

# Development Management Sub Committee

**Wednesday 11 September 2019**

**Application for Planning Permission 19/02449/FUL  
At 33 Pinkhill, Edinburgh, EH12 7BF  
Demolition of existing office building and development of  
46 apartments (as amended)**

**Item number**

**Report number**

**Wards**

B06 - Corstorphine/Murrayfield

## Summary

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The proposal complies with Local Development Plan policies Hou 1 and Emp 9. The proposed development delivers 46 apartments, including 11 affordable units on-site, on a brownfield site in the urban area at an accessible and sustainable location.

The proposal's density, layout, design, scale and appearance will have a positive impact on its surroundings and do not impact on key views in the city. Privacy and amenity of neighbouring properties are maintained to an acceptable level and future residents will experience a good quality of internal and external amenity. Mature TPO trees that contribute to the area's character will be retained and replacement planting is provided for the loss of young trees that are not integral to the site's character.

Parking provision for vehicles, secure bicycle parking provision, visitor bicycle parking and accessible parking provision complies with the Council's Parking Standards.

The proposal is acceptable subject to a number of conditions and the conclusion of a suitable legal agreement. There are no material considerations which outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN09, LEN12, LEN16, LEN21, LEN22, LEMP09, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, LTRA08, NSG, NSGD02, SGDC,

# Report

## **Application for Planning Permission 19/02449/FUL At 33 Pinkhill, Edinburgh, EH12 7BF Demolition of existing office building and development of 46 apartments (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 site, covering an area of approximately 0.43 hectares, lies to the south of Pinkhill and its current use is an office with an associated parking area. The site is linear and slopes from its northern end at Pinkhill, with a gradual drop in levels to the south, into its parking area and Pinkhill Park. The north end of the site is set below the level of Pinkhill Road.

The existing office building has a net internal area of 1,935 sqm, is three storeys in height and is currently vacant. Its main pedestrian entrance is from Pinkhill with a further entrance point at the south from Pinkhill Park. It is a steel frame building consisting of brick, cladding and glazed windows. Trees, landscape planting and grass areas surround the office building. The south section of the site comprises surface car parking.

The site lies within a predominantly residential area which has a variety of housing styles and is suburban in character. The adjacent Pinkhill Park consists of four and half storey apartments with ground level parking, four storey apartments and three storey town houses, and is located immediately to the east and south of the site. Housing at Traquair Park East and Carrick Knowe Avenue is located immediately to the west. Carrick Knowe Golf Course lies immediately to the south. The north boundary faces on to Pinkhill.

Pedestrian and vehicular access to the site is gained from Pinkhill and Pinkhill Park and there is a disused railway line to the north of the site that is now used as a Core Path (CEC 13 Sighthill to Carrick Knowe) and cycle route.

Corstorphine Road and a number of prominent local features including Edinburgh Zoo, Silvan House and Murrayfield Hospital are all in close proximity to the north of the site.

## 2.2 Site History

25 May 2018 - Planning permission was refused for the 'Demolition of existing office building and development of 51 apartments' at 33 Pinkhill, Edinburgh, EH12 7BF (Reference: 17/03433/FUL). The planning authority determined the five storey development was contrary to LDP policy Des 4 Development Design - Impact on Setting;

9 October 2018 - An appeal for the above application was dismissed by the Scottish Government's Planning and Environmental Appeals Division as the proposed development was determined to be contrary to LDP policies Des 1, Des 4 and Des 5 (Appeal reference: PPA-230-2235).

## Main report

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### 3.1 Description Of The Proposal

The applicant proposes to demolish the existing office building and erect an apartment building for 46 apartments comprising:

- 2 x studios measuring 36 sqm;
- 16 x 1 bedroom apartments measuring 52 sqm;
- 22 x 2 bedroom apartments measuring 71-79 sqm; and
- 6 x 3 bedroom apartments measuring 91-96 sqm.

Eleven affordable housing units are provided on-site. Nine affordable apartments are included north of the building within a separate stair core and a further two main door affordable apartments are included at the ground level. Affordable units comprise four x 1 bed apartments, four x 2 bed apartments and three x 3 bed apartments.

A single four storey building is proposed. The building footprint is similar to the existing office building, however the southern elevation will be situated approximately 4.7m further away from apartments at no. 14 Pinkhill Park than the existing office building. Four access points are included with one entrance door at the centre of the south elevation, one access door at the east elevation and two further access doors located at the west elevation. Two main door apartments are included with access taken from the east elevation via a path.

Proposed materials include sandstone finish masonry with selected areas of timber cladding and zinc cladding. Other materials include mid-grey framed energy efficient uPVC windows and north and east-facing balconies/terraces finished with timber decking and structural glass balustrading. The flat roof will be zinc-like dark grey, edged with cladded parapet walls in certain areas, and the upper east corner of the building will be clad with zinc-like dark grey cladding. The west boundary includes angled windows facing south and north and six angled windows in apartments at the south elevation.

Private amenity space is provided in the form of balcony spaces for 26 apartments each measuring 4 sqm. Private garden areas, utilising approximately 5.7% of the site area, are also provided for nine of the ground floor apartments at the east and north elevations. Formal landscaped communal amenity space equivalent to approximately 8.4% of the site area is provided immediately to the south of the proposed building near its main entrance. Informal amenity space around the building which will be usable to varying levels due to site topography is also provided and uses approximately 26 % of the site area. Two seating areas are proposed: one at the north east boundary and another at the south of the site beside Carrick Knowe golf course.

Vehicular access to private car parking is maintained at the south of the site where 43 car parking spaces, including three accessible spaces, are provided. Of the 43 car parking spaces, seven electric vehicle parking spaces are provided. Within the car park area, three motorbike spaces with secure anchor points are provided. The car parking will be controlled with an entrance barrier and spaces will not be allocated. The existing car park barrier will be moved further west to allow for movement of larger vehicles and refuse collection.

A secure bicycle store with capacity for 78 bicycles is integrated within the building at the main access at the south of building. Eight visitor cycle parking spaces are provided externally at the southern entrance. A second secure cycle store for 8 bicycles is situated within the northmost stair core for affordable units. A single external refuse store is included at the site's western boundary near the parking area and close to main points of access.

Four trees and a small group of young trees located at the east and north of the site will be removed, with four replacement trees proposed. Beech hedging at the site's east boundary will also be retained and enhanced with further planting. Landscape planting will be introduced to most parts of the site including the west boundary of the parking area.

### Scheme 1

The formal landscaped amenity area was amended by the applicant to allow for an improved desire line for refuse collection. An additional amendment to the floor plans was made to include two additional main door affordable apartments at the ground floor.

### *Supporting Statement*

The applicant submitted a suite of supporting documents and studies in support of the application and these are available on the Planning and Building Standards Public Access facility:

- Design and access statement;
- Planning supporting statement;
- Transport statement and information;
- Daylighting sections;
- Residential travel pack;
- Drainage information and checklists;
- Flood risk information;

- Air quality statement;
- Sustainability Form S1 and a Low and zero carbon energy report;
- Landscape plan, amenity space plan and planting schedule;
- Landscape and Visual Assessment including view cone assessment;
- Arboricultural Impact Assessment and Arboricultural Method Statement;
- Construction method statement;
- Target market research report;
- Bat survey; and
- Refuse plan & swept path analysis.

### **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 development is acceptable in this location;
- b) the layout, design, mix and density are acceptable at this site;
- c) whether the proposal provides adequate amenity for future residents or will impact adversely upon amenity of neighbours;
- d) landscape proposals are acceptable;
- e) the proposal raises issues in terms of traffic or road safety;
- f) the proposal is acceptable in relation to other relevant material considerations;
- g) there are any developer contribution requirements;
- h) the proposal has any equalities or human rights impacts;
- i) the proposal meets sustainability criteria; and
- j) material representations or community council comments raise issues to be addressed.

a) Principle

The site is located within the Urban Area as identified in the Local Development Plan (LDP). The site is the subject of a Tree Preservation Order (TPO).

Criterion d), in part 1 of LDP policy Hou 1, gives priority to the delivery of housing at sites in the Urban Area, subject to compatibility with other policies in the LDP. Housing at this site is consistent with LDP policy Hou 1.

Introducing housing at the site in place of the existing vacant office building will not prejudice or inhibit the activities of any nearby employment uses and will contribute to regeneration and improvement in the wider area which meets the requirements of LDP policy Emp 9 a) and b).

The site is not greater than one hectare and the proposal is not required to include floorspace for a range of business users; this meets the requirements of LDP policy Emp 9 c).

The loss of office space is acceptable. The principle of residential development at this location is acceptable subject to compliance with other LDP policies.

b) Layout, design, mix and density

LDP Policies Des 1 - Des 8 set a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area with the need for a high quality of design which is appropriate in terms of height, scale and form, layout and materials. The Edinburgh Design Guidance (EDG) also provides guidance for new development.

*Layout & Design*

The proposed apartment building and site layout broadly reflect the existing office building in terms of building position, location of parking and the position of landscaped areas around the new apartments. The north elevation of the proposal will be positioned closer to Pinkhill Road and engages with the street. The southern elevation will also be positioned approximately 4.7 metres further away from apartments to the south within Pinkhill Park to allow for the creation of amenity space. The urban grain and pattern in the area is mixed with different set-back distances from the street and varying levels of landscaped settings. By maintaining a similar footprint to the existing office building, the proposed building's distance from neighbouring apartments at Pinkhill Park and houses at Traquair Park East is appropriate. This respects the existing urban form and established character of the area.

With reference to LDP policy Des 4 c), the proposal's layout retains the character of the area and includes suitable landscape planting and amenity space around the site.

The application site is constrained by the presence of a sewer and mature trees at its western boundary, and within the parking area to the south by the sewer. Given the presence of these site constraints and the narrow form of the site to the south, the layout and position of the building is acceptable. Retention of parking at the south of the site is within a relatively discreet location and maintains the status quo where parking does not dominate the street scene as required by LDP policy Tra 4 Design of Off-Street Parking and Cycle Parking.

The building is modern in appearance. Proposed materials including sandstone masonry with selected areas of zinc and timber cladding are sympathetic to the surrounding area and offer an improvement on the existing office building. Window proportions at the north, east and south elevations along with the inclusion of balcony spaces at north and east-facing elevations are acceptable in design terms.

A series of north and south-facing angled windows are included at the west elevation in response to concerns over privacy and neighbouring amenity for neighbours. This design approach results in the apartment building's west elevation having windows that avoid direct views between properties which is recommended in the EDG. The elevation will be finished in sandstone masonry with elements of zinc cladding and narrow vertical windows in stair cores. Timber cladding will also feature on the west elevation. The proposed west elevation also includes four windows set at 1.8 metres in height from the floor level for four living rooms at this elevation. Visualisations of the proposed building demonstrate that the west elevation will be similar in comparison to the existing office building's massing, and its appearance will make a positive contribution to the area in comparison to the existing office building which contributes little to the area.

### *Height*

LDP Policy Des 4 a) supports development that is appropriate with regard to its height and form. The proposal is similar in height to the existing office building. The new apartment building's flat roof level will be 0.5m taller than the existing office's roof height, and approximately two metres taller than the existing eaves level. The proposal will sit comfortably within its immediate context where neighbouring apartments to the east at Pinkhill Park are approximately 3.5 metres taller than the proposal. The proposal's flat roof height is also set at the eaves level of the apartments at the south. The EDG states that new buildings should sit within the eaves level of neighbouring buildings and the proposal accords with this aspect of the guidance. Due to site topography, the ground floor of the apartment building would be relatively concealed at the north elevation and would appear as being three storeys from the street. This design approach would provide a suitable visual transition from apartment buildings along Pinkhill Road to properties of lower height at Traquair Park East.

In comparison to the one and two storey housing to the west of the application site there is a difference in height. However, there is little change in comparison to the existing office. An appeal decision for this application site notes that development in this location would not be viewed directly alongside housing to the west due to road layout and the presence of mature trees. In this context the proposal's height is acceptable.

The building's height and form respects the established character of the surrounding townscape and neighbouring properties and complies with LDP policies Des 1 and Des 4a).

### *Mix and size of apartments*

Through LDP policy Hou 2, the Council seeks provision of a mix of house types and sizes to meet a range of housing needs. The proposal comprises a mix of studio (x 2), one bed (x 16), two bed (x 22) and three bed (x 6) apartments. The applicant also submitted a Target Market Research report to support the proposed unit mix. All proposed housing is in the form of apartments. Floor space requirements for each of the proposed studios, one and two bed apartment sizes meet or exceed the Edinburgh Design Guidance (EDG) standards.

The EDG provides further guidance on the mix of housing that LDP policy Hou 2 seeks to secure and states that in developments over 12 units, 20% of proposed units should have a minimum floor space of 91 sqm and be designed for families. Six apartments (13%) in the proposal are three bedroom apartments with floor space ranging from 91 sqm to 96 sqm which aligns with the EDG guidance on unit size for growing families.

Whilst the type of housing provided is exclusively apartments, the mix of units proposed meets with the requirement of LDP policy Hou 2 to provide a mix of house sizes. Although the proposal is approximately 3.5 units short of the 20% recommended in the EDG, with a rate of 13%, a good mix of apartment sizes is provided for growing families, older people or downsizers. There is also provision of family housing in the wider area. An apartment form of development is also acceptable at this specific site due to the presence of site constraints and for townscape reasons in response to the site's immediate context.

### *Density*

LDP policy Hou 4 encourages higher densities at sites with good access to public transport as long as local character, environmental quality and residential amenity is not damaged. The immediate area surrounding the application site is largely residential in nature with a range of densities and varying building types. The proposal's density equates to approximately 107 units per hectare (46 / 0.43). The density of neighbouring development at Pinkhill Park which includes apartments and townhouses is approximately 70 units per hectare. Low density housing is located to the west of the site at Traquair Park and Carrick Knowe Avenue.

The proposed density is acceptable within its context and is consistent with the aims of LDP policy Hou 4.

### *Amenity space*

Private amenity space is provided in the form of balconies for 26 apartments, and ground floor terrace areas, which utilise 5.7% of the site area, are also provided for nine apartments. The proposal includes 364 sqm of formal open space which has been introduced to the site by amending the building line of the south façade. This constitutes approximately 8.4% of the site. The retention and enhancement of the landscape space surrounding the building which will be usable to varying levels due to site topography, provides additional informal amenity space measuring 1,125 sqm which is approximately 26% of the development site. The introduction of south facing amenity space as part of the proposal introduces an area that will receive a good level of sunlight, whilst two informal seating are also provided within a landscape setting.

The location and layout of amenity space for the proposal accords with the objectives of the LDP design policies and policy Hou 3 Private Green Space in Housing Development.

### **Conclusion**

The proposal's overall layout, design, use of materials and density is consistent with the objectives of the LDP and the development will make a positive contribution to the local area by bringing a previously developed site in to residential use.

The application complies with the objectives of LDP policies Des 1, Des 3, Des 4, Des 7, Des 8, Hou 3, Hou 4 and Tra 4.

### c) Amenity

Design policies in the LDP lend support to well-designed developments that are appropriate in their surrounding context. Requirements relating to amenity are set out LDP policy Des 5 Development Design - Amenity and the EDG.

### *Neighbouring Amenity*

Introducing a residential use at this site in place of an office building must consider any associated impact on neighbouring amenity or potential for an increase in passive overlooking.

The applicant provided information to support the proposal against criteria in the EDG relating to protecting daylight to neighbouring buildings. There will be no reduction in sunlight or daylight levels for surrounding neighbours as the proposal is similar in its position, mass and height to the existing office building.

The proposed building will be approximately 21 metres from flats directly to the east and a good level of neighbouring residential amenity and privacy will be maintained. Existing flats to the south would be located approximately 18 metres from the proposed building due to the new building line at this location; this approach facilitates the introduction of a residential use at the site in place of the former office use. Three angled windows are included on the south elevation to reduce direct views from the proposal's south east corner, and other windows are set at a distance of 18 metres from no. 14 Pinkhill Park ensuring a good level of amenity is maintained. No balconies or terrace areas are included at the south elevation.

Previous refusal(s) at the site have related to a reduction of privacy for neighbouring gardens to the west of the application site. By introducing angled windows facing north and south, excluding any balconies and raised terraces, and limiting any direct views to stair core windows only, there will be a negligible impact on privacy for garden spaces at nos. 1 and 1b Traquair Park East and nos. 248-252 Carrick Knowe Avenue in comparison to the site's recent use as an office.

In terms of visual impact for neighbours facing the proposal's west elevation, the building will introduce a lighter material finish in comparison to the existing office building, the number of windows directly overlooking gardens and houses will be reduced and a similar building height will be retained. Mature TPO trees will also partially provide a degree of screening. The proposed building design safeguards neighbouring amenity in terms of general outlook despite a degree of change being introduced.

Parking at the site will remain at a similar level when compared to the site's most recent use and neighbouring amenity will not be affected by traffic coming to and from the site. The bin store's location adjacent to the west boundary is contained within the site and has east facing entrance doors which will ensure any impact on neighbouring properties to the west is minimised.

#### *Amenity of future residents*

Fifty-eight per cent of the proposed apartments will be dual aspect which exceeds the recommended 50% in the EDG. Thirty six apartments benefit from balconies or ground floor terrace spaces which will offer a good level of private or semi-private amenity. The provision of dedicated formal amenity space at the south of the building and informal amenity space around the building affords a good level of external amenity to future residents.

The applicant proposes a series of angled windows at the west elevation. Rooms at the west elevation are in the most part bedrooms, with the exception of the living rooms for four one bedroom apartments which are also west-facing. The applicant submitted information within a Design Statement to demonstrate that habitable rooms at the west elevation will achieve adequate daylight. The information shows that light will penetrate at least half way in to rooms as required by the EDG. The approach taken to demonstrating daylight levels at the proposal's west elevation deviates from the EDG, although a suitable level is still achieved in compliance with Building Research Establishment (BRE) guidelines. Whilst angled windows are not a feature seen in the surrounding area, in this instance they are an acceptable solution at the western boundary to balance concerns with regard to neighbouring privacy and amenity with the requirement to ensure future residents enjoy a good internal environment. Six further angled windows, which are secondary to main east-facing windows, are included for apartments at the southeast elevation of the building and assist in ensuring an enhanced level of internal amenity for future residents of these flats.

## **Conclusion**

The proposal ensures a good level of amenity and privacy is safeguarded for neighbouring properties in Pinkhill Park, Traquair Park East and Carrick Knowe Avenue. Future residents are afforded a good quality living environment with acceptable levels of daylight, sunlight, privacy and outlook.

The proposal demonstrates compliance with the LDP policy Des 5 Development Design - Amenity and complies with the objectives of the EDG despite a minor deviation.

### **d) Landscape and trees**

#### *Landscape*

A landscape and visual appraisal including an assessment of local views and key views identified in the Edinburgh Design Guidance was submitted by the applicant. The applicant has demonstrated there will be no impact on key views W06A and W07A or the skyline of the area.

In the context of local views from Pinkhill Road, Pinkhill Park, Traquair Park East and Carrick Knowe Avenue, the proposed building will be similar to the existing office building with reference to its position, scale, height and massing. The introduction of sandstone with timber and zinc cladding will bring a positive change to the appearance of the local area in comparison to the existing office building. Retention of trees and enhanced beech hedging at the site along with the proposed soft and hard landscaping also provides a good quality landscape for future residents and neighbouring properties.

Submitted plans and visualisations demonstrate that the new apartment building and surrounding landscape draw on characteristics from the surrounding area and contributes to creating a sense of place within its context. It is recommended that full landscape details, planting schedules including quantity of plant species and maintenance procedures are secured by condition.

The proposal accords with the requirements of LDP policies Des 1 Design Quality and Context, Des 3 Development Design - Incorporating and Enhancing Existing and Potential Features, Des 4 Development Design - Impact on Setting, Des 8 Public Realm and Landscape Design.

### *Trees*

The site is covered by a Tree Preservation Order and contains a number of trees in varying condition and stages of maturity. The applicant submitted an Arboricultural Impact Assessment and an associated Arboricultural Method Statement with the application. It is proposed that a small group of young trees (group G4) at the north of the site will be removed along with four trees that are in varying condition (trees T5, T6, T7 and T9). The removal of these trees will not be detrimental the character or amenity value of the site or its surrounding area. Replacement tree planting is proposed in the applicant's landscape plan and planting schedule which is acceptable mitigation to offset the loss of these trees. Mature trees at the west boundary and at the corner of Pinkhill Park and Pinkhill Road will be retained.

Mitigation measures outlined in the applicant's supporting information to protect remaining trees and root protection areas are acceptable. A number of conditions are recommended to ensure trees are adequately protected.

Although the loss of TPO trees is not supported by LDP policy Env 12, the proposed replacement planting and mitigation measures are considered acceptable.

### e) Traffic & Road Safety

The application site is well situated with regard to public transport along Corstorphine Road and nearby active travel routes. The application site is located within Zone 2 of the Council's Parking Standards which allow for a maximum of 46 car parking spaces. The proposal includes 43 car parking spaces, of which seven can accommodate electric vehicles. Access to the parking area will be taken from Pinkhill Park. Parking at the application site would be controlled by use of a barrier, similar to the system in place for the existing office building and spaces will not be allocated. Three accessible parking spaces are provided along with three motorcycle spaces. Secure bicycle parking is provided in two separate ground floor locations within the apartment buildings for 86 bicycles. A further eight bicycle parking spaces for visitors are provided at the site's southern entrance. Parking for vehicles, motorcycles and bicycles accords with the Council's parking standards.

Objections have raised concern about the development's impact on parking and traffic in the local area as well as safety implications from moving the building closer to the street causing driver distraction. The new building will be approximately five metres from the road and will appear as a three storey building with a concealed ground floor at the north of the site due to the site's topography. The presence of a new building in the urban area does not lead to any road safety issues. Unallocated parking along Pinkhill associated with nearby attractions and facilities like Edinburgh Zoo Murrayfield Stadium as well as Silvan House appears to generate parking demand in the area. Parking outwith the application site cannot be controlled by the applicant and the Roads Authority does not raise concern with regard to any parking or road safety matters.

The Roads Authority is satisfied that the level of proposed car parking is acceptable due to the site's sustainable location. The proposal accords with LDP policies Tra 2 Private Car Parking and Tra 3 Private Cycle Parking and is located in a sustainable location.

f) Other material considerations

*Ecology and nature conservation*

A bat survey report submitted by the application confirms that there is no evidence for the presence of bats or suitable roosting spaces were at the property. Any clearance works, works to trees or demolition will be required to comply with relevant wildlife legislation and regulations and outwith the breeding bird season.

The proposal complies with the requirements of LDP policy Env 16 Species Protection.

*Flood Risk and Drainage*

Flood Prevention has reviewed supporting information for the proposals against the Council's self-certification forms and is satisfied that the proposal meets all requirements. SEPA was consulted on the proposals and raises no objection. The applicant should note best practice advice provided by SEPA with regard to flood risk and drainage.

The proposal complies with LDP policy Env 21 Flood Protection.

*Air Quality and Noise*

The applicant submitted an Air Quality Statement with the application. The application site is located outwith the nearby St John's Road Air Quality Management Area. Seven electric vehicle charging points are included in the design and the site is well located with reference to public transport along Corstorphine Road and active travel route(s). The Council's Environmental Protection service recognises that the applicant has kept the numbers of car parking spaces at the site static, committed to good cycle provision(s), included electric vehicle charging facilities and supported the application with a travel pack. The Council's Environmental Protection service and SEPA are satisfied that the proposal is unlikely lead to adverse effects on air quality.

No concerns have been raised by the Council's Environmental Protection service with reference to noise impact. Construction noise is regulated by Environmental Health Officers and no construction noise is permitted outwith Monday to Saturday 07:00 - 19:00. The applicant's Construction Method Statement further notes that working hours will comply with relevant regulations.

The proposal complies with the requirements of LDP policy Env 22 Pollution and Air, Water and Soil Quality.

### *Ground conditions and contamination*

The proposal involves demolition of the existing office building. The Council's Environmental Protection service recommends that a survey is undertaken to establish any risk to human health from contaminants. It is recommended that this information is secured through a planning condition.

### *Refuse storage and collection*

An external bin store is provided at the west boundary of the site in close proximity to the building's main entrances. In response to comments from the Roads Authority, the applicant amended the proposed site layout to facilitate a straight line pull for refuse collection. A swept path analysis submitted with the application demonstrates that refuse vehicles can operate safely at the site. The Council's Waste Service has confirmed that the refuse store layout, capacity and mixture of bins for recycling and residual waste meet the Council's standards. It is recommended that a condition is included to secure details of proposed materials for the refuse store.

### g) Developer contributions

#### *Affordable Housing*

LDP policy Hou 6 Affordable Housing requires that developments of this size include 25% of total units as affordable. In this case, the affordable housing requirement equates to 11.5 homes. The applicant has engaged with the Council's Affordable Housing service and a Registered Social Landlord (RSL) during the application stage and following requested amendments, 11 affordable apartments are identified on floor plans at the north and east of the building. Affordable units would comprise four x 1 bed apartments, four x 2 bed apartments and three x 3 bed apartments. Nine of the affordable housing units will be provided within a single stair core in order to satisfy RSL requirements for future management. The remaining two main door affordable apartments will be accessed at the east elevation.

The Council's Affordable Housing service is satisfied with the proposed arrangements to deliver affordable housing on-site. Due to 11 affordable units being delivered on-site, Affordable Housing has not requested any further contribution for the outstanding 0.5 unit in this case.

Subject to the conclusion of a suitable legal agreement to secure affordable housing at the site, the application complies with LDP policy Hou 6.

#### *Education*

The application was assessed against the Finalised Supplementary Guidance on Developer Contributions and Infrastructure Delivery, August 2018. This site falls within Sub-Area W-4 of the 'West Edinburgh Education Contribution Zone' however the Council's LDP Action Programme does not identify a need for additional primary school infrastructure within this Sub-Area.

Communities and Families confirm that there is no contribution required for this application.

## *Healthcare*

The site does not lie within a Healthcare Contribution Zone as set out in the Finalised Supplementary Guidance on Developer Contributions and Infrastructure Delivery (August 2018). There is no requirement for developer contributions towards healthcare infrastructure.

### h) Equalities

The proposal has been considered in terms of equalities and no adverse effects are identified. The applicant will be required to comply with the provisions of the Equality Act 2010 and Scottish Building Regulation requirements. Three accessible parking spaces are included to comply with parking standards and lift access is included within the building.

### i) Sustainability

Seven electronic vehicle charging points will be provided on site and 86 secure bike storage spaces will be provided to encourage the use of more sustainable transport methods. A Residential Travel Park was also submitted for the development highlighting sustainable travel options for future residents. The applicant submitted the Council's S1 sustainability form with the application and the building will be subject to Scottish Building Regulations with reference to sustainability requirements for the building. A Low/Zero Carbon Energy Statement was submitted in support of the application and also refers to the use of water saving and heat recovery technologies being implemented in the apartment building.

The proposal demonstrates compliance with LDP policy Des 6 Sustainable Buildings.

### j) Representations

#### *Material objections*

- Transport and traffic impact and related parking pressures and road safety concerns including proximity to the pavement - addressed in Section 3.3 e).
- Building location, height, mass, density, layout, design, appearance and visual impact - addressed in Sections 3.3 b) and c).
- Impact on privacy and amenity of neighbouring properties at Traquair Park East, Carrick Knowe Avenue and Pinkhill Park - addressed in Section 3.3 c).
- Quality of open space provision is not adequate - addressed in Section 3.3 c).
- The number of single aspect flats - addressed in Section 3.3 c).
- Impact on the local area's green spaces and trees - addressed in Sections 3.3 b) and d).
- Apartment sizes are inadequate - addressed in Section 3.3 b).
- Pressure on local services including medical, education and other infrastructure - developer contribution requirements are addressed in Section 3.3h).
- Noise and disturbance - addressed in Section 3.3 c) and residential development in this area is compatible with the surrounding residential uses.

### *Neutral comment*

- Encourages development of the site subject to parking and traffic impact information - addressed in Section 3.3 e).

### *Non-material comments*

- Inadequate public consultation carried out by developer - Planning legislation does not require pre-application consultation for local planning applications.
- Duration of neighbour notification process too long - the duration of notification letters within the postal system cannot be influenced by the planning authority.
- Impact on Corstorphine Conservation Area - the site is not located within or close to a Conservation Area.
- Proposal does not accord with the West Edinburgh draft Local Plan - this development plan has been superseded by the 2016 Edinburgh Local Development Plan.
- The number of exits in the event of a fire event in the apartment building is inadequate - this is a matter for Building Standards.
- Overdevelopment to facilitate profit for the developer - profit motive is not a planning consideration.

### *Corstorphine Community Council*

The Community Council submitted comments objecting to the proposal:

- Object to the proposal's height, form, scale, appearance, population density, car parking and traffic impact, neighbouring privacy, bin store location, amenity space quantity and quality - addressed in Sections 3.3 b), 3.3. c), 3.3 d), 3.3 e) and 3.3 f).

### Conclusion

The proposal complies with LDP policies Hou 1 and Emp 9. The proposed development delivers 46 apartments, including 11 affordable units on-site, on a brownfield site in the urban area at an accessible and sustainable location.

The proposal's density, layout, design, scale and appearance will have a positive impact on its surroundings and do not impact on key views in the city. Privacy and amenity of neighbouring properties are maintained to an acceptable level and future residents will experience a good quality of internal and external amenity. Mature TPO trees that contribute to the area's character will be retained and replacement planting is provided for the loss of young trees that are not integral to the site's character.

Parking provision for vehicles, secure bicycle parking provision, visitor bicycle parking and accessible parking provision comply with the Council's parking standards.

The proposal is acceptable subject to a number of conditions and the conclusion of a suitable legal agreement. 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. 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.
2. A detailed specification, including trade names where appropriate, of all the proposed external materials including the external bin store 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. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction".
4. Prior to the commencement of development the approved tree protection plan must be implemented in full and works must be carried out in accordance with the Arboricultural Impact Assessment report number 10787\_R01c\_JP\_LP (date 3rd June 2019) and the Arboricultural Method Statement report number 10787\_R02d\_JP\_LP (date 3rd June 2019) unless otherwise agreed in writing with the Planning Authority.
5. A fully detailed landscape plan, including details of all hard and soft surfaces, boundary treatments and all planting numbers and species, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
6. All planting carried out on site shall be maintained by the developer to the satisfaction of this Planning Authority for a period of 5-years from the date of planting. Within that period any plants, which are dead, damaged, missing, diseased or fail to establish shall be replaced annually.

#### **Reasons:-**

1. In order to protect the amenity of the occupiers of the development.
2. In order to enable the planning authority to consider this/these matter/s in detail.

3. In order to safeguard protected trees.
4. In order to safeguard protected trees.
5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
6. In the interests of visual amenity and effective landscape management to ensure that adequate measures are put in place to protect the landscaping and planting in the long term.

### **Informatives**

It should be noted that:

1. Planning permission should not be issued until the applicant has entered into a suitable legal agreement for the following:

Affordable Housing: 25% contribution in the form of 11 units on-site.

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. The applicant should consider incorporating swift bricks into the building.
6. Site clearance should be completed outwith the breeding bird season.
7. The following transport matters should be noted by the applicant:
  - 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;

- 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;
- The residential parking spaces highlighted on drawing number Site Plan PIN\_APL\_101 (Rev. P2) dated May 2019 shall be served by 7Kw (32amp) Type 2 electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied; and
- All remaining residential parking spaces shall be served by a minimum 3 KW (16- amp three pin plug) with an optional upgrade to 7Kw (32amp) Type 2 electric vehicle charging sockets. These should be installed and operational in full prior to the development being occupied.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

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

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

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

## **Sustainability impact**

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

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

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

The application site was presented to the Edinburgh Urban Design Panel at the pre-application stage on 22 February 2017 prior to the submission of application 17/03433/FUL. The Panel's report is included within Appendix 1 of this report and is available to view on the Planning and Building Standards online portal.

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

Neighbours were notified on 31 May 2019. The application was publicised on the weekly list of applications on 03 June 2019. Eighty six representations comprising 85 objections, including one from a Ward Councillor, one Member of the Scottish Parliament and one Member of Parliament. One neutral comment was received. Two late comments of objection were received which raised no additional material planning matters.

Corstorphine Community Council requested consultee status and provided comments objecting to the application.

A full assessment of the representations can be found in the main report in the Assessment section.

## **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**

The application site is shown to be in the Urban Area in the adopted Edinburgh Local Development Plan (LDP). The application site is the subject of a Tree Preservation Order.

### **Date registered**

29 May 2019

### **Drawing numbers/Scheme**

01,02B,03A,04-09,10B,11B,12C,13,14,15A,,  
16-25,26A,27A,

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Sean Fallon, Planning Officer

E-mail:sean.fallon@edinburgh.gov.uk Tel:0131 469 3723

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **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.

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

# Appendix 1

## **Application for Planning Permission 19/02449/FUL At 33 Pinkhill, Edinburgh, EH12 7BF Demolition of existing office building and development of 46 apartments (as amended)**

### **Consultations**

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#### **Edinburgh Urban Design Panel - 22 February 2017**

##### *Summary*

*The Panel welcomes the opportunity to review the proposal.*

##### *1 Recommendations*

*1.1 In developing the design, the Panel supports the following aspects and therefore advocates that these should remain in the proposals:*

- o The loss of the existing office building*
- o The proposed residential use*

*1.2 In developing the proposals the Panel suggests the following matters should be addressed:*

- o Comprehensive urban analysis*
- o Reduction in the built form and density*
- o Reconsider the proposed unit mix and tenure*
- o Re-design of the siting, height, mass and form of the development*
- o Reduction in carparking and redesign of parking areas*
- o Usable and sunlit open /private space to be provided*

##### *Main Report*

##### *2 Introduction*

*2.1 The proposal is to demolish the existing office building and replace with a five/six storey residential development. The site, covering an area of approximately 0.49 hectares, lies to the south of Pinkhill. There is a three-storey office building on the site. Pinkhill Park is to the east of the site. Houses on Traquair Park East and Carrick Knowe Avenue back on to the west of the site. Carrick Knowe Golf Course lies to the south. There are trees subject to a tree preservation order on site.*

*2.2 This is the first time that the proposals have been reviewed.*

*2.3 No declarations of interest were made by any Panel members in relation to this scheme.*

2.4 This report should be read in conjunction with the following pre meeting papers; Planning Issues Paper prepared by City of Edinburgh Council and presentation material prepared by the presenting team.

2.5 This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the Panel forming a differing view about the proposals at a later stage.

### 3 Use

3.1 The Panel supported the proposed residential use for the site. However, they were of the view that the proposed unit mix is not appropriate for this part of the city and that that given the context more family and affordable units should be provided.

3.2 The Panel supported the loss of the office use and existing building as it did not make a positive contribution to the character of the local area.

### 4 Layout, Height and Mass

4.1 The Panel considered that this proposal represented an overdevelopment of the site.

4.2 The Panel noted that a detailed urban analysis is required to be carried out to support a design for the site. This analysis should take account of the site constraints which includes the mature and TPO trees some of which are not on the application site. Also, the site is very constrained given its orientation and width. With respect to this analysis it was acknowledged by the Panel that there is variety and fragmentation in the existing urban context. This in itself presents a challenge with a proposal looking to repair the urban grain.

4.3 It was also noted in the discussions, that the provision of east / west sections would assist understanding of the level changes across the site and the relationship of the existing built form of neighbouring properties and resultant open space with respect to these edges and the mature trees.

4.4 The proposed six/five storey option was not supported by the majority of the Panel. The Panel were of the view that six/five storey design is too high for the site and therefore should be reduced to reflect the prevailing height in the area. However, the Panel noted that taking reference from the context of the adjacent mature trees it may be possible for some parts of the development to be six storeys high however not in the current mass and form.

4.5 The Panel considered the design to be monolithic in form and was not supported. It was suggested that a more broken form and or two buildings should be considered for the site. This form of development could allow dual aspect units, more units with a south facing aspect and open/green social space for the residents.

4.6 Single aspect dwellings are generally not encouraged by the Panel. They noted that even if designed with large areas of glazing they still do not provide the quality of accommodation afforded by dual aspect properties.

4.7 *The Panel encouraged the presenting team to consider the provision of on-site affordable units.*

4.8 *The Panel encouraged the presenting team to consider moving the building footprint to the east which could result in the loss of some trees. However, this may assist to resolve access to the building and provide more usable open space to the west with better amenity.*

4.9 *The Panel referred the presenting team to a development in Ravelston which has limited open /private space and has provided well-designed usable open space.*

## 5 *Transport and Movement*

5.1 *The site is well connected and in close proximity to public transport routes.*

5.2 *The Panel recommended that a traffic survey should be carried out. The data from this survey should help inform a car parking strategy for the site.*

5.3 *The Panel were split with respect to how parking if any should be provided on the site. Some Panel members were of the view that given how well connected this site is it could be a car free development while other panel members were of the view that this approach was impractical given its location and potential attraction to families.*

5.4 *Given the site constraints the Panel encouraged the presenting team to consider underground or under-croft parking which could release areas of the site for open space. If parking is to be provided at below the Council's minimum requirements, then some contributions to sustainable transport via a S75 agreement would be expected, and necessary.*

## 6 *Open/Green Space*

6.1 *The Panel noted that a tree survey should be carried out as soon as possible and will inform the design for the site.*

6.2 *The Panel noted their disappointment at the lack of usable open space/social areas on the site. The site layout provides very little usable open space for residents with carparking taking up the majority of the south facing part of the site. The Panel noted that the proposed location for the car parking could potentially be designed as south facing open space for the development while also forming a link to the wider network and golf course.*

## 7 *Materials*

7.1 *To assist with integrating the proposal with the context the Panel noted that the materials should take reference from this context.*

## 8 *Sustainability*

8.1 *The Panel encouraged the use of renewable on the site but noted the difficulties in their use due to the orientation of the site.*

## **Archaeology comment**

*The application site has been significantly affected by recent 20th century development. As such it is considered unlikely that significant archaeological remains will have survived insitu on this site. Therefore it has been concluded that there are no known archaeological implications in regards to this scheme.*

## **Environmental Protection comment**

*The applicant has amended the proposed plans. The application site currently houses a 3-storey office block. It was used as an office by ST Microelectronics and has capacity to accommodate circa 200 members of staff. The application site is near the St Johns Road and City Centre Air Quality Management Areas. The proposal is for the demolition of the existing office building and the development of 46 apartments instead of the previously proposed (17/03433/FUL) 75-52 residential apartments with 43 car parking spaces remaining the same number as the previous application.*

### *Local Air Quality*

*The car parking provision includes 7 electric vehicles charging points which is the minimum required as per the Edinburgh Design Standards. The applicant has also included a residential travel pack which is good and covers all modes of sustainable transport. It is also recommended that free public travel passes are provided to new tenants along with the travel pack.*

*The applicant has submitted a basic supporting air quality impact statement due to the site proximity to the St Johns Road and City Centre Air Quality Management Area. The parking numbers have not changed from previous applications. This is something that Environmental Protection would encourage the applicant to do is reduce parking numbers and install more than the minimum number of Electric Vehicle charging points.*

*The site is very well served with pedestrians and cycle paths. The site is also located near to the Haymarket transport hub with a high level of amenity also provided locally. Environmental Protection would recommend that that applicant reviews the excessive level of proposed car parking for such a well-connected site.*

*The Scottish Government in the 'Government's Programme for Scotland 2017-18 has a new ambition on ultra-low emission vehicles, including electric cars and vans, with a target to phase out the need for petrol and diesel vehicles by 2032. This is underpinned by a range of actions to expand the charging network, support innovative approaches and encourage the public sector to lead the way, with developers incorporating charging points in new developments.*

*The applicant should consider providing more than the minimum requirement for charging points due to the development close proximity to the AQMA and to mitigate the excessively high-level car parking spaces. The applicant will need to install 7Kw (Type 2 sockets) charging points serving identified 7 spaces as a minimum. All remaining residential parking spaces should be served by a minimum 3 KW (16-amp three pin plug) with an optional upgrade for residents to 7Kw (32amp) Type 2 electric vehicle charging sockets. These should be installed and operational in full prior to the development being occupied. The installation of basic outdoor three pin plugs at the development stage is cost effective and it is a good selling point for any future buyers.*

*The Sustainable Energy Action Plan is the main policy supporting the Council's Electric Vehicle Framework. Increasing the number of plug-in vehicles and charging infrastructure in Edinburgh will provide substantial reductions in road transport emissions but should be available for all tenants.*

*Air quality mitigation for the operational phase can be limited however the applicant must ensure that as a minimum they install electric vehicle charging points in accordance with the Edinburgh Design Standards and install low NOX boiler to the residential properties. Environmental Protection are satisfied that the impacts of this proposed development will be limited when compared to the current consented use. The applicant has kept the numbers of car parking spaces static, committed to good cycle provisions, electric vehicle charging facilities and supported with a travel pack. Due to the proximity of the air quality management areas Environmental Protection will recommend the electric vehicle charging points are fully installed and operational prior to occupation serving 100% of the spaces as described above.*

#### *Noise*

*Environmental Protection have no concerns regarding noise during the operation phase. However, the construction phase of the development may have an adverse impact on neighbouring residential properties. It should be noted that any construction noise is regulated by Environmental Health Officers with no construction noise permitted beyond the falling periods; Monday to Saturday 07:00- 19:00.*

#### *Contaminated Land*

*Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable)*

*Therefore, in conclusion Environmental Protection do not object to the application subject to the following conditions;*

#### *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.

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.

2. The residential parking spaces highlighted on drawing number Site Plan PIN\_APL\_101 dated May 2019 shall be served by 7Kw (32amp) Type 2 electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.

#### *Informative*

1. All remaining residential parking spaces shall be served by a minimum 3 KW (16-amp three pin plug) with an optional upgrade to 7Kw (32amp) Type 2 electric vehicle charging sockets. These should be installed and operational in full prior to the development being occupied.

#### **Waste Services comment**

##### *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.*

*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 the drawings provided in May 2019 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. For the 46 properties in this development, this would require 6 residual 1280L bins, 4 mixed recycling 1280L bins, 2 food waste 500L and 2 glass 660L bins. 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.*

*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. They should allow 12 weeks' notice for the ordering, manufacture and delivery of bins, and up to four weeks to add properties to routes.*

*The swept path analysis in PIN\_APL\_ 140 in is somewhat unclear, and uses a different vehicle. It should use the vehicle described in the Instructions for Architects, and demonstrate turning without any overhang.*

### *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 any 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.*

### **SEPA comment**

#### *Advice for the planning authority*

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

#### *1. Flood Risk*

1.1 We have no objection to the proposed development on flood risk grounds. Notwithstanding this we expect the City of Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority.

1.2 We have reviewed the information provided in this consultation and it is noted that the application site (or parts thereof) lies within the medium likelihood (0.5% annual probability or 1 in 200 year) surface water flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding.

1.3 A Flood Risk Assessment (FRA) has been submitted in support of the application. It is stated that the Stank Burn is culverted to the south of the proposed development within the golf course. After reviewing historic maps and details of the Scottish Water network, which have been provided in support of this planning application, we agree with this conclusion, based on the information provided. We would highlight that if any active culverted watercourses are found on site then no built development should be located above or immediately adjacent to them.

1.4 As the general area appears to be vulnerable to surface water flooding we advise that minimum finished floor levels should be set above surrounding ground levels to reduce the risk of flooding from ponding surface water. We would also recommend the use of flood resistant and resilient design and materials in any constructions works.

1.5 It is recommended that the Flood Risk Management Authority should comment on their requirements for the management of surface water at the application site including any mitigation measures. Drainage calculations should be undertaken using the FEH13 depth duration frequency statistics.

#### *Caveats & Additional Information for Applicant*

1.6 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> 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. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>

1.7 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.

1.8 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 the City of Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note "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 and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>

## 2. Air Quality

2.1 No air quality impact assessment (AQIA) has been submitted in support of this application and, therefore, impacts on air quality cannot be quantified. In this case, however, the Air Quality Statement is acceptable. The development should not lead to a significant increase in traffic on St Johns road as the site's previous use was as office accommodation which would have generated a lot of traffic used by those based in the office and those visiting it.

*Regulatory advice for the applicant*

## 3. Regulatory requirements

*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 the local SEPA office.*

## **Communities and Families comment**

*The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (August 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.*

*In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2019).*

*Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the finalised Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (August 2018).*

### **Assessment and Contribution Requirements**

*Assessment based on:*

*28 Flats (18 one bedroom / studio flats excluded)*

*This site falls within Sub-Area W-4 of the 'West Edinburgh Education Contribution Zone'.*

*Using the pupil generation rates set out in the Supplementary Guidance, the development of 28 flats is expected to accommodate one additional primary school pupil but is not expected to generate at least one additional secondary school pupil.*

*The Council's Action Programme does not identify a need for additional primary school infrastructure within this Sub-Area. Although the Appraisal did not take account of the proposed development, no additional education infrastructure will be required to mitigate the impact of the additional primary school pupil.*

*No contribution towards education infrastructure will therefore be required.*

### **Corstorphine Community Council**

*We have received many representations from local residents on this application who have formed their own group to collate local opinions.*

*The local representative, John Kerr has compiled a summary of local objections for submission. At our community council meeting on 19th. June we unanimously endorsed these objections which concern height, form, scale, population density and relation to car parking and usage etc.*

*We would also agree that rooftop 'penthouse' apartments have negative effects on neighbouring privacy.*

*On the existing site the gain in open space / amenity area is negatively offset by increase in resident population.*

*The bin store area is awkwardly placed and entails transportation of waste containers across the available amenity area. It has been suggested that the ground floor flat area at the S.E. location should enclose the waste storage area as closer to service vehicle entry / exit position.*

### **Roads Authority Issues**

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

- 1. 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;*
- 2. 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.*

3. *The Council's 2017 Parking Standards requires 7 of the proposed 43 parking spaces to have electric charging capability. The 7 parking spaces should at least be ducted to allow electric vehicles to be readily accommodated in the future, which is not the case as part of the applicant's current proposals;*

4. *The footway from the bin store to the point of collection by refuse vehicular is required to be designed to follow/provide straight desire lines. The current design adjacent gate of the car park (transition from footway to shared vehicular route) requires some turning which could potentially render refuse collection difficult.*

*Note:*

a) *The applicant to provide 43 car parking spaces and complies with the Council's 2017 Parking Standards which could allow a maximum of 46 car parking spaces for the proposed development in Zone 2. The 43 car parking spaces proposed for the development is considered acceptable due to the site's accessibility by public transport.*

b) *3 motorcycle spaces are to be provided complies with the minimum Council require of 2 spaces for the proposed development*

c) *The applicant to provide 3 accessible car parking spaces.*

d) *The applicant to provide 86 internal secure cycle parking spaces and 8 visitor cycle parking spaces complies with the Council's minim requirement of 80 cycle spaces.*

e) *The applicant by means of swept path demonstrated that refuse collection can be undertaken from the proposed bin store.*

f) *The estimated TRICS trips demonstrates that the change from office development to residential development has a net benefit to the local transportation network particularly reduction of weekday AM and PM peak hour two-way vehicular trips by 29 and 15 respectively.*

## **Affordable Housing comment**

### *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.*

*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 7 Affordable Housing in the Edinburgh City Local Plan.*

## 2. Affordable Housing Provision

*This application is for a development consisting of 46 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (11) homes of approved affordable tenure.*

*The applicant has stated that the affordable housing will account for 25% of the new homes, which will consist of 11 homes for LAR Housing trust (a RSL). The original application / proposal contained 9 homes for LAR and two as Golden Share but following discussion with this department and LAR all 11 are now being provided onsite by LAR. Outline costs and standards have been discussed and agreed between the housing provider and developer. This is welcomed by the department.*

*The applicant has proposed to deliver the on-site housing as a mix of one, two and three bedroom flats for Mid-Market rent, this is welcomed by the department. We ask the applicant to ensure that the affordable housing to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.*

*In terms of accessibility, the affordable homes must be situated within close proximity (within 400 metres) of regular public transport links and are located next to local amenities. It is important that an equitable and fair share of parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided and we would ask the applicant to reach an agreement with the RSL regarding the parking provision for the affordable housing.*

## 3. Summary

*The applicant has made a commitment to provide 25% affordable housing on site housing and this is welcomed by the department. These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed sustainable community.*

- o The applicant has identified the Registered Social Landlord (RSLs) as who will deliver the 11 affordable housing requirement as follows;*
  - 11 homes for mid-market rent*
- o The on-site affordable housing will a mix of one and two bedroom flats*
- o All the on-site affordable homes must meet the Edinburgh Design Guidance and also meet the relevant Housing Association Design Guidance size and space standards*
- o In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often described as "tenure blind"*
- o An equitable and fair share of the parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided*
- o The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*

## Location Plan

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