

**Outline Planning Application 05/00319/OUT
at
Muirhouse Bank
Edinburgh
EH4 4QT**

**Development Quality Sub-Committee
of the Planning Committee**

1 Purpose of report

To consider application 05/00319/OUT, submitted by Margaret Blackwood Housing Association. The application is for: **Flatted residential development.**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

2 The Site and the Proposal

Site description

The application site comprises a former car park, accessed from Muirhouse Bank. The surrounding area is residential, with an almost complete large housing development to the west (the former BAE site).

Site history

There is no relevant planning history for this site.

Description of the Proposal

The application is for a residential flatted development in outline. Access is taken from Muirhouse Bank and it is indicated that 12 flats would be proposed, but no details of the proposed development have been provided as part of the application.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- 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?

ASSESSMENT

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

- (a) the principle of developing the site for housing purposes is acceptable in principle
- (b) there will be any adverse impact on surrounding residential amenity, including traffic, parking and road safety.

(a) The proposal is consistent with the land use allocation in the adopted and draft Local Plans. The land involved comprises a disused car park and is of no recreational or amenity value. The use of the land for housing is acceptable in principle.

(b) The impact on surrounding residential amenity, including access and parking, will be assessed on the submission of reserved matters or a detailed planning application. Transport has no objections. There is no detrimental impact on surrounding residential amenity in principle.

The proposals comply with the relevant Local Plan Policies and Non-statutory guidelines. There are no material considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to a range of conditions and the submission of reserved matters.

The Council has an interest in the land to which the application relates. However as there has been no substantial body of objection, referral to Scottish Ministers is not required.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Michael Paton -Mon, Tues, Thurs, Friday (not Wednesday) on 0131 529 3902 (FAX 529 3706)
Ward affected	07 - Muirhouse/Drylaw
Local Plan	North West Edinburgh
Statutory Development Plan Provision	Mainly Residential Area
Date registered	21 February 2005
Drawing numbers/ Scheme	01-02 Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal: www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Graham Dixon on 0131 529 3519. Email: graham.dixon@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type Outline Planning Application
Application Address: Muirhouse Bank
Edinburgh
EH4 4QT

Proposal: Flatted residential development
Reference No: 05/00319/OUT

Consultations, Representations and Planning Policy

Consultations

Transport

No objections, subject to all parking requirements being as stated in the current City of Edinburgh Parking Standards.

Education

It is unlikely that this development would generate additional children for the catchment schools. Accordingly, there is no objection to this development.

Housing

The Department is supportive in principle to the proposal.

SEPA

No objection in principle to the proposed development although the following comments will apply:

Foul Drainage

1. It is important that foul drainage is connected to the public foul sewer. However, connection to the public foul sewer is subject to the approval of Scottish Water and permission to connect may depend on availability of spare capacity. If you require further clarification then it is recommended that you consult with Scottish water on the issue.

Surface Water

2. SEPA would request that any planning permission granted includes a condition requiring the applicant treat surface water from the site in accordance with the

principles of Planning Advice Note 61 and "Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland", CIRIA C521 (<http://www.ciria.org.uk>). Such measures may include the use of porous surfacing for parking areas and soakways. The surface water drainage arrangements will need to meet the requirements of SW, the Council and SEPA area staff.

Contaminated Land

3. The location of the site suggests that previous land uses may have given rise to contamination on site. However, no details of potential contamination from the former site use have been provided. It is suggested that contact is made with your own Environmental Health Department, for further advice since SEPA is not a statutory consultee in this regard. However SEPA does have an interest in the potential for authorisation of site remedial activities, the disposal of contaminated materials off site and the protection of controlled waters, which include ground and surface waters.

4. The presence of contaminants, and in particular the infiltration of surface water through any such contaminants, may influence the SUD system proposed for the site. Appropriate treatment systems should be designed for this site to ensure that any potential contaminants in the ground are not mobilised.

Landscaping and Construction

5. Construction works associated with the development of the site must be carried out with due regard to the SEPA's guidelines on avoidance of pollution (PPG 1 and PPG 6). These publications are available free of charge on the SEPA website www.sepa.org.uk/guidance/ppg/ppghome.htm or from any SEPA office. It is recommended that these guidelines be referred to in a planning condition.

6. There may be waste management licensing implications arising from the importation of waste material such as soil for landscaping or for any other purpose. Generally, waste material can only be imported to a site if a waste management license is in effect or if an activity exempt from licensing has been registered with SEPA in accordance with the Waste Management Licensing Amendment (Scotland) Regulations. Similarly, any waste removed from a site must be deposited either at a suitably licensed site or at a site for which a relevant exempt activity has been registered. SEPA regards all soils, including topsoil, removed from sites as waste.

7. Where waste is either imported to or exported from a site, applicants and their contractors should be fully aware of the relevant requirements relating to the transport of controlled waste by registered carriers and the furnishing and keeping of duty of care waste transfer notes.

Environmental Services

This Department would have no objection to the above application to the following conditions.

The design and installation of any lifts shall be such that any associated noise complies with NR20 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

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 to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

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

2 Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

Representations

It has been certified that neighbours were notified, and the application was advertised on 4 March 2005.

Muirhouse Housing Association has expressed concern over traffic generation and road safety.

One neighbouring resident has expressed concern over proximity of any proposed buildings to the boundary, and resulting possible daylight loss.

Councillor Hinds has expressed concern over possible traffic management implications within Muirhouse Bank, and requested that the height be restricted to two storeys.

Scottish Power had objected on grounds of loss of access to an electricity substation to the north of the site. This objection has been withdrawn following discussions with the applicants' agent.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

Draft West Edinburgh Local Plan - Urban Area

Relevant Policies:

DQ1 & DQ2 - seek to take environmental impact into account

DQ3 & DQ4 - seek to promote sustainable development and renewable energy

DQ6 - sets design standards for new development

DQ7 - sets landscaping standards

GE9 - seeks to protect open space

H1 - promotes new housing on suitable sites

H5 - promotes urban regeneration

H7 - sets standards for the design of housing development

H8 - sets open space standards

H9 - promotes housing diversity

H15 - seeks to provide contributions for education

T4 - seeks to prevent inappropriate use of surrounding roads

T7 - promotes accessibility by pedestrians and cyclists

T8 - sets parking standards

T10 - seeks to encourage car free housing

North West Edinburgh Local Plan - Mainly Residential Area, where existing residential character and amenities are to be protected.

Relevant Policies:

Policy H1 supports the development of identified housing sites (HSG 1 - HSG 13) in the local plan, provided proposals are in accordance with other local plan considerations, including the need to protect amenity and safeguard land of recreational and landscape significance.

Policy H3 requires all new housing developments to make provision for landscaping and open space in conformity with the Council's standards.

Policy H4 requires new development to be sympathetic in scale and density with its surroundings. In conservation areas and defined "areas of interest" in particular, special care is required to protect local character and amenity.

Policy T4 states that adequate provision for car parking must be made by developers in all new development in conformity with the Council's adopted standards.

Policy E5 states that new buildings, in terms of design, materials and landscaping, should make a positive contribution to the overall quality of the environment and regard should be had to their setting and neighbouring development.

Non-statutory guidelines on 'COMMUNITY SAFETY' provides guidance on the community safety aspects of new development proposals in support of statutory development plan policies.

Non-statutory guidelines on 'OPEN SPACE REQUIREMENTS IN NEW DEVELOPMENT' set the required standards for open space provision.

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

Non-statutory guidelines on 'SITE PLANNING FOR SUSTAINABLE DEVELOPMENT' supplement statutory environmental policies, providing advice on how the principles of sustainable development can be incorporated into proposals.

Policy E7 states that there is a presumption against development of the areas of public and private open space defined on the Proposals Map and other areas of public and private open space of recreational or amenity value to their surroundings.

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED** subject to the conditions below.

Conditions

1. The approved development being commenced no later than five years from the date of Outline Permission or two years from the date of final approval of any reserved matter(s), whichever is the later.
2. Before any work on the site is commenced, details of the undernoted reserved matters shall be submitted to and approved in writing by the planning authority; the submission shall be on the form of a detailed layout of the site (including landscaping and car parking), and detailed plans, sections and elevations of the building/s. **RESERVED MATTERS:** siting, design, external appearance, parking and access, landscaping.
3. Before any work on the site is commenced, details of the undernoted reserved matters shall be submitted to and approved in writing by the planning authority; the submission shall be in the form of a detailed layout of the site (including landscaping and car parking), and detailed plans, sections and elevations of the building/s. **RESERVED MATTERS:** number of units, height, boundary treatment, drainage
4. 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 to the satisfaction of the Head of Planning and Strategy, 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 Head of Planning and Strategy.
- 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 to the satisfaction of the Head of Planning and Strategy.
5. Parking shall conform to current City of Edinburgh Parking Standards.
 6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development, and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the planning authority; maintenance shall include the replacement of plant stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the approved landscaping scheme.
 7. Prior to the commencement of works on site, details of access to and space for waste management facilities, including recycling, shall be submitted to and approved in writing by the Head of Planning and Strategy. Thereafter, the requirements agreed shall be implemented to the satisfaction of the Head of Planning and Strategy, prior to the occupation of the development hereby approved.
 8. (a) Detailed plans showing details of surface water drainage, in accordance with the principles of Sustainable Urban Drainage Systems, shall be submitted to and be approved in writing by the Head of Planning and Strategy before work is commenced on site. The specification of the drainage system must be compliant with the SUDWP/CIRIA design manual for sustainable urban drainage systems (SUDS), and must provide flow attenuation to ensure that runoff from the development does not increase the risk of flooding elsewhere, to the satisfaction of the Head of Planning and Strategy.

(b) Construction works associated with the development of the site shall be carried out with due regard to SEPA guidelines on the avoidance of pollution.
 9. The design and installation of any lifts shall be such that any associated noise complies with NR20 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to enable the planning authority to consider this/these matter/s in detail.

3. In order to enable the planning authority to consider this/these matter/s in detail.
4. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
5. In order to ensure that the level of off-street parking is adequate.
6. In order to ensure that the approved landscaping works are properly established on site.
7. In the interests of sustainable development
8. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
9. In order to safeguard the amenity of neighbouring residents and other occupiers.

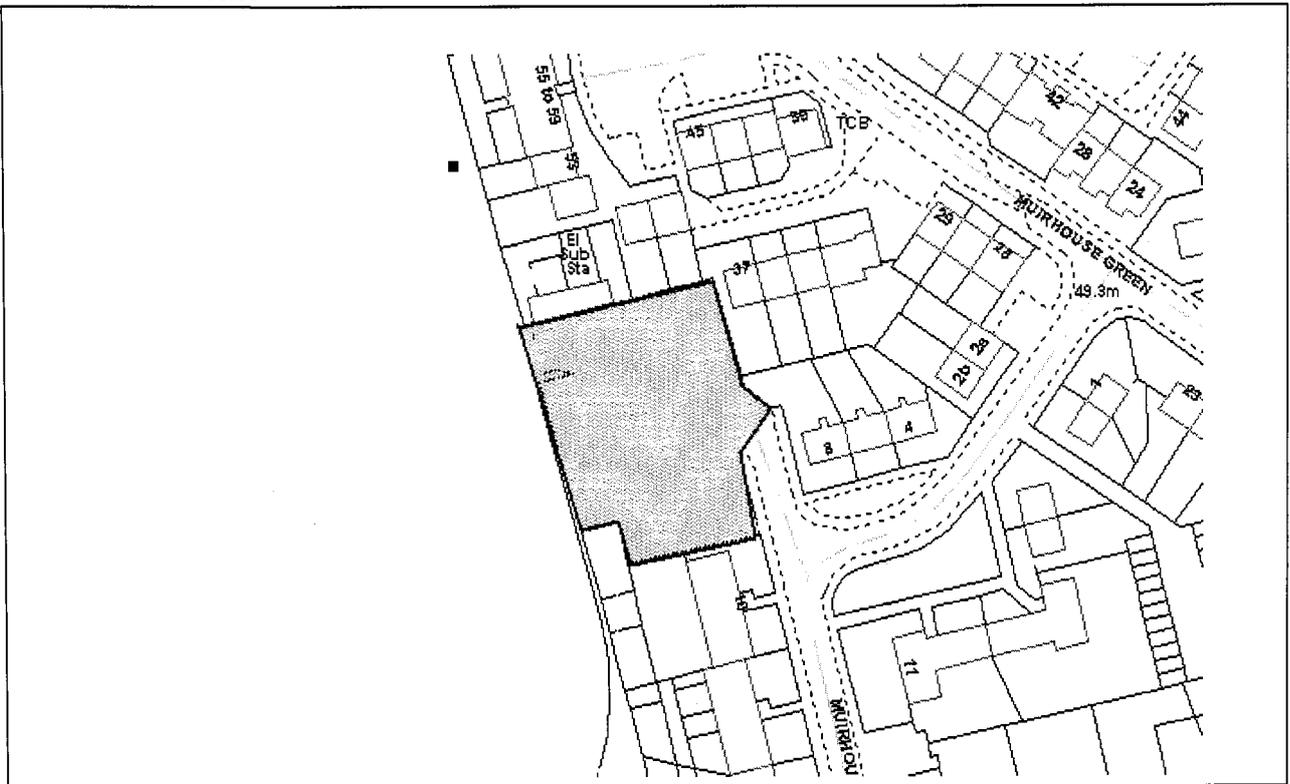
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Location Plan



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