individual containers for each property, or communal bins for multiple properties). These must be stored off street at all times, except on the day of collection (in the case of individual bins).

The waste collection teams will require safe and efficient access to these from the earliest occupation, and therefore cognisance must be taken of my comments below in relation to operational viability. Should these drawings substantially change, please let me know.

For high density properties such as these flats, we recommend communal waste containers for landfill waste, mixed recycling for paper and packaging, glass, and food. The number of bins required is calculated on the number of properties within the development. However, it should be noted that due to changes within the service over the next three years, the bin requirements will change, and you should review these with us prior to starting work.

For the 19 flats suggested, the bins required under the current service is 3 x domestic waste, 2 x mixed recycling, 1 x glass and 1 x food. This is shown in the revised drawings for Blocks A, B & C - Lower Ground Floor Plan.

It is important to consider the British standards BS5906:2005, which states that an occupier should not be required to carry waste a distance of more than 30m from their door.

Developers can either source their own bins in line with our requirements, or can arrange for us to do so and recharge the cost - this will probably be most convenient for them.

I understand that bins are to be presented by a factor for collection. There can be issues with factors moving bins as they need to be presented from 6am - 10pm, 7 days a week. We would need confirmation that this will be done as required, and provided with the factor's contact details. It's possible that two or more services will be collected on the same day, so the space at the front should be large enough to accommodate all the bins. Current plans show this is possible.

#### Waste Management Responsibilities

The Waste and Cleansing Services will be responsible for managing the waste from households and any Council premises only. I am assuming this would include this development.

Regarding the commercial aspect, it would be the responsibility of any third party commercial organisations using the site to source their own trade waste uplifts. Architects should however note the requirement for trade waste producers to comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling. This means there would need to be storage space off street for segregated waste streams arising from commercial activities. This would have to be separate from the residential bin storage area.

Any appointed waste collection contractors, appointed to manage commercial waste, could be expected to have similar requirements to the Council in terms of their need to be able to safely access waste for collection.

## Operational Viability

Developers need to ensure that services are accessible so that our collection crews can provide the service in a safe and efficient manner, taking account of turning circles, length and width of vehicles, distance bins must be pulled, surfaces, slopes and so on.

Obviously sufficient capacity must also be provided to allow successful collection of each segregated waste stream. Initial information on the requirements for waste services is available in the Architect and Developers Instructions, which can be provided for reference.

I would recommend further contact with me to ensure adequate provision of segregated household waste bins include all of the above and suitable access for the refuse collectors is arranged.

### Scottish Water dated 26/03/19

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

#### Water

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

#### Foul

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

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

#### Infrastructure within boundary

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

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly at [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk).

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

## Scottish Water Disclaimer

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

## Surface Water

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

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

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

## General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers: Site Investigation Services (UK) Ltd Tel: 0333 123 1223 Email: sw@sisplan.co.uk www.sisplan.co.uk

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

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

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

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

- o Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/Business-and-Developers/Connecting-to-OurNetwork>

## Next Steps:

### o Single Property/Less than 10 dwellings

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non-domestic, once full planning permission has been granted. Please note in some instances we will require a PreDevelopment Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

### o 10 or more domestic dwellings:

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

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

### o Non-Domestic/Commercial Property:

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

### o Trade Effluent Discharge from Non-Dom Property:

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

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/ourservices/compliance/trade-effluent/trade-effluent-documents/trade-effluent-noticeform-h>

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

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

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

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk)

#### Scottish Water dated 31/05/19

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

#### Water

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

#### Foul

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

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

#### Infrastructure within boundary

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

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly at [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk).

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

## Scottish Water Disclaimer

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

## Surface Water

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

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

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

## General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers: Site Investigation Services (UK) Ltd Tel: 0333 123 1223 Email: sw@sisplan.co.uk www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

o Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/Business-and-Developers/Connecting-to-OurNetwork>

#### Next Steps:

##### o Single Property/Less than 10 dwellings

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non-domestic, once full planning permission has been granted. Please note in some instances we will require a PreDevelopment Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

##### o 10 or more domestic dwellings:

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

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

##### o Non-Domestic/Commercial Property:

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

##### o Trade Effluent Discharge from Non Dom Property:

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

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/ourservices/compliance/trade-effluent/trade-effluent-documents/trade-effluent-noticeform-h>

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

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

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

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk)

#### Scottish Water dated 23/08/19

The surface water discharge will be accepted into the combined sewer.

#### Roads Authority

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

1. The proposed 23 car parking spaces are considered to be contrary to the Council's 2017 parking standards. The applicant will be permitted to provide a maximum of 19 car parking spaces for the proposed 19 residential units. These require 1 in 6 spaces to feature and electric charging points, i.e. 6 spaces, and 8% to be for disabled vehicles, i.e. 2 spaces. A maximum of 4 spaces for the 232m<sup>2</sup> GFA retail units is permitted, however zero parking for the retail element is acceptable;
2. In support of the Council's LTS Cars1 policy, the applicant should consider the provision of a car club vehicle. This would require a contribution of £7,000 (£1,500 per order plus £5,500 per car) but does not require to be included in a legal agreement;
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), 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. 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;
5. Any works to the footway or carriageway will require to be carried out under permit and in accordance with the specifications. See Road Occupation Permits [http://www.edinburgh.gov.uk/downloads/file/1263/apply\\_for\\_permission\\_to\\_create\\_or\\_alter\\_a\\_driveway\\_or\\_other\\_access\\_point](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point)

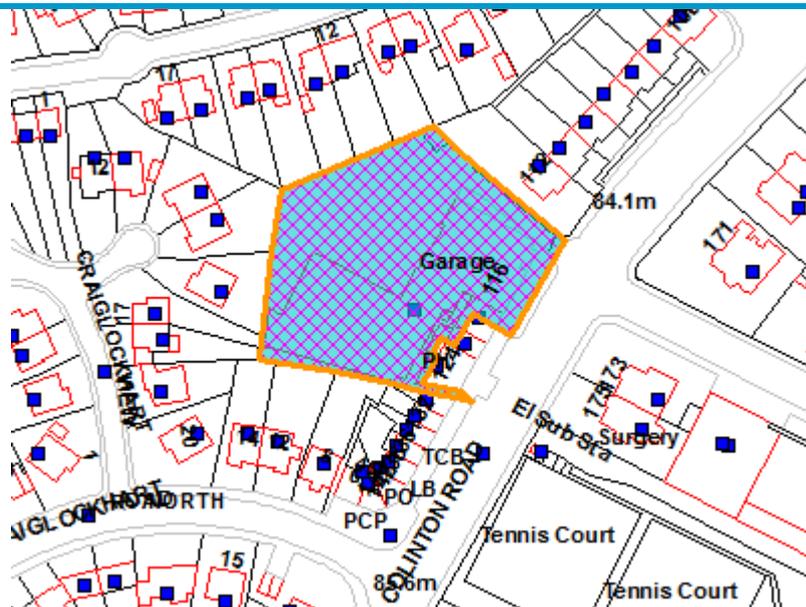
Note:

o It is understood that refuse collection will be from Colinton Road and that refuse vehicles will not require to enter the site. Therefore, it is considered that there is no requirement for the proposed access to be a 'road' under the meaning of the Roads (Scotland) Act 1984 and road construction consent is not required. This, and the maximum 19 spaces referred to above, gives the opportunity for the applicant to reduce the area of hard standing and revise the layout to better accommodate the permitted parking;

o The proposed 57 cycle parking spaces for the 19 residential units and 6 for the retail element is acceptable;

o It is noted that the proposed access ramp is to be a maximum gradient of 1:12. A gradient of 1:20 is considered the desirable maximum for wheelchair etc. access. However, given the constraints of the site and the likely unacceptable impact on surrounding properties a lesser gradient would have, the proposed 1:12 maximum gradient is considered acceptable in this case. The applicant should satisfy themselves that they are meeting their obligations under the Equality Act 2010.

## Location Plan



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**END**