

Development Management Sub-Committee Report

Wednesday 10 January 2024

**Application for Planning Permission
191 Colinton Road, Edinburgh, EH14 1BJ**

Proposal: Demolish existing bungalow and erect four storey residential development comprising 6 No. 2 bed and 1 No. 3 bed flats with associated access and landscaping, including change of use. (as amended)

**Item – Committee Decision
Application Number – 23/02665/FUL
Ward – B09 - Fountainbridge/Craiglockhart**

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee due to an elected member request.

Recommendation

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

Summary

Overall, the proposal is in accordance with the National Planning Framework 4 and the Local Development Plan.

The proposal will deliver a sustainable, well-designed development on a brownfield site. The design is high quality and takes cues from the character of the surrounding area. Residential use will help support local living and is consistent with the six qualities of a successful place.

Subject to condition, the proposal will result in a satisfactory living environment for future occupiers, safeguard adjacent uses and not result in an adverse impact on neighbouring occupiers.

It encourages use of sustainable modes of transport and reduced reliance on car usage. No specific road or pedestrian safety issues are raised.

It is acceptable in terms of archaeology, flooding, waste provision and equalities.

Other material considerations support the presumption to grant planning permission.

SECTION A – Application Background

Site Description

The site is a detached bungalow located on the east side of Colinton Road. It is setback within the site with garden space fronting the road and trees to the south side. It consists of 695 m² in total.

The grounds of Craiglockhart Tennis Centre border the site on three sides. Outdoor tennis courts are to the north, its vehicular entrance is to the south whilst the main car park and indoor sports facilities are to the east.

Beyond this, the surrounding area is primarily residential in character.

Description of the Proposal

Demolish the existing bungalow and construct a residential development containing 6 x 2 bedroom units and 1 x 3 bedroom unit.

The building will be four storeys with a maximum height of approximately 11.85 m, width of 15.5 m and depth of 15.6m. The overall footprint will be approximately 203 m².

Materials will include ashlar sandstone on the front elevation with dark grey aluminium panel detailing. A white render finish on the side and rear elevations including steel balconies at first and second floor. Windows will have dark grey aluminium frames and the front door will be timber.

The overall building design will be modern including a flat roof form and recessed glazed, roof level with a large terrace area bordered by a steel balustrade. Solar panels will be installed on the roof.

The unit sizes will range from 69 m² to 79 m² (2 bedrooms) and 102 m² (3 bedroom). Internally, access will be provided via a stairwell or lift.

Cycle parking will be located near the building's front elevation via two cycle stores (12 standard and 3 non-standard Sheffield stands). Additional Sheffield stands will also be located nearby. Bin storage will also be located here.

The car park (4 spaces including 1 accessible bay) will be located beside the cycle provision with EV charging points.

Communal garden space with a range of soft landscaping will be to the front and rear of the site comprising of over 150 m². The site will be bordered by a low level stone wall with black steel railings fronting the street with a timber fence to the rear.

Supporting Information

- Design and Access Statement
- Home Report
- Lighting Information
- Noise Impact Assessment
- Planning Statement
- Surface Water Management Plan and Drainage Strategy
- Sustainability Form
- Tree Survey

Revised Scheme

- Car parking spaces reduced from 8 to 4 spaces and EV charging points included.
- Width of vehicular entrance reduced.
- Greenspace and soft planting provision increased to the front.
- Cycle provision increased from 14 to 15 spaces and type changed from two-tier to Sheffield stands (12 standard and 3 non-standard).
- Solar panels added to roof.
- Swift bricks added to side elevations.

Relevant Site History

No relevant site history.

Other Relevant Site History

Adjacent site:

31st March 2017 - Planning permission granted to upgrade and extend existing 4 outdoors courts and provide 5 new floodlit courts and resurface centre court - application reference: 17/00439/FUL

Pre-Application process

There is no pre-application process history.

Consultation Engagement

Transport Planning

Archaeology

Communities and Families

Environmental Protection

Waste Planning

Scottish Water

Flood planning

Edinburgh Airport Safeguarding

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 18 July 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable

Site Notices Date(s): Not Applicable

Number of Contributors: 26

Section B - Assessment

Determining Issues

This report will consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals comply with the development plan?

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed.

Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- NPF4 Sustainable Places policies 1, 2, 3, 4, 6, 7, 8, 9, 13
- NPF4 Liveable Places policies 14, 15, 16, 18, 20, 22,

- LDP Design policy Des 1, Des 2, Des 4, Des 5, Des 7
- LDP Developer contributions policy Del 1
- LDP Environment policy Env 12, Env 21, Env 22
- LDP Housing policy Hou 1, Hou 2, Hou 3, Hou 4,
- LDP Transport policy Tra 2, Tra 3, Tra 4

The non-statutory Edinburgh Design Guidance (EDG) is a material consideration that is relevant when considering a number of LDP policies.

Use

Residential

The site is located in the urban area as designated in the Local Development Plan (LDP).

LDP policy Hou 1 (Housing Development) prioritises delivery of the housing land supply and relevant infrastructure on allocated sites through part a) of this policy.

NPF4 Policy 15 (Local Living and 20 minute neighbourhoods) refers to development proposals contributing to local living and 20 minute neighbourhoods.

NPF4 policy 16 a) states development proposals for new homes on land allocated for housing in LDPs will be supported.

The residential use is compatible with its land allocation and is a suitable location for housing. It has local access to public transport, green open space and recreational facilities. The local centre (north) on Colinton Road will provide local services and potential employment opportunities for residents nearby. Therefore, the proposal will contribute to local living.

LDP policy Hou 2 (Housing Mix) states a mix of house types and sizes will be sought to meet a range of housing needs.

The proposal helps to provide some range in house types through provision of one three-bedroom unit in addition to the six, two-bedroom units. The inclusion of a lift internally further increases the suitability of units for a wide demographic of the population. Overall, the house types provided are acceptable given the proportionally small-scale of the development.

LDP policy Hou 3 (Private Greenspace) states planning permission will be granted for development that makes adequate provision for green space to meet the needs of future residents. This should be based on 10 square metres per flat and 20 % of the overall site area.

The greenspace provision on-site of over 150 m² equates to over 20 % of the overall site area therefore exceeding minimum greenspace standards required.

LDP policy Hou 4 (Housing Density) seeks an appropriate density of development having regard to its characteristics and those of the surrounding area, the need to create an attractive residential environment, accessibility, and its impact on local facilities.

An appropriate density of development will be achieved. The buildings' four storey scale will be similar to larger developments nearby. Its footprint and retained open space will be proportionate to the plot size and appear in keeping with nearby buildings.

An attractive residential environment will be achieved through the size of flats internally, dual aspect and external amenity space for future residents. The site has access to public transport modes nearby. Lothian bus services 10, 27, and 45 are in close near walking distance on the opposite side of Colinton Road.

In light of the above, the proposal complies with NPF4 policy 15, policy 16 a), LDP policies Hou 1, Hou 2, Hou 3 and Hou 4.

Climate Change and Mitigation

Sustainability

NPF 4 policy 1 (Tackling the climate and nature crises) states when considering development proposals significant weight will be given to the global climate and nature crises.

NPF 4 policy 2 (Climate mitigation and adaptation) intent refers to development minimising emissions and adapting to current and future impact of climate change.

The Scottish Governments' Chief Planners' letter 'Transitional Arrangements for NPF 4' 8th February, sets out this policy is unlikely to be a key consideration for smaller scale developments.

NPF 4 policy 3 (Biodiversity) intent being to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

NPF 4 policy 9 (Brownfield, vacant and derelict land and empty buildings) intent refers to encouraging reuse of brownfield, vacant or derelict land and empty buildings.

NPF 4 policy 14 b) (Design, quality and place) refers to a quality of a successful place being sustainable. The efficient use of resources, ensuring climate resilience and nature positive solutions.

Demolition of the existing bungalow is appropriate here as the down takings are relatively small in scale and the building is in poor structural condition.

The new development re-uses brownfield land in a sustainable location. The site is near to bus services, shops, places of employment and recreational opportunities in the immediate area on Colinton Road.

The submitted S1 form confirms the development will comply with Section 6 (energy) of the current Building Standards. Sustainability measures including solar panels have been incorporated.

Appropriate measures to manage impacts on climate change have been incorporated with inclusion of recycling facilities and cycle parking.

In this regard, the development and its location are sustainable. The proposal broadly complies with NPF4 policies 1, 2, 3, 9 and 14 b).

Flooding

LDP Env 21 (Flood Protection) states planning permission will not be granted for development that would increase a flood risk or be at risk of flooding itself.

NPF 4 policy 22 (Flood risk and water management) a) outlines that development proposals in a flood risk area will only be supported subject to certain criteria.

As identified on the SEPA flood risk maps, the site has no specific river, coastal or surface water flood risk presently or in the future. It is in some proximity to an area with surface water flood risk.

The applicant has submitted a surface water management plan which have been reviewed by flooding officers. The proposal has been designed to mitigate against flood risk to account for the 1 in 200-year storm event plus a 40 % allowance for climate change.

Following review of this, no objections have been received from flood planning subject to Scottish Waters' acceptance of the proposed surface water discharge rate to their network.

Scottish Water has confirmed there is capacity to service the development however further investigations may be required following receipt of a formal technical application. An informative is therefore recommended.

In addition, the development incorporates measures to help reduce surface water run off including soft landscaping and permeable paving.

Overall, the proposal has been designed to mitigate against the risk of future flood risk and complies with NPF 4 policy 22 and LDP policy Env 21.

Trees and Ecology

NPF4 Policy 3 (Biodiversity) requires that proposals for local development include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance.

LDP policy Env 12 (Trees) states development will not be permitted if likely to have damaging impacts on trees worthy of retention.

The site has been cleared with 14 unprotected trees removed without the requirement for planning permission. These specimens were categorised as being of low-quality C and U specimens.

The new development incorporates a landscaping scheme including five trees, shrubbery, hedging and greenspace. Overall, this will provide an appropriate degree of mitigation for this recent tree loss. To ensure appropriate species are planted, the full detail of this is required by condition. In tandem with the inclusion of swift bricks this will help provide biodiversity opportunities across the site.

Overall, the proposal complies with LDP policy Env 12 and NPF 4 policy 3.

Design

NPF4 Policy 14 (Design, quality and place) supports development proposals that are designed to improve the quality of an area and are consistent with six qualities of a successful place. These qualities include a place being healthy, pleasant, connected, distinctive, sustainable, and adaptable.

LDP policy Des 1 (Design Quality and Context) states that new development should contribute towards a sense of place and design should draw from positive aspects of the surrounding area.

LDP policy Des 3 (Development Design - Existing and Potential Features) states planning permission will be granted for development where it is demonstrated existing features worthy of retention on-site have been incorporated.

LDP policy Des 4 (Design - Setting) states development will be granted that has a positive impact on its surroundings including the character of the wider townscape.

LDP policy Des 12 (Alterations and extensions) states planning permission will be granted for alterations and extensions which are compatible with the character of the existing building.

A range of building forms and architecture are evident in the area. Therefore, whilst a modern flat roof building with extensive glazing is not commonplace it will not break any established pattern of development nearby. In regard to scale, there are generally larger buildings on the east side of Colinton Road than the west, setback from the street to varying degrees. The height and width of the building is not at odds with development on this side and its 15 m setback from the street will help reduce its perceived mass. The inclusion of soft landscaping to the front will help contribute towards attractive street frontage onto Colinton Road.

The materials are appropriate as they are generally characteristic of the surrounding area. Natural ashlar sandstone takes cues from more historic villas and light render has been used on more modern developments. As a new-build, modern building the use of zinc detailing is appropriate. A condition for specification of all external materials is required to ensure an appropriate high-quality finish is achieved.

Moreover, demolition of the existing bungalow of a functional design with a modern development of appropriate quality and design will make a positive contribution to the areas character.

The boundary treatment, including a low stone boundary wall and black iron railings is appropriate as it will provide continuity with developments to the south.

The proposal will be in keeping with the prevalent character of the immediate area through providing an appropriate response to design height, scale and spatial pattern.

The building will help promote principles of a safe, pleasant place through the natural surveillance of the public street from additional windows facing onto Colinton Road.

In addition, it is conceivable the proposal could be adaptable, in future, to accommodate a different use if necessary. However specific alternative uses are not identified by the applicant and cannot be assessed under this submission.

In this regard, the proposal supports the delivery of a health, pleasant, distinctive and adaptable place. Other identified place qualities are considered through other sections of the report.

The design of the building is an appropriate response to its immediate context, compatible with the townscape character in terms of height, scale, materials and footprint in compliance with relevant NPF 4 and LDP Design policies.

A condition has been applied for full details of all external materials prior to commencement of development to consider these matters in detail.

Amenity

LDP policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate future that future occupiers will have acceptable levels of amenity.

EDG states generally gardens longer than 9 m are encouraged. In addition, that ground floor flats should generally be provided with private gardens of minimum 3m depth.

NPF 4 policy 23 (Health and safety) states development proposals likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development.

Furthermore, the Edinburgh Design Guidance (EDG) states that private views are not protected however immediate outlook of the foreground of what can be seen from within a building may be.

In regard to privacy, the guidance states that the pattern of development in an area will help to define appropriate distances between buildings and privacy distances.

Future Occupiers

Daylight, sunlight, privacy and outlook

Adequate daylight and outlook will be achieved for all units from the large size of openings serving habitable rooms facing the front and rear.

The length of amenity space (communal and private) at 6.5 m and 1.5m respectively falls below EDG guidance. However, the provision of over 150 m² usable greenspace to the front and rear equates to more than 10 m² green space per flat and more than 20 % useable greenspace in line with policy.

The size of this greenspace in tandem with its orientation and separation distances to the neighbouring properties is sufficient to achieve appropriate levels of sunlight. In tandem with the provision of private terrace or patio space for all flats will ensure adequate amenity space is achieved overall for future occupiers. An infringement of the guidance is therefore appropriate in this context.

The nearest residential building will be separated by 17 m from the new development to the south and over 40 m will be retained to houses on the opposite side of Colinton Road. These distances are in keeping with the spatial pattern of the area and will provide an appropriate degree of privacy for new occupiers.

In addition, all flats meet or exceed the minimum space standards in the EDG.

There is potential for the flats and garden space to be impacted on by noise from tennis activity and traffic. To keep noise within acceptable thresholds the submitted Noise Impact Assessment (NIA) recommends acoustic fencing, glazing and ventilation specifications. A condition has been included for implementation of these measures prior to first occupation of the residential flats. To ensure an appropriate living environment is achieved and prevent limitations on nearby uses.

Information has been received detailing that light will spill onto the site from floodlights serving the tennis courts and Environmental Protection has raised concern regarding this. The potential for some impact is noted, however this lighting would likely be operated at only certain times of the year and day. Moreover, the design of the flats mainly prevents direct outlook onto the courts. The glazed top floor flat is above the line of sight of this light source and openings to the rear primarily face open land with the courts to the north side of this.

Moreover, given the sites' urban location some proximity and impacts between these uses might reasonably be expected. Overall, an appropriate living environment will therefore still be achieved.

With regard to the above aspects, the proposal complies with LDP policy Des 5 and NPF 4 policy 23.

Neighbouring Occupiers

LDP policy Des 2 - states permission will not be granted for development which will compromise the effective development of adjacent land.

LDP policy Des 5 (Development Design - Amenity) also requires development proposals to demonstrate the amenity of neighbouring developments is not adversely affected.

In regard to privacy, the EDG refers to the rearward side of development providing a better opportunity for privacy than the street side. The latter being compromised by the position of windows relative to the street. In addition, an areas' pattern of development will help define appropriate distances between buildings.

As per the above, retained distances between buildings will not be at odds with the spatial pattern of the area. It is recognised the buildings height and glazing will change the relationship from the site to facing properties on Colinton Road with some view onto their land. However as per the EDG, the privacy of buildings on the street side is somewhat compromised by the visibility of windows from the street. In this regard, it is considered these properties better opportunity for privacy will continue to be from the rear. In consideration of this and the sites' compatibility with the surrounding spatial pattern no adverse impact on neighbours' privacy will occur.

To the south, no habitable room openings will directly face onto the nearest flatted property. Retained distances of 12 m to their boundary and 17m between buildings will prevent any material impact on privacy.

In regard to daylight, the submitted cross section diagrams demonstrate the new building is adequately spaced from all neighbouring buildings to ensure no adverse impact will occur. Similarly, the space retained to neighbouring gardens will prevent an adverse impact on sunlight to garden spaces.

In regard to noise, continued residential use of this site is compatible with the areas character therefore no unreasonable impacts from this are anticipated.

The proposal will not have an adverse effect on the amenity of neighbouring developments and therefore complies with LDP policy Des 5.

Contaminated Land

Given the previously developed nature of the site, Environmental Protection has recommended a condition for information on the land's potential contaminants and any required mitigation measures to be submitted thereafter.

Transport

Car Parking

LDP policy Tra 2 states that car parking provision should comply with and not exceed the levels set out in Council guidance.

NPF 4 policy 14 b) (Design, quality and place) refers to a quality of a successful place being its connectivity. Supporting well-connected networks that reduce car dependency.

NPF 4 policy 13 (Sustainable Transport) b) states development proposals will be supported where demonstrated transport requirements have been considered including transport needs of diverse groups including users with protected characteristics.

Part e) (Sustainable Transport) refers to proposals with low or no car parking being supported in urban locations well served by sustainable transport provided there are no barriers to access by disabled people.

The site is within Zone 2 of the Edinburgh Design Guidance Parking Standards where residential properties should have a maximum car parking provision of 1 space per dwelling. There is no minimum car parking provision.

The provision of 4 car parking spaces is lower than maximum standards set out in guidance and is appropriate in this location which is in proximity to sustainable transport modes. In addition, one accessible parking bay will be accommodated to provide access for disabled users.

Representations have raised potential concerns regarding road and pedestrian safety. Transport Planning has been consulted and have raised no objections on these aspects. It is not anticipated the proposal will result in any significant increase in traffic generation due to the relatively small scale of development and the revised vehicular access is considered acceptable. Therefore, no further transport information has been sought.

An informative has been included regarding the design of car parking, site entrance and requirement for separate consent to form the footway crossing.

The proposal complies with NPF 4 policy 13, 14 b) and LDP policy Tra 2.

Cycle Parking

LDP policy Tra 3 states cycle parking and storage provision should comply with the standards set out in Council guidance.

The EDG standards state properties in this zone should have a minimum of 2 cycle spaces for dwellings with 3 habitable rooms. For properties with 4 habitable rooms or more, this should equate to 3 cycle spaces.

NPF 4 policy 13 b (Sustainable Transport) refers to the supply of safe, secure and convenient cycle parking to meet needs of users.

In addition, principles of the Council's cycle parking factsheet include that provision should include 20% non-standard bicycles.

For the seven flats, the required provision equates to 15 cycles in total.

This provision of 12 standard and 3 non-standard Sheffield stands within an enclosed, secure store near the buildings' entrance meets the standards with regard to quantity, quality and accessibility.

An additional, four visitor spaces near the building entrance will also provide adequate space for visitor parking on-site.

In light of the above, the proposal complies with LDP policy Tra 3 and the cycle parking factsheet.

Archaeology

NPF4 Policy 7 o) states that non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible.

The City Archaeologist has been consulted on the proposals and has stated there are no known archaeological records from the site or immediate area. Therefore, there are no known archaeological implications from the development.

The proposal therefore does not conflict with NPF4 policy 7 o).

Waste

Refuse facilities will be positioned to the front of the site and the design statement refers to the bins being moved out to the front at appropriate times for collection.

This waste strategy has been reviewed by Waste Management Services who confirm agreement to the proposals with comments that this is only agreed with the applicants' factor agreement in place. In addition, that the applicant will be required to contact this department a minimum of 12 weeks prior to collection agreement. An informative has been included in regard to this.

Developer Contributions

LDP policy Del 1 (Developer Contributions and Infrastructure Delivery) states proposals will be required to contribute to infrastructure provision where relevant and necessary to mitigate any negative additional impact and where commensurate to the scale of the proposed development.

On 19 April 2023 the Planning Committee approved the Edinburgh Local Development Plan: Action Programme 2023. The latest pupil generation rates (PGR) were set out in the report and were used to assess the cumulative impact of housing developments across the learning estate.

Overall, the development is not expected to generate any primary school or secondary school pupils therefore no education contribution is sought.

Regarding health care, the site is located within the Allermuir Contribution Zone where developments are expected to contribute £526.26 per dwelling. A contribution of £3,683.82 is therefore sought for the seven flats.

Subject to securing this provision through legal agreement, the proposal complies with LDP policy Del 1.

Conclusion in relation to the Development Plan

Overall, the proposal is in accordance with the National Planning Framework 4 and the Local Development Plan.

The proposal will deliver a sustainable, well-designed development on a brownfield site. The design is high quality and takes cues from the character of the surrounding area. Residential use will help support local living and is consistent with the six qualities of a successful place.

Subject to condition, the proposal will result in a satisfactory living environment for future occupiers, safeguard adjacent uses and not result in an adverse impact on neighbouring occupiers.

It encourages use of sustainable modes of transport and reduced reliance on car usage. No specific road or pedestrian safety issues are raised.

It is acceptable in terms of archaeology, flooding, waste provision.

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

The site provisionally forms part of the 'Central Leith Waterfront' area - designated for commercial and housing led mixed-use development in the draft plan.

However, at this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Section 149 of the Equalities Act 2010 refers to a public authority in exercise of its functions having due regard to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not.

Protected characteristics can include for example age, disability, pregnancy and maternity.

With regard to the above, the proposal helps to advance equality of opportunity as it will help to increase provision of fully accessible homes. Each unit being accessible via a lift from ground floor. Moreover, the provision of some range in unit sizes helps deliver homes designed for individuals with differing needs.

Through these above considerations, due regard has been had to the public sector equality duty under the above section of the Equalities Act. Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

25 comments have been received including (14 letters of support, 9 objection letters and 2 neutral comments) summarised below:

material considerations

support

- Creates additional housing provision: Addressed in section a) Use.
- Sustainable location: Addressed in section a) Use, Climate Change and Mitigation.
- High quality design: Addressed in section a) Design.
- Positive addition to the area: Addressed in section a) Design.

neutral

- Swift bricks should be incorporated: Addressed in section a) Climate Change and Mitigation
- Should be car free development: Addressed in section a) Transport.

objection

- Adverse impact on road and pedestrian safety: Addressed in section a) Transport.
- Loss of privacy and daylight: Addressed in section a) Amenity.
- Inappropriate design (building and layout): Addressed in section a) Design.
- Adverse impact on drainage: Addressed in section a) Flooding.

non-material consideration

- Not in keeping with the conservation area: The site is not located within a conservation area and the proposed development will not impact on its setting. Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 or NPF4 policy 7 are therefore not engaged, and this is not a material consideration in assessing this planning application.

Conclusion in relation to identified material considerations

Overall, the material considerations support the presumption to grant planning permission.

Overall conclusion

Overall, the proposal is in accordance with the National Planning Framework 4 and the Local Development Plan.

The proposal will deliver a sustainable, well-designed development on a brownfield site. The design is high quality and takes cues from the character of the surrounding area. Residential use will help support local living and is consistent with the six qualities of a successful place.

Subject to condition, the proposal will result in a satisfactory living environment for future occupiers, safeguard adjacent uses and not result in an adverse impact on neighbouring occupiers.

It encourages use of sustainable modes of transport and reduced reliance on car usage. No specific road or pedestrian safety issues are raised.

It is acceptable in terms of archaeology, flooding, waste provision and equalities.

Other material considerations support the presumption to grant planning permission.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
3. Prior to first occupation of the approved residential units, the mitigation measures (acoustic glazing, fence and ventilation) detailed on pages 30 to 33 of the submitted Noise Impact Assessment (reference: R-9773-MP-RGM, dated 28th September 2023) shall be fully installed and operational.
4. 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.
5. The landscape scheme approved under condition 4 shall thereafter be fully implemented within six months of completion of the development.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. To safeguard the amenity of future occupiers and prevent limitations on operations of adjacent uses.
4. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
5. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation all of those matters identified in the proposed Heads of Terms. -

These matters are:

This site falls within the Allermuir Contribution Zone. The following contributions are required as a health care contribution:

-£3,683.82

The developer should enter into a suitable agreement with the Council to secure the contribution.

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. 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.
3. 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.

4.
 - a. The applicant should consider developing a Travel Plan including provision of 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.
 - b. Continuous footway crossing on the access is required.
 - c. Any off-street parking space should comply with the Council's Guidance for Householders 2021

<http://www.edinburgh.gov.uk/downloads/download/13430/planning-guidance> including:

- Off-street parking should be a minimum of 6m deep and a maximum of 3m wide.
- Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
- A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g., loose chippings) being carried on to the road.
- Any gate or doors must open inwards onto the property.
- Any hard-standing outside should be porous.
- The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits

<https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>

d. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

5. The applicant will be required to submit a Pre-Development Enquiry (PDE) Form to be submitted to Scottish Water prior to any formal technical application being submitted.
6. Prior to the commencement of construction works on site the applicant should submit to the planning authority confirmation that Scottish Water accept the proposed surface water discharge rate to the combined network.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 7 July 2023

Drawing Numbers/Scheme

01A, 02A, 03, 04C, 05A, 06B, 07B, 08A, 09B, 10A, 13, 14, 15

Scheme 3

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lewis McWilliam, Planning Officer
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Appendix 1

Summary of Consultation Responses

NAME: Transport Planning

COMMENT: No objections subject to conditions or informatives as appropriate.

DATE: 27 September 2023

NAME: Archaeology

COMMENT: No objections.

DATE: 14 September 2023

NAME: Communities and Families

COMMENT: No education contribution required.

DATE: 30 November 2023

NAME: Environmental Protection

COMMENT: Proximity to tennis court floodlights may impact on future occupiers of the development. Noise mitigation measures recommended as a condition should permission be granted.

DATE: 13 December 2023

NAME: Waste Planning

COMMENT: A waste strategy is agreed.

DATE: 4 December 2023

NAME: Scottish Water

COMMENT: No objections. The applicant will be required to submit a pre development enquiry prior to any technical application.

DATE: 11 September 2023

NAME: Flood planning

COMMENT: No objections. Condition recommended regarding Scottish Waters' acceptance of proposals.

DATE: 1 November 2023

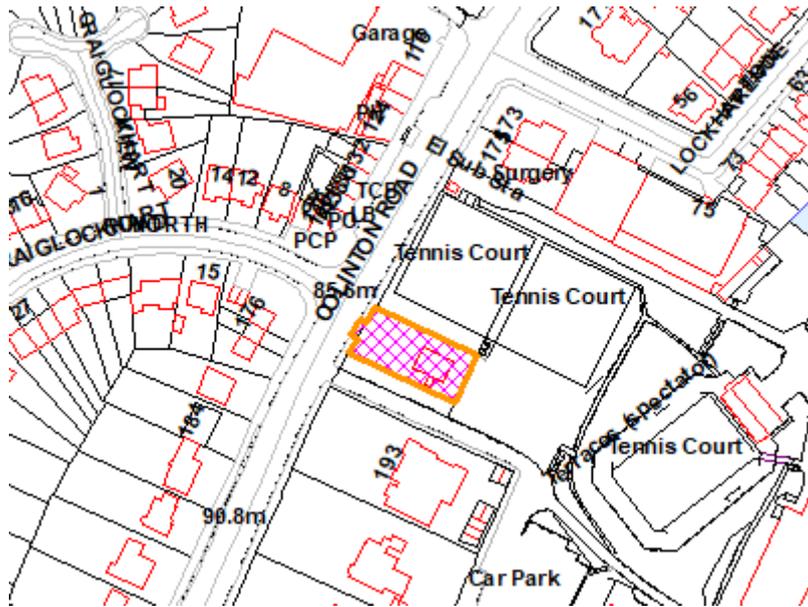
NAME: Edinburgh Airport Safeguarding

COMMENT: No objections.

DATE: 7 December 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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