

Development Management Sub Committee

Wednesday 25 September 2019

Application for Planning Permission 19/01171/FUL At Site 71 Metres Northwest Of 40, Dumbryden Drive, Edinburgh

Residential development (49 dwellings) with associated car parking, access, open space, drainage infrastructure and other associated development.

Item number

Report number

Wards

B02 - Pentland Hills

Summary

The proposal is acceptable in principle and complies with the development plan. The layout, scale, form and design are compatible with the surrounding area. The proposal will achieve a satisfactory residential environment for future occupiers and will not have an adverse impact on the amenity of neighbouring properties. Minor infringements of guidance in terms of daylighting, overshadowing and cycle parking provision would not justify refusal of planning permission. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDEL01, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, LEN09, LEN12, LEN21, NSG, NSGD02,

Report

Application for Planning Permission 19/01171/FUL At Site 71 Metres Northwest Of 40, Dumbryden Drive, Edinburgh Residential development (49 dwellings) with associated car parking, access, open space, drainage infrastructure and other associated development.

Recommendations

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

Background

2.1 Site description

The application site constitutes an area of brownfield land previously occupied by the former Dumbryden Primary School. It is relatively flat with an irregular shape and extends to approximately 0.87 hectares.

The area to the north and west is residential, mainly comprising four storey flats with parking and open space. To the east is the remainder of the former school site where permission for residential redevelopment has previously been granted and to the south are community allotments. At the north-east corner of the site is the former janitor's house that remains in residential use and is privately owned.

A pedestrian footpath is located along the site's northern and western boundary. This path also provides a bridge connection across Hailesland Road which runs below the site beyond its western edge. Vehicular access will be from Dumbryden Drive and will connect through the previously approved development to the east.

There is a grouping of semi-mature and mixed deciduous trees along the northern and western boundaries.

2.2 Site History

16 March 2015 - Planning permission granted for a proposed new build two storey care home for the frail elderly (application number - 14/04672/FUL).

Adjacent Site

9 May 2017 - Residential Development (49 dwellings) with associated car parking, access, open space, drainage infrastructure and other associated development (application number - 16/06346/FUL).

Main report

3.1 Description Of The Proposal

The proposal is for a development of 49 dwellings in a mixed tenure affordable scheme. There will be 12 houses and 23 flats for social rent and two houses and 12 flats for mid-market rent. The accommodation will comprise 13 one-bedroom flats, 22 two-bedroom flats, 10 three-bedroom houses and four four-bedroom houses. Three of the ground floor flats will provide accessible accommodation.

The flats will be provided in a single perimeter block and the houses will form four terraces. The flatted blocks will be four storeys and the houses will be two storeys. The buildings will be laid out to address the internal street.

The walls of the proposal will be predominantly dark brown/red multi-tone facing brick with sections of white render and dark grey concrete roof tiles. The windows and doors will be alu-clad and dark grey in colour. Photovoltaics will also be installed on the roof.

Vehicular access will be from Dumbryden Drive via a road through the ongoing development on the neighbouring site to the east. Car parking spaces for the two houses in Block One and the flats will be provided on-street, with the remainder of the houses having driveways to the front. A total of 38 car parking spaces will be provided, including three spaces for disabled users. Six of the on-street spaces will be provided with electric vehicle charging points. Spaces are provided for two motorcycles.

The flats will be provided with secure external cycle and refuse stores. Cycle parking is provided at a ratio of one space per flat.

The 14 houses and eight ground floor flats will all be provided with private garden areas. Communal open space for the flats is provided to the rear of the block and will extend the area of amenity space for the previous phase. The additional open space for the upper floors will measure 742 square metres, equating to approximately 27 square metres per flat.

A landscape plan has been submitted showing new and retained trees, shrub planting and native hedges, with shared surface paving delineating public areas, roadway and parking bays. Boundary treatments include native hedges and timber fences.

Supporting Information

The following information has been submitted in support of the application:

- Planning Statement;
- Design Statement;
- Road Safety Audit;
- Daylight and Sunlight Study;
- Sustainability Statement;
- Arboricultural Report; and
- Flood Risk Assessment and Drainage Strategy Report.

These documents are available to view on the Planning and Building Standards Online Services.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- (a) the proposal is acceptable in principle;
- (b) the proposal is of an appropriate layout, scale, form and design and does not detract from the character and appearance of the area;
- (c) the proposal will have any impact on amenity for existing and future residents;
- (d) the proposal will have an adverse impact on traffic or road safety;
- (e) the proposal will have any adverse impact on any existing trees;
- (f) the proposal will address issues of sustainability;
- (g) the proposal will address any issues in relation to archaeology;
- (h) the proposal will address any issues in relation to flood prevention;
- (i) the proposal will have any impacts on infrastructure; and
- (j) representations raise issues to be addressed.

(a) Principle

The application site is located within the Urban Area in the Edinburgh Local Development Plan (LDP). Policy Hou 1 (Housing Development) of the LDP permits housing development on sites within the Urban Area subject to the proposal being compatible with the other relevant policies.

The LDP Housing Land Study (June 2014) indicates that this site has a high probability of being developed for housing in the short term and could accommodate 133 residential units, albeit this figure relates to the entire former school site which extends to 2.06 hectares and includes the site to the east and the former janitor's house to the north. As a result, residential development on this site will contribute towards meeting the Council's windfall housing assumptions. The proposed development will improve the area by introducing housing on an urban infill site and contributes toward meeting housing need.

The proposal is acceptable in principle.

(b) Layout, Scale, Form and Design

Policies Des 1 to Des 8 of the LDP outline 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 high quality design which is appropriate in terms of scale, form, design and layout.

The layout responds to the site constraints, with existing developments and public spaces surrounding the site on all sides. The development is inward facing but will create positive frontages onto the new road created within the development and relates to the previously approved development to the east.

The development proposes a density of approximately 56 units per hectare. This is medium density which is commensurate with nearby residential areas and delivers an appropriate mix of house types and sizes. The proposed density is acceptable in this location, as it provides an efficient use of the site and supports the regeneration of previously developed land.

The design of the buildings is contemporary, utilising a limited palette of materials and incorporating rhythmic fenestration and simple features to give an ordered and clutter free appearance. The proposed elevational treatments will be dark brown/red multi-tone facing brick with sections of white render and dark grey concrete roof tiles. The proposal demonstrates a clear design concept where the architecture includes modest contemporary elements which are appropriate in its context.

In summary, the layout, scale, form and design are acceptable.

(c) Amenity

LDP policy Des 5 (Development Design - Amenity) states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

Future Occupiers

The floor area of the flats range from 54 to 76 square metres and the houses from 93 to 115 square metres. All unit sizes comply with the minimum floor areas set out in the Edinburgh Design Guidance (EDG). The guidance specifies that for developments of this scale, 20% of units should be designed for families, have a floor area above 91 square metres and direct access to private gardens. All of the 14 houses proposed will have three bedrooms or more (28% of the total units) and will have access to private gardens.

A Daylight and Sunlight Study has been submitted in support of the application. The study advises that the proposal will comply with the 'no sky line' method for ensuring adequate daylight is provided to the development.

The EDG recommends that 50% of new garden spaces should be capable of receiving at least three hours of sunlight during the spring equinox. Sunpath diagrams submitted in support of the proposal show that the garden areas for Blocks Three and Four and the communal gardens area for the flats will not receive the recommended minimum amount of sunlight. In terms of Blocks Three and Four, this will affect eight of the houses. However, the proposed layout is acceptable and will introduce an appropriate urban form on a constrained site. Therefore, on balance, a departure from the guidance is justifiable.

While the communal garden area for Block Five falls short of the 50% sunlight requirement for three hours, at 742 square metres, the amenity area provided is significantly larger than the minimum required (350 square metres). A large area of the garden will achieve 3 hours of sunlight and would comply with the minimum requirement were a smaller amenity area provided in line with minimum requirements. However, a larger communal space is to be provided that will provide adequate amenity for the residents.

Neighbouring Properties

In terms of daylight, the 25 degree method indicates that there will be potential for the west facing living room windows of the proposed flats to the east of Block Five to be detrimentally impacted. To ascertain whether there will be a significant loss of daylight, a Vertical Sky Component (VSC) assessment was also conducted. This method resulted in a VSC of 25.75% to the ground floor window and 26.25% to the first floor window, which is lower than the EDG requirement of 27%. However, both of the rooms affected also have another south facing window that will provide significant additional light to the rooms and will ensure that they retain adequate amenity. The second and third floor windows both comply with the VSC.

The former janitor's house to the north of the site has also been assessed for loss of daylight. Due to the height of Block Five, the house does not comply with the 25 degree method. Therefore, the VSC was also calculated, producing a figure of 31.5% which is above the minimum requirement and is acceptable.

The sunpath diagrams show that there will be no significant detrimental overshadowing of neighbouring gardens, with the exception of the communal garden for the flats to the east of the development. The communal garden area as previously laid out will be affected by some additional overshadowing. However, this communal area will be significantly extended by the current proposal to provide a large shared garden space that will receive reasonable levels of sunlight, particularly on its northern section.

Overall, there will be no unreasonable loss of daylight or overshadowing affecting any new or existing properties.

(d) Traffic and Road Safety

There are no issues in terms of traffic or road safety. Thirty-three car parking spaces are proposed, which includes three accessible spaces and visitor car parking spaces. Two motorcycle spaces will also be provided. Parking provision is within the parking requirements of the Council's parking standards. The application proposes to provide 58 secure internal cycle storage spaces for the 35 flats. This is below the Council's standard of two spaces per flat, but the level of provision proposed is considered acceptable in this instance. Cycle parking for the houses can be provided within the garden areas.

A Memorandum of Understanding will be required for the progression of traffic orders as necessary, including: the redetermination of footways and carriageways, a stop up order and the enforcement of disabled car parking spaces.

Informatives are also attached regarding the provision of new residents' welcome packs, electric vehicle charging outlets and car parking.

(e) Trees

Policy Env 12 (Trees) of the LDP states that development will not be permitted if likely to have a damaging impact on a protected tree or any other tree worthy of retention. There is a cluster of trees along the site's northern and western boundary, most of which will be removed to accommodate the development. An arboricultural report submitted with the application advises that the tree cover is of low arboricultural quality, comprising of young natural regeneration. None of the trees are protected and the ecological value of the site is judged to be low. The loss of trees by clearing or thinning will be adequately compensated by the establishment of better quality planting. A condition will be imposed to ensure that a high quality landscape plan is provided for the site.

(f) Sustainability

The applicant has submitted a sustainability statement in support of the application. The proposal complies with the requirements of Part A of the Edinburgh Standards for Sustainable Buildings.

The proposal meets this requirement through the addition of photovoltaics to the roof planes of the buildings.

(g) Archaeology

Given the effects of the post-war development on this site, it is unlikely that any significant archaeological remains will have survived. Therefore it has been concluded that there are no known, archaeological implications regarding this application.

(h) Flood Prevention

A Flood Risk Assessment and Drainage Strategy Report have been submitted in support of the application. Flood Prevention has confirmed that the information supplied is sufficient for the application to be granted. The proposal complies with policy Env 21 (Flood Protection).

(i) Infrastructure

Affordable Housing

Policy Hou 6 (Affordable Housing) requires that developments consisting of 12 or more units should include provision of affordable housing amounting to 25%. The whole of the proposed development is for affordable housing with 71% to be social rented and 29% mid-market rent. Notwithstanding this, it is appropriate to ensure that affordable housing is provided in accordance with the Council's policy and guidance. As such a Memorandum of Understanding is recommended which would ensure at least 25% of the dwellings are affordable.

Education

This site falls within Sub-Area SW-3 of the 'South-West Education Contribution Zone'. There is no requirement for new education infrastructure to mitigate the impact of this development.

(j) Public Comments

- Underprovision of cycle storage - assessed in section - 3.3(d).
- New houses should be zero carbon - assessed in section - 3.3(f).

Conclusion

The proposal is acceptable in principle and complies with the development plan and other material considerations. The layout, scale, form and design are compatible with the surrounding area. The proposal will achieve a satisfactory residential environment for future occupiers and will not have an adverse impact on the amenity of neighbouring properties. Minor infringements of guidance in terms of daylighting, overshadowing and cycle parking provision would not justify refusal of planning permission. 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. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. 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.
3. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
4. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
4. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. MEMORANDUM OF UNDERSTANDING: A memorandum of understanding is required to ensure that a minimum of 25% affordable housing is provided and relevant contributions to Planning and Transport will be paid by the applicant and/or City of Edinburgh Council's 21st Century Homes initiative in lieu of a legal agreement between both parties. The decision notice will not be issued until the memorandum of understanding is secured.
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 will be required to contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
6. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. For the avoidance of doubt, the road layout is not approved at this stage.
7. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent.
8. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision 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) and timetables for local public transport.
9. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity.

10. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents.
11. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Planning and Transport 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. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved by the Head of Planning and Transport.
12. Eight electric vehicle charging outlets including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future is required.
13. The developer must submit a maintenance schedule for any SUDS infrastructure for the approval.

Financial impact

4.1 The financial impact has been assessed as follows:

A memorandum of understanding will be provided prior to the issues of a decision notice. This will ensure obligations are met in terms of affordable housing and transport orders, where necessary. The 21st century housing small sites programme delivery was approved by Finance and Resources Committee on 2 February 2016.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

A total of three representations have been received. One representation in support of the application was from a local ward councillor welcoming the provision of quality accommodation in the area.

One objection was received citing the lack of cycle parking to be provided given the development's proximity to the National Cycle Network.

One representation was made offering neutral comments stating that new homes should be zero carbon.

Background reading/external references

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

Statutory Development**Plan Provision**

The site is designated as Urban Area in the Edinburgh Local Development Plan.

Date registered

7 March 2019

Drawing numbers/Scheme

01-02, 03B-05B, 06-15, 17, 18B, 19A, 20, 21B-22B, 23A-24A,, 25-26, 27A-28A, 29,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

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

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

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

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

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

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

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

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.

Appendix 1

Application for Planning Permission 19/01171/FUL At Site 71 Metres Northwest Of 40, Dumbryden Drive, Edinburgh Residential development (49 dwellings) with associated car parking, access, open space, drainage infrastructure and other associated development.

Consultations

Affordable Housing

1. Introduction

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

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

- *The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*
- *This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.*
- *An equitable and fair share of parking for affordable housing, consistent with the relevant parking guidance, is provided.*

2. Affordable Housing Provision

This application is for a mixed development including up to 49 homes and as such the AHP will apply.

The mixed-use development will be delivered by the Council and will include up to 49 affordable homes, 35 Social Rent (71%) and 14 Mid-Market Rent (29%). This is welcomed by the department. The affordable homes are required 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 are situated within close proximity of regular public transport links and are located next to local amenities at Calder Road.

3. Summary

The applicant has made a commitment to delivering affordable housing on the site and this is welcomed by the department.

- *The applicant is requested to confirm the tenure type and location of the affordable homes prior to the submission of any future applications*
- *The affordable housing includes a variety of house types and sizes to reflect the provision of homes across the wider site*
- *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'*
- *An equitable and fair share of parking for affordable housing, consistent with the relevant parking guidance, is provided.*

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for residential development (490 dwellings) with associated car parking, access, open space, drainage infrastructure and other associated development.

Until developed in the post-war period the site was agricultural land associated with the for Dumbryden Farm located to the south. The inter war period saw some houses being built on the site, however post-war saw the site significantly developed for housing.

Given the effects of the post-war development on this site it is unlikely that any significant archaeological remains will have survived. Therefore it has been concluded that there are no known, archaeological implications regarding this application.

Communities and Families

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:
22 Flats (13 one bedroom flats excluded)
14 Houses*

This site falls within Sub-Area SW-3 of the 'South West Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.

The Education Appraisal considered the impact of new housing sites allocated in the LDP, including some sites within the Urban Area. No requirement for new primary or secondary infrastructure to accommodate additional pupils from new development within this sub-area was identified.

Although the Education Appraisal did not take account of the potential for new residential development on this site, this has now been considered. The existing catchment schools which cover this site can accommodate the additional pupils that would be expected from the development.

There is therefore no requirement for a contribution towards new education infrastructure to mitigate the impact of this development.

Flood Prevention

Thank you for the additional information and responses.

Review of higher resolution SEPA maps identifies the predicted flooding to be within phase 2 of the development. I am however satisfied with the applicant's response that 'the introduction of positively drained roofs and roads and the releveling of the site to remove this low point should remove any future flooding in this area'.

It should be noted that overland flow paths should be built in as a resilience measure to safely manage overland flows in the event of a failure or a storm event that exceeds the drainage design capacity.

I am happy for the application to be determined with no further comments from our department.

Roads Authority

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

- 1. The applicant will be required to contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
- 2. Applicant is required to provide a minimum of 70 cycle parking spaces for the 35 flatted residential units. The proposed 58 cycle spaces does not comply with the minimum cycle parking requirement for the proposed 35 flats (13 1bed and 22 2bed flats). Cycle parking for the houses to be provided in the garden area.*

3. *All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. For the avoidance of doubt, the road layout is not approved at this stage;*
4. *A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;*
5. *In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision 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) and timetables for local public transport;*
6. *The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;*
7. *The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;*
8. *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 Head of Planning and Transport 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. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved by the Head of Planning and Transport;*
9. *8 electric vehicle charging outlets including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future is required.*
10. *The developer must submit a maintenance schedule for any SUDS infrastructure for the approval.*

Note:

- a) *The proposed development is predicted to generate a total of 9 and 17 two way morning and afternoon peak hour traffic respectively.*
- b) *38 car parking spaces including 3 accessible bays to be provided for the 49 residential units. The proposed number of car parking spaces complies with the Council's parking standards which could permit a maximum of 61 car parking spaces for the proposed development (13 1bed, 22 2bed & 14 3/4bed) in Zone 3.*
- c) *Applicant has demonstrated by swept path analysis that refuse collection can be undertaken from within site.*

