

**Full Planning Application 06/00906/FUL
at
9 Harvest Road
Vacant Land Next To)
Newbridge
Edinburgh
EH28 8PN**

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

15 November 2006

1 Purpose of report

To consider application 06/00906/FUL, submitted by Evans Easyspace Ltd. The application is for: **Erection of 2 separate buildings to house 7 offices and 7 workshops**

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

2 **The Site and the Proposal**

Site description

The triangular site slopes downwards towards a drainage ditch that runs along the northern boundary of the site. To the south there is a steep embankment bounding Harvest Road, the embankment levels out towards the west of the application site. To the east of the site there is an embankment sloping upward to the M8 motorway. There is a timber fence along the southern and eastern boundaries and a mesh fence to the north. Sparse shrub and tree planting is also located within the site.

Site History

There is no relevant planning history for this site.

Description of the Proposal

It is proposed as amended, to erect a 56.0m x 11.2m x 4.5 brick and profile cladding unit parallel with the northern boundary and a It is proposed to erect a 56.0m x 11.2m x 4.5 brick and profile cladding unit parallel with the northern boundary and a 41.1m x 4.8m x 11.5m brick and profile cladding unit parallel with the M8, at right angles to the larger unit.

The drainage ditch parallel with the northern boundary would be realigned and as part of the Sustainable Urban Drainage Scheme a filter trench would be created between the units.

A new vehicular and pedestrian access to the site would be created to the west of the site. There would be parking for 29 cars and 8 bicycles will be provided.

The embankment on the north side of Harvest Road would be reduced in height and the site regraded.

Scheme 1

Unit one was positioned nearer Harvest Road, limiting the area for planting at that point. There was no proposal to include screen planting on the motorway embankment.

3 Officer's Assessment and Recommendations

Determining Issues

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, are there any compelling reasons for approving them?

ASSESSMENT

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

To address the determining issues, the Committee need to consider whether:

- a) The principle of the proposal is acceptable;
- b) The design and scale of the buildings are acceptable; or,
- c) There is any impact upon road safety.

a) The site is within an existing business and industrial area, therefore the principle of the proposed use is acceptable as long as other planning policies and material planning considerations are met.

b) The scale of the proposal is similar to other developments within the vicinity and the development will be read along with the existing buildings when viewed from the M8. The architecture and the materials proposed are of acceptable quality.

Indicative landscaping is shown on the Harvest Road and M8 elevations. The landscaping will improve the quality for the development. A detailed landscape plan is recommended as a condition, along with a condition regarding implementation.

In line with BAA's consultee response a condition requesting detail of external lighting and a method statement to prevent birds from loafing, roosting or nesting on the roof would be attached to the consent. Similarly in line with other consultee responses conditions requiring an archaeological programme of works and a site investigation would also be required.

c) Transport have no objection to the proposals subject to the applicant entering into a suitable legal agreement requiring a contribution to the Edinburgh Tram Scheme and improvements to the Newbridge roundabout. The applicant would have to create a box junction at the junction of Clifton Hall Road and Old Liston Road. When the tram is implemented, in Newbridge, the applicant would also be required to implement a left in/left out access arrangement in order to prevent conflict with the running of the tram network.

A non-climbable fence/barrier has been requested by Transport Scotland along the boundary with the M8. This requirement can be dealt with through the use of an appropriate condition.

In conclusion, the proposals comply with the development plan, are of an acceptable design and scale and would not prejudice road safety, the tram implementation, aircraft safety or any archaeological remains that may be present. There are no material considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to conditions relating to materials, SUDS, external lighting, an archaeological investigation, landscaping, and boundary treatment and to an appropriate legal agreement.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Kevin Murphy on 0131 529 3794
Ward affected	03 - Dalmeny/Kirkliston
Local Plan	Rural West Edinburgh Local Plan
Statutory Development Plan Provision	Business/Industry
Date registered	3 March 2006
Drawing numbers/ Scheme	1, 2A and 3-11 Scheme 2

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, Helen Martin on (0131) 529 3517. Email: helen.martin@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 gavin.king@edinburgh.gov.uk or carol.richardson@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: 9 Harvest Road
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Proposal: Erection of 2 separate buildings to house 7 offices and 7 workshops

Reference No: 06/00906/FUL

Consultations, Representations and Planning Policy

Consultations

Environmental and Consumer Services

No objections to this proposed development subject to a condition requiring a site survey to identify if there are any contaminants in, on or under the land and any required remedial and/or protective measures.

Transport

No objections to the application subject to the following condition being applied.

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.

Prior to the issuing of consent the applicant to enter into a suitable legal agreement to make provision for the following:

1. Make application to the Councils Road engineer for the provision of a box junction to aid traffic movements at the Clifton Hall Road/Old Liston Road junction all at no cost to the Council.

2. Contribute a sum of £10,000 for the improvement works to Newbridge Roundabout.

Item 1 to be in place prior to occupation of the development.

Item 2 sum payable on commencement of building operations.

3. Contribute a sum of £80,000 towards the provision of Edinburgh Tram Scheme.

4. Allowing the Council the right to notify and require the land owner any time between now and the date by when the Tram to Newbridge could be developed (say by end 2020) to comply with amended access arrangements requiring left in and left out only.

Amended response

No objections to the application subject to the following condition being applied.

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.

Prior to the issuing of consent the applicant to enter into a suitable legal agreement to make provision for the following:

1. Make application to the Councils Road engineer for the provision of a box junction to aid traffic movements at the Clifton Hall Road/Old Liston Road junction all at no cost to the Council.

2. Contribute a sum of £10,000 for the improvement works to Newbridge Roundabout.

Item 1 to be in place prior to occupation of the development.

Item 2 sum payable on commencement of building operations.

3. Contribute a sum of £80,000 towards the provision of Edinburgh Tram Scheme. Contribution payable on confirmation of the start of construction of the Newbridge Tram Link.

4. Allowing the Council the right to notify and require the land owner any time between now and the date by when the Tram to Newbridge could be developed (say by end 2020) to comply with amended access arrangements requiring left in and left out only.

BAA

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below:

Flat/Shallow Pitched Roofs

Development shall not begin until a method statement has been submitted to and approved in writing by the Planning Authority, detailing how the applicant would prevent the nesting, roosting or loafing of hazardous birds, in particular gulls on flat/shallow pitched roofs.

The method statement shall be implemented as approved.

Reason: To avoid endangering the safe operation of aircraft through the attraction of birds.

Any method statement must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs, ladders or similar. The owner/occupier must not allow gulls to nest, roost or loaf on the building. Checks must be made weekly during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airfield Operations staff. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must hold appropriate licences from the Scottish Executive Environment and Rural Affairs Department (SEERAD) before the removal of nests eggs.

Landscaping

a) Development shall not begin until a landscaping scheme that complies with the details contained in Advice Note 3, 'Potential Bird Hazards from Amenity Landscaping and Building Design' (available at www.caa.co.uk/srg/aerodrome) i.e. type and spacing of trees and design details of any water features, has been submitted to and approved in writing by the Planning Authority.

The landscaping scheme shall be implemented as approved.

Reason: To avoid endangering the safe operation of aircraft through the attraction of birds.

b) No element of the proposed planting shall be permitted to grow above a maximum height of 72m AOD.

Reason: To avoid endangering the safe operation of aircraft.

Lighting

Development shall not begin until details of the schemes of lighting required during construction and for the completed project have been submitted to and approved in writing by the Planning Authority. Such schemes shall comply with Advice Note 2 'Lighting Near Aerodromes' (available at www.caa.co.uk/srg/aerodrome) and shall specify that lighting is of flat glass, full cut off design with horizontal mountings, and ensure that there is no light spill above the horizontal. No subsequent alterations to the approved lighting scheme are to take place unless submitted to and approved in writing by the Planning Authority.

The lighting scheme shall be implemented as approved.

Reason: To avoid endangering the safe operation of aircraft.

It is important that the conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of BAA, or not to attach conditions which BAA has advised, it shall notify BAA, the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding or Aerodromes Direction 2003.

We would also make the following observation:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome.

Archaeology

Archaeological evidence has demonstrated that the Newbridge has been occupied for over 4000 years, with the eastern side of the village dominated by upstanding prehistoric burial mound and stone circle of Huly Hill. This prehistoric monument, which is likely to date from the early 2nd millennium BC, was constructed within the centre of a stone circle which is likely to date from the earlier Neolithic period (3rd millennia BC). Recent excavations for example those undertaken by Headland Archaeology at Newbridge Interchange Park (2001) (directly opposite), and by AOC Archaeology at the former Marshall's chicken farm (2003), have demonstrated that the village lay within an extensive and widespread prehistoric ritual and settlement complex focused upon Huly Hill and the river Almond.

The excavated remains discovered opposite this site included; isolated prehistoric pits and post holes, a post-defined enclosure, a ring-ditch cemetery and a nationally important Iron Age chariot burial dating to c. 5-400 BC. In addition cropmark evidence indicates that the summit of nearby Hillwood Hill was occupied by an Iron Age Hillfort (NMRS Ref. NT17SW 92). Furthermore, the area around Newbridge has been traditionally associated as the site for the 10th century battle between the armies of Malcolm II and Constantine in 995 AD. Stray finds of armour and weaponry possibly associated with this battle were reportedly found during 19th century within Newbridge village.

Based upon the above historical and archaeological evidence, the proposed development site is regarded as occurring within an area of archaeological potential and should therefore be considered under National Planning Policy Guidance 5: Planning and Archaeology (NPPG 5) and the accompanying Planning Advice Note 42 (PAN 42), both issued by the Secretary of State for Scotland in 1994. The aim is to preserve archaeological deposits in situ as a first option, but alternatively where

this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

As the discovery of the Chariot burial demonstrated archaeological deposits can survive in areas which subject to modern landscaping. According although this site has undergone a similar process of landscaping in advance of development, it is possible that similar important archaeological remains relating to Edinburgh's prehistory may have survived in situ across the site, probably in isolated areas. Therefore it is recommended that a suitable programme of archaeological works (watching brief) be carried out at the site by a professional archaeologist to record any remains that may be uncovered during ground moving operations.

It is recommended that this programme of works is secured using a condition based upon the model condition stated in PAN 42 Planning and Archaeology (para 34), as follows;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

SEPA

SEPA has no objection to the above mentioned development proposal, however the following comments apply.

Sewage Disposal

Sewage from the proposed development should be connection to the public foul sewer. Connection to the sewer is subject to the approval of Scottish Water (SW) and permission to connect may depend on the availability of spare capacity. Your attention is drawn to SW's consultation response for clarification of the position.

In line with SEPA's draft Consultation Paper titled 'SEPA Policy on Provision of Waste Water Drainage in Sewered Areas' SEPA would request that the application investigates all possible routes to establishing a connection to the public foul sewer as the first option for sewage disposal. This will include the following options in order of preference:

i) Direct connection to the public foul sewer (including pumping where necessary)

ii) Negotiation of developer contributions with Scottish Water to upgrade the existing sewerage network and/or increase capacity at the waste water treatment works.

iii) Provision of mitigation measures at the development site, or elsewhere on the network, which will reduce the volume or strength of the effluent discharged to sewer. Such measures could include storage or prior treatment of effluent discharging to the foul sewer.

Where SEPA considered that a developer has not taken all reasonable steps to seek connection to the foul sewer, SEPA will object to the planning application.

Where Scottish Water refuses a connection to the foul sewer or if the costs of addressing constraints in the short term is disproportionate compared to the size of the development SEPA will consider the use of private treatment systems on a temporary basis provided that connection to the sewer is possible in the current Quality and Standards Investment period.

Surface Water

The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) makes Sustainable Urban Drainage Systems (SUDS) a requirement for new development from 1 April 2006. As such, SEPA requests that your authority directs the applicant to come forward with an appropriate SUDS scheme for the site that complies with Planning Advice Note (PAN) 61 and the SUDSWP/CIRIA design manual C521 for SUDS in Scotland and Northern Ireland (ISBN 0 86017 5219). This entails use of indirect systems such permeable surfaces, peripheral French drains, soakways and swales and possibly a pond such as an extended detention basin with a wetland base. A suitable SUD based system should also be able to provide flow attenuation to satisfy your Council's requirements.

As well as providing water quality treatment and attenuation of flow it is important that any pond system is designed as a habitat enhancing landscape features to maximise the wildlife value. Guidance on good practice can be obtained from SEPA's publication 'Ponds, Pools and Lochans' (ISBN 1-901322-16-5).

The surface water drainage arrangements will need to meet the requirements of SW, the roads authority and SEPA area staff. As drainage systems based on SUDS principles will have implications for site layout, it is recommended that there is general agreement on the scheme on the scheme before planning permission is granted. SEPA also recommends that imposition of a planning condition, which makes reference to the requirement for an integrated SUDS scheme.

SUD systems may be susceptible to damage because of mud and silt generated during site preparations and construction activity. Work must therefore be phased to ensure minimum risk and temporary silt traps or silt lagoon should be provided where necessary. Temporary measures such as the provision of silt traps must be provided to deal with surface water runoff during construction and prior to the operation of the final SUDS.

Contaminated Land

SEPA has no information to confirm whether contamination is an issue at this site. However, if site investigation reveals this to be an issue, any remediation scheme would be required to take account of the possible implications for surface or groundwater, and the requirements of the waste management regulations.

Construction and Landscaping

Construction works associated with the development of the site must be carried out with due regard to the SEPA's pollution prevention guidelines (PPG 1, 5 & 6). These publications are available free of charge on the SEPA website at <http://www.sepa.org.uk/guidance/ppg/> or from any SEPA office.

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. Similarly, any waste removed from a site must be deposited either at a suitable 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.

Where waste is either imported 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.

Transport Scotland

Advise that the following condition be attached to any permission the Council may give:

An unclimbable fence/barrier of a type approved by the Planning Authority, after consultation with the Roads Authority, shall be provided and maintained by the developer or subsequent owner of the land along the boundary of the site with the trunk road.

Reason: To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents.

Representations

No representations have been received.

Planning Policy

The proposal lies within a business area in the Rural West Edinburgh Local Plan area where existing business/industrial uses are to be safeguarded and new business/industrial uses are encouraged.

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Application Address: 9 Harvest Road
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Proposal: Erection of 2 separate buildings to house 7 offices and 7 workshops

Reference No: 06/00906/FUL

Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED**

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Head of Planning & Strategy, having first been agreed by the City Archaeologist.
3. 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.

4. Development shall not begin until details of the schemes of lighting required during construction and for the completed project have been submitted to and approved in writing by the Planning Authority. Such schemes shall comply with Advice Note 2 'Lighting Near Aerodromes' (available at www.caa.co.uk/srg/aerodrome) and shall specify that lighting is of flat glass, full cut off design with horizontal mountings, and ensure that there is no light spill above the horizontal. No subsequent alterations to the approved lighting scheme are to take place unless submitted to and approved in writing by the Planning Authority.

The lighting scheme shall be implemented as approved.

5. A fully detailed landscape plan, including planting on the M8 embankment, and details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site.
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. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site; Note: samples of the materials may be required.
8. Development shall not begin until a method statement has been submitted to and approved in writing by the Planning Authority, detailing how the applicant would prevent the nesting, roosting or loafing of hazardous birds, in particular gulls on flat/shallow pitched roofs.

The method statement shall be implemented as approved.

9. The sustainable urban drainage system indicated in drawing 10 to be operational prior to the development being occupied and maintained thereafter to the satisfaction of the Head of Planning and Strategy.
10. An unclimbable fence/barrier of a type approved by the Planning Authority, after consultation with the Roads Authority, shall be provided and maintained by the developer or subsequent owners of the land along the boundary of the site with the trunk road.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the interests of archaeological heritage.
3. In order to ensure the most efficient and effective rehabilitation of the site.
4. To avoid endangering the safe operation of aircraft.
5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
6. In order to ensure that the approved landscaping works are properly established on site.
7. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
8. To avoid endangering the safe operation of aircraft through the attraction of birds.
9. To ensure that the site is adequately serviced.
10. To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with a consequential risk of accidents.

INFORMATIVES

It should be noted that:

1. Prior to the issuing of consent the applicant to enter into a suitable legal agreement to make provision for the following:
 1. Make application to the Councils Road engineer for the provision of a box junction to aid traffic movements at the Clifton Hall Road/Old Liston Road junction all at no cost to the Council. The box junction shall be provided prior to the occupation of the development.
 2. Contribute a sum of £10,000 for the improvement works to Newbridge Roundabout. The sum is payable on commencement of building operations.
 3. Contribute a sum of £80,000 towards the provision of Edinburgh Tram Scheme. The sum is payable on confirmation of the start of construction of the Newbridge Tram link

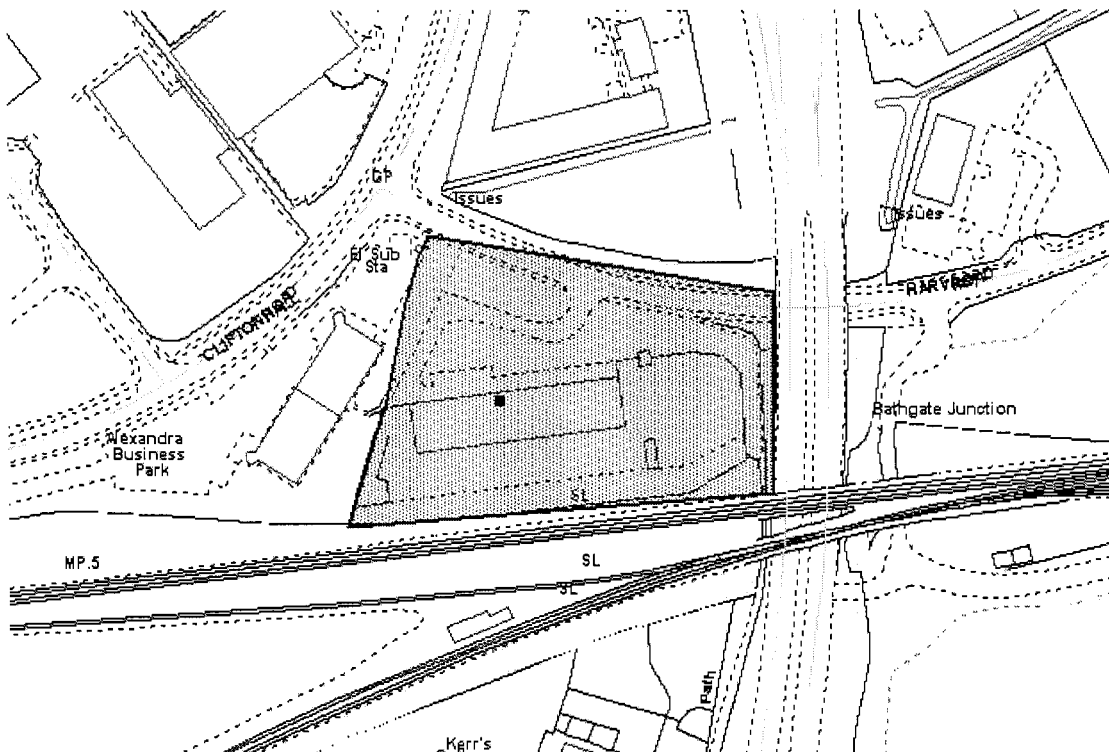
4. Allowing the Council the right to notify and require the land owner any time between now and the date by when the Tram to Newbridge could be developed to comply with amended access arrangements requiring left in and left out only.

End

Application Type Full Planning Application

Proposal: Erection of 2 separate buildings to house 7 offices and 7 workshops

Reference No: 06/00906/FUL



Location Plan

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