

Development Management Sub Committee

Wednesday 30 January 2013

**Application for Planning Permission 11/03374/FUL
At 14 - 16, 20, 24, 26, Beaverhall Road, Edinburgh
Mixed-use development comprising residential and
commercial floor space including associated roads and
infrastructure.**

Item number	
Report number	
Wards	A12 - Leith Walk

Links

<u>Policies and guidance for this application</u>	LPC, CITH1, CITH2, CITH3, CITH4, CITH7, CITCO2, CITD1, CITD3, CITD4, CITD5, CITD6, CITE9, CITE17, CITOS1, CITOS3, CITEM4, CITT1, CITT4, CITT5, CITT6, CITI2, OTH, NSDCAH, NSQULA, NSMDV, NSKEYV, NSFLO, NSOSS, NSDOP, OTH, NSURB, NSDCAH, NSGESB, NSGD01,
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Executive summary

Application for Planning Permission 11/03374/FUL At 14 - 16, 20, 24, 26 , Beaverhall Road, Edinburgh Mixed-use development comprising residential and commercial floor space including associated roads and infrastructure.

Previous Committee Details

This application was previously considered by Committee on 04.07.2012

Outcome of previous Committee

The application was granted planning permission on 4 July 2012 subject to conditions and legal agreements as set out in the report by the Head of Planning and Building Standards. It was also granted subject to condition 7 being changed to require the Planning Authority to approve the proposed materials and not the Head of Planning and Building Standards.

Summary

The proposed development was granted planning permission by Committee on 4th July 2012 subject to a number of conditions and legal agreements. The legal agreement is due to be signed shortly enabling planning permission to be granted. The applicant has submitted details of materials proposed for consideration by Committee in order to comply with condition 7. The applicant has confirmed that there is no intention to use brick for the proposed development. The condition can be discharged once the legal agreement has been signed and the decision has been issued.

Full details of this are provided in the further appendices at the end of the assessment section of this report.

Conditions 8,9 and 10 require finer details of the materials/ finishes to be approved by the Head of Planning and Building Standards.

Recommendations

It is recommended that Committee approves the proposed materials to comply with condition 7 to enable the condition to be discharged once the decision notice has been issued.

Financial impact

The proposal is subject to a legal agreement to progress a traffic order to regulate parking within the proposed development and on Powderhall Road at no cost to the Council (estimated cost of £2,500), the contribution of £11,500 towards the establishment of 2 car club spaces and vehicle within the vicinity of the development, to progress a redetermination order in relation to the new access road and the proposed amended layout on Powderhall Road (estimated cost of £2,500), to make financial contributions for public realm improvements, for alleviation of accommodation pressures for local school catchment areas, and to ensure that that the minimum level of affordable housing is maintained in accordance with Council policy. The terms of the legal agreements are under discussion and close to conclusion.

Equalities impact

This report is to consider only the proposed materials for the development proposed as required under condition 7 and has not been subject to an equalities and rights impact assessment.

Sustainability impact

The application met the requirements of the Edinburgh Standards for Sustainable Buildings.

Consultation and engagement

Pre-Application Process

The application was subject to pre-application advice. Pre-application discussions were undertaken on the proposals and advice was given on the principle of the development, taking into consideration design, noise, amenity and transport issues.

In accordance with the Planning etc. (Scotland) Act a Proposal of Application Notice (11/01888/PAN) was submitted and registered on 7th June 2011. A copy of the notice was sent to:

- Ian Mowat (Chairman of the New Town/ Broughton Community Council);
- Bill Dunlop (Treasurer of the NewTown/ Broughton Community Council);
- Roddy Martine (Secretary of Powderhall Village Owners Association);
- Councillor Angela Blacklock;
- Councillor Deirdre Brock;
- Councillor Maggie Chapman;
- Councillor Louise Lang; and
- Mike Penny (City Centre and Leith Neighbourhood Manager).

A public event took place on 28th July 2012 at Broughton Primary School. The developers attended a Community Council meeting on 1st August 2011.

Full details can be found in the Pre-Application Consultation report, which sets out the findings from the community consultation. It is available to view on the Planning and Building Standards Online Services.

Publicity summary of representations and Community Council comments

The application was advertised on 9th March 2012. Letters have been received from the Powderhall Village Owners Association and 5 neighbours. One of these is in support of the proposal. Five object to the proposal.

The material points of objection/concern are:

a. Design issues, taken account of in assessment a and b.:

- too high
- out of character with the area
- position of waste storage
- too much affordable housing

b. Residential amenity issues, taken account of in assessment c.:

- loss of sunlight
- overshadowing
- loss of privacy

c. Transport issues taken account of in assessment e.:

- insufficient parking provision

Community Council Comments

New Town and Broughton Community Council

The community council raise a number of concerns about the proposal. The road loop originally proposed has been removed; a more strongly defined central open space is provided than the previous scheme; and the height of blocks A and B have been reduced. The main concerns of the community council have therefore been addressed in the latest scheme.

Background reading / external references

- To view details of the application go to
- [Planning and Building Standards online services](#)

Application for Planning Permission 11/03374/FUL At 14 - 16, 20, 24, 26 , Beaverhall Road, Edinburgh Mixed-use development comprising residential and commercial floor space including associated roads and infrastructure.

1. Background

1.1 Site description

The site is located on the east side of Beaverhall Road, to the north of Dunedin Street and south of Powderhall Road. It has an area of approximately 0.62 hectares. The area in which the site is located comprises a mix of uses of leisure, office, industrial and residential.

The majority of the site is flat. There are 2 large industrial buildings in the site which have access off Beaverhall Road. These lie to the north and east areas of the site. Along the site's southern boundary are single and two storey high brick buildings; these are vacant. A traditional single storey red brick industrial building fronts Beaverhall Road to the west of the site; there are smaller industrial buildings behind this which are in use as a car valeting business.

The southern part of the site is in use as a car park. The area of the site fronting Powderhall Road to the north is a grassed amenity area. This is at a higher level than the remainder of the application site by approximately 4 metres. It has an area of 0.09 hectares.

The northern site boundary comprises a high brick wall. The eastern boundary has a chainlink fence with tree planting/ landscaping beyond. To the southern boundary are walls of various heights, some of which have buildings attached. There is a low wall and railings to Beaverhall Road boundary fronting the car park.

The site encloses an existing 4 storey high tenement building which fronts Beaverhall Road. This is of traditional design and appearance.

Directly to the south of the site on Beaverhall Road is a social club. A warehouse building runs along the southern site boundary positioned behind the social club. This is accessed off Dunedin Street.

On the opposite side of the site on Beaverhall Road is a large 3 storey high commercial building built in red brick. There is also a recently built office building which is well set back from the Beaverhall Road frontage.

The Powderhall Village development to the north and east of the site is between approximately 3 to 4 metres higher than the site. Directly to the north and east are 2 and a half storey high townhouses.

1.2 Site History

29 September 1994 - planning permission was granted for a change of use from a vehicle hire centre to a car pound. The consent was granted for 3 years (94/00785/FUL).

31 July 2002 - an application by Bryant Home (Scotland) Ltd to develop the site for residential purposes was withdrawn (01/00801/FUL).

1 October 2003 - planning permission was refused for a residential and office development. The development did not respect the constraints of the site or the existing character of the area, did not provide an adequate standard of amenity for its intended occupants, and was incompatible with the site's allocation for business/industry to the detriment of employment-generating land supply, the future operation of existing businesses and the amenity of occupiers of the proposed development (03/01882/FUL).

9 August 2006 - an appeal against the above decision was withdrawn (PPA-230-618).

24 June 2011 - Proposal of Application Notice approved for mixed use development of residential and commercial (11/01888/PAN).

15 December 2012 - application for residential and office development was withdrawn (06/02579/FUL).

History of nearby sites

History for development of former Powderhall Stadium Site:-

5 December 2001 - planning permission was granted for 337 residential units. This included the provision of a footbridge from the site to St. Marks Park across the Water of Leith and the provision of a children's play area (99/02383/FUL).

History for 12 Beaverhall Road:-

30 March 1977 - planning permission was granted for the change of use of the single storey warehouse building to a private members club (305/77).

2 December 1987 - planning permission was granted for alterations and extensions to the club premises. This was subject to a condition that all amplified music and vocals shall be controlled so as to be inaudible within the nearest noise sensitive residential accommodation (2096/86).

22 January 1992 - planning permission was granted for the change of use of upper storey of building from a social club to offices (A02750/91).

History for 14 Dunedin Street:-

20 March 2007 - a planning application was submitted for a mixed use development of residential and commercial units. The application is undetermined (07/01027/FUL).

2. Main report

2.1 Description Of The Proposal

The proposal is for the development of residential units and commercial space. The proposal has been revised and takes the form of 3 blocks and a terrace of 5 townhouses fronting Powderhall Road. Commercial units are provided at ground floor level in the southern block fronting Beaverhall Road and facing 12 Beaverhall Road. The development creates a courtyard style of development with an area of open space in the centre.

A total of 80 residential units are proposed. These are made up of the following:

Forty one affordable units (15 affordable and 26 mid market rent) would be provided in blocks A, B and C. These comprise:

18 X 2 bedroomed units and 1 X 3 bedroomed unit in block A; and

18 X 2 bedroomed units in block B, and 4 X 2 bedroomed units in block C.

Thirty nine units for market sale are provided in blocks C, D and E, and the 5 townhouses.

These comprise:

4 X 2 bedroomed units in block C;

13 X 2 bedroomed units and 2 X 3 bedroomed units in block D; and

and 13 X 2 bedroomed units and 2 X 3 bedroomed units in block E.

The commercial unit has a total floorspace of 288 sq metres. It can be subdivided to suit the end users and is accessed directly from street level.

The Beaverhall Road frontage (blocks A and B) would have buildings with a height of 4 1/2 storeys high (with accommodation in the roof with dormer windows); the rear of the northern block (block C) would drop in height to 4 storeys high. The easternmost flatted block (block D and E) would be 4 1/2 and 5 1/2 storeys high (with accommodation in roof and dormer windows). The townhouses would be 2 and a 1/2 storeys high (with accommodation in the roof with velux and dormer windows). Elevations are broken up with the use of differing materials and set backs. Some units have balconies. Access to the residential units are through communal entrances.

The proposed materials are brick and render to reflect those used at the developed Powderhall site.

Forty one of the units have an area of private garden in the form of a terrace or balcony.

The main areas of useable shared amenity space comprise 2 areas; one in the centre of the site and one to the north of block C. This totals 821sqmetres of amenity space. A

further area is provided adjacent to the townhouses which has an area of approximately 160sqmetres. These add up to 16% of the total site area.

The total amount of green space (excluding private terraces and balconies) comprises 29% of the total site area.

A total of 58 car parking spaces are proposed throughout the site. These comprise 34 spaces for properties for the open market, 16 spaces for mid market rent properties, and 3 spaces for affordable properties in perpetuity. Five spaces are provided for the townhouses. Three spaces have been provided for motorcycle parking. Cycle parking is provided in the ground floor area of block A with direct access from the central amenity space.

Waste disposal and recycling points are proposed within the flatted section of the site to serve the flats. These are provided in screened enclosures. The townhouses will have individual bins.

Previous Scheme

The total number of units has been reduced from 89 to 80 units. The loop road has been removed and an additional area of amenity space is provided. The height of blocks A and B fronting Beaverhall Road have been reduced by 1 storey. Motorcycle parking is provided and landscaping rationalised. Finished floor levels have been raised to accommodate drainage and flood issues.

Supporting Statement

A Design and Access Statement, Noise Impact Assessment, subsequent noise report dated 22nd February 2012, Pre Application Consultation report, a Sustainability Statement, an Open Space Statement, and a Drainage Statement have been submitted with the application. These can be viewed on Planning and Building Standards online services.

2.2 Determining Issues

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 plan, are there any compelling reasons for approving them.

2.3 Assessment

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

- (a) the proposal is acceptable in principle;
- (b) the proposed scale, design and materials are acceptable;

- (c) the proposal is detrimental to the amenity of neighbours;
- (d) the proposal provides sufficient amenity for the occupiers of the development;
- (e) the proposal affects road safety; and
- (f) any other material planning issues.

a) The majority of the site is within the Urban Area of the Edinburgh City Council Local Plan. The principle of the proposed uses is acceptable as long as other material planning considerations can be met.

Part of the site fronting Powderhall Road is designated as open space in the adopted local plan. Although this area of open space is identified in the open space audit as being accessible and of fair quality there are a number of overriding reasons why housing should be allowed on this part of the site. Firstly, this area formed part of the original planning approval for development of housing of the former Powderhall Stadium site and was not intended to be an area of open space but developed with a block of housing. This was never built.

Secondly, the location of the site meets the Local Greenspace Standard of the Open Space Strategy as houses and flats are within 400 metres walking distance of a significant accessible and good quality greenspace, and the Large Greenspace Standard of the Open Space Strategy in that houses and flats in the area are within at least 800metres walking distance of the significant accessible greenspace.

Thirdly, the location meets the Playspace Access Standard of the Open Space Strategy as there is an existing play area to the north of the former Powderhall Stadium redeveloped site.

Overall the release of the open space would not be detrimental to the overall network or provision of open space in the locality as there are compensatory circumstances in this case. A departure from the Development Plan is justified.

Policy Emp 4 of the Edinburgh City Local Plan is relevant in that it requires proposals to include a significant element of new floor space designed to provide for a range of business users. The proposals meet this requirement.

The provision of 41 affordable housing units meets the Councils policy. A legal agreement is proposed to ensure that the minimum requirement for affordable housing need is met.

The principle of the development is acceptable.

b) The character of the surrounding area is mixed in terms of design with buildings of varying heights, scale and uses. The layout of the proposed development is appropriate with buildings lining up with the existing tenement on and fronting Beaverhall Road. The townhouses tie in well to the street frontage along Powderhall Road. The development of the block to the rear of the existing tenement is an acceptable design solution. It sits well within a landscaped area and, although is to the rear of blocks fronting Powderhall Road and Beaverhall Road, its position is appropriate due to the scale of the site. It creates a courtyard style of development which is acceptable in design terms.

The height of the flatted blocks at 4 to 5 ½ storeys, and the 2 1/2 storey townhouses is commensurate with a number of surrounding buildings, in particular the existing tenement at 18 Beaverhall Road and the flatted blocks of the Powderhall Stadium development to the north and north east. Where there is a difference in building heights, there is sufficient separation between the development site buildings and existing buildings so that they sit comfortably within the overall area. This situation occurs between existing houses on Powderhall Road and the existing tenement on Beaverhall Road with proposed blocks D and E, and the social club at 12 Beaverhall Road and the commercial buildings opposite with block A.

Massing of the proposed flatted buildings is commensurate with the residential blocks to the north. The site is within a viewcone across the northwest part of the site. The proposal would not have an adverse effect on this; the height and massing of building being similar to those directly to the north.

Elevations are broken up by the use of contrasting materials, set backs, balcony details and varying roof heights. The proposed use of brick and render is acceptable. The materials and detailing have a positive impact on the setting of the building. Full details of materials are required by conditions.

Waste Management facilities are acceptable in terms of number and position. Lothian and Borders Police have no comments to make on the scheme.

In terms of layout, design and detailing the development would have a positive impact on its setting.

c) The applicants have submitted a noise assessment and subsequent report which identifies the main potential sources of noise are live music breakout and fan noise from the social club at 12 Beaverhall Road. Industrial noise associated with business units on Beaverhall Road and Dunedin Road was not found to significantly affect the proposed redevelopment site.

The proposal results in new residential development in close proximity to the club; mitigation measures are required. The club is licensed to operate until 1am every day and typically holds events such as karaoke and live music. Noise from patrons leaving the premises at night has been a problem historically, but not since 2006. Licensing legislation has put more onus on the proprietor of such clubs to manage patrons leaving the premises appropriately.

Block A and Block D are most likely to be affected by noise from the club. To mitigate the effects of this noise, the developer proposes to provide a level of sound insulation through a closed window scenario to affected windows for habitable rooms overlooking the social club, whilst also providing an alternative means of ventilation to meet the Building Standard regulations. These windows would have to be fixed shut and the ventilation would be by mechanical means, as opposed to the preferred option of Environmental Assessment of a passive ventilation system.

The use of a sealed window/ mechanical ventilation solution is not normally supported by Environmental Assessment. The applicants have provided preliminary details of an example of a ventilation system based upon the principle of a centralised supply and extract system which delivers fresh air to the individual apartments via a network of flat ductwork, located within the ceiling void from a central heat recovery unit located within

a central store or kitchen wall unit. However, Environmental Assessment recommends that if permission is granted, a condition should be added for the submission of details of the ventilation system prior to development commencing. Building Standards has confirmed that the proposed fixed window scenario would be an acceptable solution in principle.

Whilst dealing with the noise at source (i.e. the club at 12 Beaverhall Road) would be the preferable option in that it would enable occupiers of the development to have openable windows, the club is outwith the site, and is not within the control of the applicant. The advantage of the proposed fixed window scenario is that it would enable the development to proceed. The works to achieve inaudibility are under the control of the applicant.

Noise from the proposed commercial units within the development can be controlled by conditions. It is not intended to control delivery or waste collection times as these are outwith the applicant's control. In addition, the control of sound insulation is a matter for Building Standards.

Part (c) of policy Des3 of ECLP requires that the amenity of occupiers will not be materially harmed by the effects on privacy, daylight, sunlight or immediate outlook.

In terms of privacy within the development site itself the usual privacy distance of 18 metres between blocks A and D would not be met as there would be 16 metres between the two affected elevations. However, the breach involves balconies and corner secondary windows where the loss of amenity to neighbours would be minor and in this case acceptable. All other windows meet minimum privacy distances.

Windows from the rear (east) elevation of block D, and the gable elevations would be more than 9 metres to the site boundary. Block A windows would be more than 9 metres to site boundaries.

In terms of privacy, windows from the north elevation of blocks B and C would be less than 9 metres to the site boundary. This is not an issue in that they would overlook a car parking area and windows are positioned at an angle to neighbouring property's windows. The effect of potential loss of privacy is therefore reduced to an acceptable level. The windows in other elevations of these blocks would meet the privacy standards.

In terms of potential overshadowing and loss of sunlight the proposed townhouses would lie in the gable area of adjoining properties where a relaxation of overshadowing policy is acceptable. Block A would lie mainly within the gable of the existing tenement fronting Beaverhall Road. There would be a minor amount of overshadowing (approximately 8sqmetres) to the rear of the existing tenement. This is acceptable and a minor infringement of the guidelines.

Overshadowing would occur to neighbouring land to the north of block B and C. This would fall onto the car park area where a relaxation of the overshadowing policy would be acceptable in this instance.

There would be no adverse overshadowing to the properties to the east from blocks D and E.

In terms of daylighting, the applicants have demonstrated that daylighting levels to proposed and existing property is acceptable.

The open space will receive sunlight into different parts of the area at different times of the day; the level of sunlight to these areas is acceptable.

The revised scheme shows an improvement to the amount and form of open space. The amount of useable open space equates to 29% of the overall site area in excess of minimum open space requirements. The ground floor of flatted blocks and townhouses have private gardens and upper levels have balconies. The details of the landscape plan are generally acceptable. A condition to require implementation of the landscaping is proposed.

In terms of amenity the proposed development is acceptable.

e) The parking proposed for the townhouses is acceptable. The revised plan takes account of changes to the proposed parking layout changes as recommended by Transport. As the site is within the controlled parking zone, a shortfall of 11 spaces is acceptable. A contribution to the provision of a car club space and a vehicle is sought. The number and design of vehicular parking spaces are acceptable.

The location, number and design of cycle parking spaces is acceptable. Motorcycle parking is provided to an acceptable standard. Transport has no objection to the proposal subject to a legal agreement requiring financial contributions to progress a traffic order to regulate parking within the proposed development and on Powderhall Road at no cost to the Council. This is for an estimated cost of £2,500, a contribution of £7,000 towards the establishment of a car club space and vehicle within the vicinity of the development and a contribution to progress a re determination order in relation to the new access road and the proposed amended layout on Powderhall Road with an estimated cost of £2,500. There is no requirement for a contribution to the tram.

In terms of parking and transport infrastructure requirements the proposal is acceptable.

f) The site has had a number of industrial uses on it over the years. A condition is recommended to assess and deal with any contaminants found at the site.

Policy Des6 of the ECLP and the Edinburgh Standards for Sustainable Buildings require the development to minimise energy needs. The applicants have submitted a revised Sustainability Statement form in support of the application. The proposal complies with the requirements of Part A of the Edinburgh Standards for Sustainable Buildings in that the development provides low and zero carbon equipment to meet the requirements of Section 6 (energy) of the Building Standards 2010. This includes use of 'gas saver' type boiler, and MHR ventilation system to achieve low air permeability. The applicant has shown that the development also meets the essential requirements for part B. These are shown in the table below.

Essential Criteria	Available	Achieved
Section 1: Energy Needs	20	20
Section 2: Water Conservation	10	10
Section 3: Surface Water Run Off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	30
Total Points:	80	80

Desirable Elements

In terms of the 'desirable' elements of sustainability, the development incorporates the use of sustainable timber, rainwater harvesting for use on site, and facilities for composting of household waste. It aims to achieve of Bronze active accreditation in the Building Standards.

In terms of sustainability the proposal is acceptable.

With regards to archaeological impact, City Archaeology state that it is essential that the site is investigated prior to development in order that any archaeological remains are fully excavated and recorded where preservation in situ is not possible. A condition is recommended that ensures programmes of archaeological work are secured.

In terms of educational provision, Children and Families has confirmed that additional capacity is required at Broughton Primary School. Standard developer contributions of £32,800 are sought to help address accommodation pressure at this school.

Bridges and Structures is satisfied that the drainage and flood prevention measures in the Flood Risk Statement and Surface Water Management Plan are to an acceptable standard. A condition is required to ensure that the buildings are not occupied until confirmation from the Flood Prevention Unit has been received in writing which states that the Flood Prevention works currently being constructed along the Water of Leith have been built.

The Air Quality Impact Assessment submitted considers the impact the development will have on air quality at the nearest sensitive receptors to the development site. Traffic is the main source of pollution in the city and Environmental Assessment recommends that car parking spaces are kept to a minimum and that the provision for parking is built with at least 20% electric car charging capabilities. This is added as an informative.

In terms of Public Realm, the developer would be required to carry out works in the vicinity of the site which improve public realm or to contribute a figure of £87,500 for public realm improvements. This would be required by a legal agreement.

In conclusion, the proposal would not have a significant adverse impact on open space and there are compelling reasons for allowing a relaxation of open space policy in this instance; the proposals would not prejudice local residential amenity, road safety, or flood risk. There are no material considerations which outweigh this conclusion.

The proposal would involve a Departure from the Development Plan. However, there is no Council interest in this site, and the departure from the Development Plan is not significant. Notification to Scottish Ministers is therefore not required.

It is recommended that the Committee approves this application, subject to conditions relating to residential amenity, landscaping, contamination, materials, archaeology, flood control, and to an appropriate legal agreement.

Addendum to Assessment

The application was considered by Committee on 6th June 2012. It was continued for a site visit which took place on 7th June 2012.

Committee raised questions about the heights of buildings (particularly blocks D and E), parking provision, affordable housing provision, and community interests.

The height of blocks A and B was previously reduced by 1 storey to enable the scheme to sit better in the street scene and to not dominate the existing tenement on Beaverhall Road. Blocks D and E were not reduced in height as there is good separation between the proposed building and the existing properties on Powderhall Road, the application site is at a lower level than the properties on Powderhall Road and the requirements of the Council's non statutory guidelines on Daylighting, Sunlight and Privacy were met. The height of blocks D and E is an acceptable design solution for the site.

The trees and landscaping in the area of land to the rear of the existing townhouses on Powderhall Road are not in the ownership of the applicant and they therefore do not have control over works to the trees in this area. The applicants have confirmed that they will explore the possibility of enhancing this area without compromising the amenity of neighbours.

In terms of affordable housing provision, the applicant has requested that a total of 41 affordable units would be provided as before, but 12 of these would be in perpetuity and not 15 as previously stated. The amount meets the minimum affordable housing requirements and Housing has no objection to this. Transport has no objection to this revision. However the change in affordable housing type results in the need for an increase of 3 spaces giving a shortfall of 14 spaces (originally a shortfall of 11 spaces). These will be offered as 'affordable' units for the short term and are likely to have lower car ownership associated with them. In the longer term they are intended to be available on the open market and therefore should be considered as 'private sale or rent' in terms of parking provision. As the proposed development is within the controlled parking zone, it is considered that the shortfall of 14 spaces is acceptable. In mitigation, a contribution of £11,500 for the provision of two car club spaces is sought (amended from £7,000).

Environmental Assessment has submitted a revised consultation response which states that windows to those affected by noise in blocks A and D may be openable if a suitable means of mechanical ventilation can be achieved, and that any future

complaints are dealt with by testing using a closed window scenario. It is recommended that condition 3 is revised to enable options for achieving a suitable level of noise protection to future occupiers to be achieved with further consultation with Environmental Assessment. An informative is also added so that the developers make future occupiers aware of the reason for and proper use of the approved mechanical ventilation scheme.

The amount of financial contribution for public realm is £81,250.

The New Town and Broughton Community Council raised concerns about the procedures carried out for effective community engagement for the Proposal of Application Notice. They considered the scheme to have changed substantially on planning application submission from the details shown in pre application consultation. Circular 4/2009 advises that the objective of the pre application consultation is for communities to be better informed about major development proposals and to have the opportunity to contribute their views before a formal planning application is submitted. The applicant is under no obligation to take on board community views, or directly reflect them in any subsequent planning application submission. Although the planning application scheme differed from that shown during pre application consultation, the Community Council's comments with regards to open space, height of buildings and parking have been considered and taken into account of for the revised scheme.

It is recommended that the Committee approves this application, subject to the revised conditions and legal agreements with regards to noise protection, parking, public realm and affordable housing provision.

Further Addendum to Assessment

Further consideration by Committee of materials proposed under condition 7.

The application was granted planning permission by Committee on 4th July 2012 subject to conditions, informatives and a legal agreement as detailed in the report by the Head of Planning and Building Standards. Committee recommended that condition 7 be amended so that materials are to be approved by the Planning Authority rather than the Head of Planning and Building Standards . The decision notice has not been issued as the legal agreement has not been concluded.

The applicant has submitted details of materials to be used as follows:

The walls are to be in scraped render finish, colour cream; 300mm course height reconstituted stone ashlar with mixed colour shade batching with thin bed, colour matching mortar; composite rainscreen cladding panelling to stair and corner feature panels, colour slate grey; Western red cedar rainscreen cladding panels.

The roof is to be in concrete interlocking, slate effect tiles.

The windows and doors are to be in timber, with factory applied paint finish in slate grey to match the composite cladding panels.

The applicant has confirmed that there is no intention to use brick in this development.

The proposed materials are acceptable. Conditions 8,9 and 10 require the submission of sample panels and finer details of the proposed materials to be approved by the Head of Planning and Building Standards.

3. Recommendations

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

3.2 Conditions/reasons

1. i) Prior to the commencement of construction works on site:

a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning and Building Standards, 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 Building Standards.

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 Building Standards.

2. The design, installation and operation of the lift 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 living apartment.

3. Development shall not commence until precise details of the noise mitigation measures for the apartments in blocks A and D as specified in the approved drawings have been submitted to and approved by the Head of Planning & Building Standards:

(i) full written details of the means of ventilation; and

(ii) detailed specification of the fixed window units; or

(iii) detailed specification of other suitable window arrangements as agreed in consultation with the Head of Environmental Assessment.

The approved details shall be implemented prior to occupation of the units to which they relate and shall be retained at all times thereafter unless otherwise agreed in writing by the Head of Planning & Building Standards.

4. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

5. Use of the commercial units shall be restricted to Class 4 of the Town and Country Planning Act Use Classes Order (Scotland) only and for no other purpose without the written consent of the Planning Authority.

6. Hours of operation shall be restricted to between the hours of 7am to 8pm Monday to Saturday only.
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 and Building Standards before work is commenced on site; Note: samples of the materials may be required.
8. Prior to the commencement of work on site, specification and detailed drawings of adequate scale, indicating the arrangement of material junctions on external elevations, shall be submitted for written approval by the Head of Planning and Building Standards.
9. Prior to commencement of works on site, sample panels, to be no less than 1.5 metre X 1.5 metre, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship shall be submitted for the written approval by the Head of Planning and Building Standards. The details shall be implemented as approved.
10. In advance of construction commencing, details of the materials for the external walls must be provided and approved by the Head of Planning and Building Standards. These details include specification (product name/ manufacturer) of the render, elevation drawings and architectural details. The render must be specified to ensure that it does not discolour over time and it does not suffer from algae growth or lime bloom. The elevational drawings should clearly show the location of all expansion and movement joints, slim vents, boiler flues, extract ducts and rain water goods. These should be at 1:100 scale. The architectural detail drawings should demonstrate how water will be shed clear of the render. These should be at 1:5 or 1:10 scale.
11. 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 and Building Standards, having first been agreed by the City Archaeologist.
12. The buildings hereby approved shall not be occupied until the applicant has received written confirmation from the City of Edinburgh Council Flood Prevention Unit that the Flood Prevention Works under construction along the Water of Leith have been completed.
13. 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.

Reasons

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to protect the amenity of the occupiers of the development.
4. In order to safeguard the amenity of neighbouring residents and other occupiers.
5. To define the terms of the consent and protect the amenity of nearby residential property
6. In order to safeguard the amenity of neighbouring residents and other occupiers.
7. In order to enable the Planning Authority to consider this/these matter/s in detail.
8. To ensure the use of materials to an acceptable standard.
9. to ensure a good quality of materials are used
10. to demonstrate that the render will be durable and retain high visual quality
11. In order to safeguard the interests of archaeological heritage.
12. To ensure the site is not at risk of flooding.
13. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
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. 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 application for road construction consent. The applicant should note that as part of the road construction consent:
 - a) structural approval may be required for the retaining walls to the east of the main development;
 - b) public utility provision should be located so as not to obstruct access by pedestrians, vehicles and emergency service vehicles;
 - c) swept path analysis to demonstrate sufficient space for refuse vehicles to turn;

d) confirmation that all of the proposed carriageway and parking spaces are to be included in the separate application for road construction consent and brought within the controlled parking zone will be required.

5. Consent shall not be issued until the applicant has entered into a suitable legal agreement to

a) progress a traffic order to regulate parking within the proposed development and on Powderhall Road at no cost to the Council (estimated cost £2,500)

b) contribute £11,500 towards the establishment of a car club space and vehicle within the vicinity of the development

c) progress a redetermination order in relation to the new access road and the proposed amended layout on Powderhall Road (estimated cost £2,500)

d) the proposed parking layout adjacent to the townhouses on Powderhall Road will require amendment.

6. The road, including the on street parking spaces, will be the subject of separate application for Road Construction Consent.

A Traffic Regulation Order is required to include the proposed road and parking spaces in the existing controlled parking zone (Zone N1), at no cost to the Council. The proposed spaces within the site cannot be allocated to an individual property, nor can they be the subject of sale or rent. The spaces will be available to all eligible permit holders within the controlled hours. Private enforcement is illegal and only the Council as roads authority has the legal right to control on street parking spaces, whether the road has been adopted or not. The developer will be expected to make this clear to prospective residents and tenants.

The developer should note and make prospective residents and tenants aware that Council policy states that new residential properties within the area of the controlled parking zone are only eligible for one residents' permit per property.

A new road name may be appropriate for this development. The applicant should discuss this matter with the Council's Street naming and Numbering Team at an early opportunity.

7. Consent shall not be issued until a suitable legal agreement has been concluded for the developer to carry out public realm improvement works within close proximity to the site or to make a financial contribution to City development for public realm improvements; to Children and Families to alleviate accommodation pressures in the local catchment area; and to ensure that the minimum level of affordable housing is maintained in accordance with Council policy.

8. The development shall be carried out in accordance with the measures identified in the approved Sustainability Statement Form. The applicant should submit a Self Declaration Form to the Head of Planning and Strategy on completion and prior to occupation unless otherwise agreed.

9. Information packs should be provided for owner/occupants of flats in Blocks A and E to advise of the workings of and purpose for the ventilation system.

10. The developer shall investigate the installation of electric vehicle charging points with reference to Making the Connection - The Plug-in Vehicle Infrastructure Strategy, Office for Low Emission Vehicles (June 2011)

**Statutory Development
Plan Provision**

Edinburgh City Local Plan

The majority of the site is in the Urban Area. Part of the northern part of the site is an area of open space.

Date registered

20 October 2011

Drawing numbers/Scheme

1,2,3d,4a-7a,8c,9a-13a,14d,15d,17b,18a-19a,20b,22-38

Scheme 2

David R. Leslie

Acting Head of Planning and Building Standards

Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Hou 1 (Housing Development) supports housing on appropriate sites in the urban area, and on specific sites identified in the Plan.

Policy Hou 2 (Housing Mix) requires the provision of a mix of house types and sizes in new housing developments.

Policy Hou 3 (Private Open Space) sets out the requirements for the provision of private open space in housing development.

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

Policy Hou 7 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

Policy Com2 (School Contributions) sets the requirements for school contributions associated with new housing development.

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

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Des 4 (Layout Design) sets criteria for assessing layout design.

Policy Des 5 (External Spaces) sets criteria for assessing landscape design and external space elements of development.

Policy Des 6 (Sustainable Design & Construction) sets criteria for assessing the sustainable design and construction elements of development.

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.

Policy Env 17 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

Policy Os 1 (Open Space Protection) sets criteria for assessing the loss of open space.

Policy Os 3 (Open Space in New Development) sets out requirements for the provision of open space in new development.

Policy Emp 4 (Employment Sites and Premises) sets out criteria for development proposals affecting business & industry sites and premises.

Policy Tra 1 (Major Travel Generating Development) supports major travel generating development in the Central Area, and sets criteria for assessing major travel generating development elsewhere.

Policy Tra 4 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in supplementary planning guidance, and sets criteria for assessing lower provision.

Policy Tra 5 (Private Cycle Parking) requires cycle parking provision in accordance with levels set out in supplementary guidance.

Policy Tra 6 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

Policy Inf2 (Integrated Waste Management Facilities) identifies the circumstances in which new waste management facilities will be permitted and safeguards land at Seafield.

Other Relevant policy guidance

Non-statutory guidelines on Developer Contributions and Affordable Housing gives guidance on the situations where developers will be required to provide affordable housing and/or will be required to make financial or other contributions towards the cost of, providing new facilities for schools, transport improvements, the tram project, public realm improvements and open space.

Non-statutory guidelines on 'QUALITY OF LANDSCAPES IN DEVELOPMENT' sets detailed design principles for hard and soft landscaping, including the retention of existing features, and relates these principles to different types of development.

Non-statutory guidelines on 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

Non-statutory guidelines The Protection of Key Views guideline aims to safeguard public views to those features which define Edinburgh's character. In order to achieve this, a number of key views have been specifically identified for protection. View cones for each key view have been separately defined. The impact of any proposed development on a key view will be assessed in terms of its effect on the view. While there will be a presumption in favour of protecting the views, it is recognised that the Edinburgh skyline has been formed by generations adding to and evolving the skyline. Positive additions to the skyline tend to be elegant and slender - spires and towers.

Non-statutory guidelines FLOODING AND PLANNING Provides guidance on how to ensure that new development does not increase the risk of flooding, and how to minimise the risk of sensitive new developments being flooded themselves.

The Open Space Strategy and the audit and action plans which support it are used to interpret local plan policies on the loss of open space and the provision or improvement of open space through new development.

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

Other Relevant policy guidance

Non-statutory guidelines on Edinburgh Standards for Urban Design sets criteria for the quality of design in new development to maintain and improve the visual image and identity of Edinburgh.

Non-statutory guidelines on Developer Contributions and Affordable Housing gives guidance on the situations where developers will be required to provide affordable housing and/or will be required to make financial or other contributions towards the cost of, providing new facilities for schools, transport improvements, the tram project, public realm improvements and open space.

Non-statutory guidelines 'The Edinburgh Standards for Sustainable Building' sets principles to assess the sustainability of major planning applications in Edinburgh.

Non-Statutory guidelines Draft 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 and landscape, in Edinburgh.

Appendix 1

Consultations

Archaeology comment 03/11/2011

The site occupies a large part of the former 18th century estate associated with Beaverhall House which was gradually developed during the 19th century primarily for industry. Beaverhall Road was inserted in the 1880s and the 1896 second edition OS map of the area depicts the site as having been developed. Most of the late Victorian/early 20th century buildings have subsequently been demolished though three important possible survivors do survive (two adjoining brick warehouse/workshops in the SE corner & the small brick office at the entrance to the carpark) along with the sites boundary walls.

The site has been identified as occurring within an area of industrial archaeological potential and accordingly this application must be considered under terms of the Scottish Government's Scottish Planning Policy (SPP), PAN2/2011 and Scottish Historic Environment Policy (SHEP) and also CEC's Edinburgh City Local Plan (adopted 2010) policies ENV8 & ENV9. The aim should be to preserve archaeological remains 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.

It is clear that this site is an area of archaeological importance in terms of Edinburgh's late Victorian/early 20th century industrial archaeological heritage. Ground breaking activities undertaken as part of this development including any demolition works are likely therefore to have an archaeological impact however one which is considered to be moderate. It is essential therefore that the site is investigated prior to development in order that any archaeological remains encountered are fully excavated and recorded where preservation in situ is not possible. In essence this will see a phased archaeological programme of works, the initial phase being an archaeological evaluation up to a maximum of 10% of the site. The results of which would allow for the production of appropriate mitigation strategies to be drawn up to ensure the protection and/or the excavation and recording of any surviving archaeological remains during subsequent phases of development.

In terms of the upstanding built archaeological heritage the loss of the Victorian/early 20th century brick buildings identified above is considered to have a significant impact. This impact is considered acceptable provided that these locally important archaeological buildings are recorded prior to their demolition. This will see minimum level 2 (photographic and written description linked to phased plans & elevations) undertaken in conjunction with a survey of the surviving historic boundary walls.

It is recommended that the above programmes of archaeological work are secured using the following condition;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building survey, reporting and analysis & publication) 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.

Children + Families comment 08/11/2011

We refer to your memo dated 25 October, 2011 requesting comments on educational provision for the above noted planning application. Our comments are based on a residential development of 91 flats.

This site is located within the catchment areas of:

- Broughton Primary School;*
- St Mary's (Edinburgh) RC Primary School;*
- Drummond High School; and*
- St Thomas of Aquin's RC High School.*

Primary school rolls are rising across the city and it is expected that additional capacity will be required at Broughton Primary School. Standard developer contributions of £37,400 are sought to help address accommodation pressures at the school.

There is capacity at the Drummond High School for the proposed development. In respect of RC provision where schools are at, or are close to capacity then it proposed that intakes would be managed to restrict intakes to baptised Roman Catholic pupils.

Payment of contributions will be index linked to the BICS All in Tender Price Index with a base date of October 2009.

Children and Families further comments 3rd April 2012

The revised contribution would be £32,800

New Town + Broughton Community Council

Thank you for your letter of 9 November granting statutory consultee status to the community council on this application.

The scheme now seeking planning permission by Springfield Properties deviates from that on which the pre-application consultation was undertaken. The most significant change, which we believe we should have been notified about if not consulted upon, is the loop road running through the entire site. This is not good practice in a residential area where traffic speed can put children at risk as well as allowing its potential use as a racetrack.

We are concerned at the suppression of the existing tenement (no. 18 Beaverhall Road). The developer seems intent on ignoring it on the over-simplistic basis that it is not on his land, but it is there, fully occupied, and must be 'planned' into the project. The new road layout will bring Block BID substantially nearer the rear of the tenement with the consequent reduction of amenity through overlooking etc. It also results in the loss of the gTeater part of the central landscaped area which would have given the whole development a focal area for residents. The applicant's Design and Access Statement calls this a "strongly defined central space". It was in the previous scheme but has now been reduced to a strip. We requested the developer to provide a children's play area in this location but this has not been taken up.

More critically we note that Blocks A and B are now shown on the plans as higher than the previous drawings. On the former (see Annex A) the adjacent wallhead of Block A is shown as a little below that of the tenement, while on the application drawings (Annex B) it is markedly higher with the projecting flat roof bay at the front now higher than the ridge of the tenement! The computer realisation (Annex C) shows the tenement relating well in townscape terms to the new blocks either side, but the effect of the amended drawings will be to push it down between them with further loss of amenity. The Design and Access Statement mentions trying to achieve a "robust 'street' frontage" on Beaverhall Road but this will not be achieved if the tenement is diminished.

The document states that the adjacent blocks are now higher due to drainage constraints but we suspect that this is more likely due to the increased height of the business units on the ground floor. We asked the developer to enlarge the needlessly narrow gap between the south wall of the tenement and Block A to allow for easier maintenance of both buildings as well as improving an undesirably dark foot passage (now even more forbidding) but this was rejected.

While the removal of the northmost townhouse from the terrace proposed for the gap site in the Powderhall Road crescent (necessitated by the discovery of a storm sewer culvert) will prevent the windows in the existing gable being obscured, we are still of the opinion that a footpath link should be provided here as it will be a natural desire line north-east south-west. The change of level is not excessive and it could become an attractive feature.

Finally, we cannot state too strongly our disappointment at the outturn of events here which illustrate that at present the PAC process seems far more weighted in the interests of the developer. For our part, we attended the public exhibition of the proposals in Broughton Primary School on 28 July 2011. The applicant's architect presented their scheme to the full community council on 1 August to which we invited residents of No. 18 as required by the Concordat we signed with the CEC. A letter to the applicant was sent summarising our comments on 9 August, and a reply received indicating their intention to make little if any change on 6 October.

The amended scheme has in our opinion compromised all this effort. The CEC policy guidelines on Effective Community Engagement on Planning Projects state on page 5:

"For engagement to be meaningful any changes to the development proposals resulting from the engagement should be subject to a further round of consultation.

Significant changes may require an additional public event and parties that commented on the original scheme should be re-consulted facilitating the opportunity to say whether they feel earlier concerns have been addressed."

We believe this should have happened with this application or at least a further round of correspondence undertaken. Despite a disclaimer ("And Lastly") stating that the "proposed planning application may alter in some way before the [mal proposal is submitted", it seems to us quite incorrect to publish letters etc in support or otherwise of a scheme to which such a fundamental change has been made. We therefore formally object to:-

- 1) The revised road layout and consequential resiting of Blocks E/D with loss of central space.*
- 2) The very apparent increase in height of Blocks A&B adjacent to the existing tenement.*

We regard this application as a test case for the efficacy of the new Planning Act.

Affordable Housing comment 09/01/2012

I refer to the consultation request from the Planning Department regarding this application, and to subsequent correspondence on 8 November 2011 and 6 January 2012 with yourself and the applicant.

Services for Communities has worked with Planning to develop 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 certain size*
- The proportion of affordable housing required is set at a city-wide level of 25% for all proposals of 12 units or more.*
- This is consistent with Policy HOU 7 Affordable Housing in the Finalised Edinburgh City Local Plan.*

This application is for 89 residential units. The AHP will apply, and 22 AHP units would be required. The applicant has proposed an above-policy level of affordable housing, with 50 units (56% of the homes) to be delivered as approved affordable housing tenures from the start. This delivery model has worked elsewhere in the city and the developer and RSL are satisfied that it will work in this instance too. The affordable housing-led delivery model being proposed has been developed partly in response to the current difficult economic situation, where a lack of mortgage finance favours the delivery of rental tenures over market sale homes, and it is partly due to the considerable levels of affordable housing need that exist in Edinburgh.

The department is very supportive of this approach, which has helped to deliver a record number of affordable homes in Edinburgh over the past two years. That process has many wider benefits for the city in terms of job retention and supporting economic activity, as well as delivering much needed affordable housing across the city. The Broughton area is, in fact, one of the areas of the city with the least existing amount of affordable housing, so this development will assist with achieving the core aim of the affordable housing policy, the development of mixed, sustainable communities.

15 of the affordable homes will be retained in perpetuity, which is in line with the core aspirations of the policy, and the remainder will be sold off in time on a try-before-you-buy basis. All of the homes will therefore be retained as affordable tenures in the medium term at least, with 17% being retained in perpetuity.

Services for Communities is therefore very supportive of this application and would be happy to assist with any further discussions round affordable housing in this development.

Further comment from Affordable Housing 16/05/2012

The department is supportive of the revised scheme.

Transport comment 25/01/2012

Current Council parking standards for affordable properties require a 'legally binding burden to be applied to each dwelling forbidding commercial rental or sale'. Where it is intended that any unit could subsequently be made available for private rent or sale, then the parking standards for sale or private rent apply.

The main proposed development consists of:

- 35 'mid-market rent' units requiring 35 parking spaces;*
- 15 affordable units requiring 3 parking spaces; and*
- 34 private units requiring 34 parking spaces.*

There are also 5 townhouses located outwith the main development on Powderhall Road with sufficient parking immediately adjacent.

The 'mid-market rent' units will be offered as 'affordable' units for the short term and are likely to have lower car ownership associated with them. In the longer term these units are intended to be available on the open market and therefore should be considered as 'private sale or rent' from the outset in terms of parking provision.

The main development includes provision of 64 parking spaces for 84 units whereas current Council standards would require 72 spaces. If the 'mid-market' units were to be considered as affordable units then the parking provision for these units would be 7 spaces, giving a total of 44 spaces required. As the proposed development is within the controlled parking zone, it is considered that the shortfall of 8 spaces between 72 and 64 is acceptable. In mitigation, a contribution to the provision of a car club space and vehicle is sought.

I therefore have no objection to the proposed development subject to the following being included as conditions or informatives as appropriate:

- 1. 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 applicant should note that structural approval may be required for the retaining walls to the east of the main development;*
- 2. Consent should not be issued until the applicant has entered into a suitable legal agreement to:*

- (a) progress a traffic order to regulate parking within the proposed development and on Powderhall Road at no cost to the Council (estimated cost £2,500);
- (b) contribute £7,000 towards the establishment of a car club space and vehicle within the vicinity of the development;
- (c) progress a redetermination order in relation to the new access road and the proposed amended layout on Powderhall Road (estimated cost £2,500).

Note:

1. The road, including the on-street parking places, will be the subject of separate application for Road Construction Consent;
2. A traffic regulation order is required to include the proposed road and parking spaces in the existing controlled parking zone (Zone N1), at no cost to the Council. The applicant must be informed that the proposed spaces within the site cannot be allocated to an individual property, nor can they be the subject of sale or rent. The spaces will be available to all eligible permit holders within the controlled hours. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street parking spaces, whether the road has been adopted or not. The developer will be expected to make this clear to prospective residents and tenants;
3. The developer should note and make prospective residents and tenants aware that Council policy states that new residential properties within this area of the controlled parking zone are only eligible for one residents' permit per property;
4. The applicant should be aware that a new road name may be appropriate for this development and they should be asked to discuss this with the Council's Street Naming and Numbering Team at an early opportunity. Street naming is likely to influence the progression of traffic regulation orders.

Transport further comment 27/03/2012

We refer to the revised proposals for the above development received on 23 March 2012 from Yeoman McAllister Architects (drawing showing additional turning head).

We confirm we have no objections to the proposed application.

Other comments as per my responses of 24 January 2012 and 23 March 2012 as follows:

1. *Public utility provision should be located so as not to obstruct access by pedestrians, vehicles and emergency service vehicles;*
2. *Swept path analysis to demonstrate sufficient space for refuse vehicles to turn;*
3. *Confirmation that all of the proposed carriageway and parking spaces are to be included in the separate application for road construction consent and brought within the controlled parking zone;*
4. *The proposed parking layout adjacent to the townhouses on Powderhall Road will require amendment.*

We confirm that, as per previous response, consent should not be issued until the applicant has entered into a suitable legal agreement to:

- (a) progress a traffic order to regulate parking within the proposed development and on Powderhall Road at no cost to the Council (estimated cost £2,500);
- (b) contribute £7,000 towards the establishment of a car club space and vehicle within the vicinity of the development;
- (c) progress a redetermination order in relation to the new access road and the proposed amended layout on Powderhall Road (estimated cost £2,500).

Note:

1. The road, including the on-street parking places, will be the subject of separate application for Road Construction Consent;
2. A traffic regulation order is required to include the proposed road and parking spaces in the existing controlled parking zone (Zone N1), at no cost to the Council. The applicant must be informed that the proposed spaces within the site cannot be allocated to an individual property, nor can they be the subject of sale or rent. The spaces will be available to all eligible permit holders within the controlled hours. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street parking spaces, whether the road has been adopted or not. The developer will be expected to make this clear to prospective residents and tenants;
3. The developer should note and make prospective residents and tenants aware that Council policy states that new residential properties within this area of the controlled parking zone are only eligible for one residents' permit per property;
4. The applicant should be aware that a new road name may be appropriate for this development and they should be asked to discuss this with the Council's Street Naming and Numbering Team at an early opportunity. Street naming is likely to influence the progression of traffic regulation orders.

Transport final consolidated comment 27/03/2012

Further to our previous we would clarify a number of points as follows:

Current Council parking standards for affordable properties require a 'legally binding burden to be applied to each dwelling forbidding commercial rental or sale'. Where it is intended that any unit could subsequently be made available for private rent or sale, then the parking standards for sale or private rent apply.

The main proposed development consists of:

- 26 'mid-market rent' units requiring 26 parking spaces;
- 15 affordable units requiring 3 parking spaces; and
- 34 private units requiring 34 parking spaces.

There are also 5 townhouses located outwith the main development on Powderhall Road with sufficient parking immediately adjacent.

The 'mid-market rent' units will be offered as 'affordable' units for the short term and are likely to have lower car ownership associated with them. In the longer term these units are intended to be available on the open market and therefore should be considered as 'private sale or rent' from the outset in terms of parking provision.

The main development includes provision of 54 parking spaces for 80 units whereas current Council standards would require 63 spaces. If the 'mid-market' units were to be considered as affordable units then the parking provision for these units would be 5 spaces, giving a total of 42 spaces required. As the proposed development is within the controlled parking zone, it is considered that the shortfall of 11 spaces between 63 and 54 is acceptable. In mitigation, a contribution to the provision of a car club space and vehicle is sought.

We therefore have no objection to the proposed development subject to the following being included as conditions or informatives as appropriate:

1. 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 applicant should note that as part of the road construction consent:

(a) structural approval may be required for the retaining walls to the east of the main development;

(b) Public utility provision should be located so as not to obstruct access by pedestrians, vehicles and emergency service vehicles;

(c) Swept path analysis will be required to demonstrate sufficient space for refuse vehicles to turn;

(d) Confirmation that all of the proposed carriageway and parking spaces are to be included in the separate application for road construction consent and brought within the controlled parking zone will be required;

2. Consent should not be issued until the applicant has entered into a suitable legal agreement to:

(a) progress a traffic order to regulate parking within the proposed development and on Powderhall Road at no cost to the Council (estimated cost £2,500);

(b) contribute £7,000 towards the establishment of a car club space and vehicle within the vicinity of the development;

(c) progress a redetermination order in relation to the new access road and the proposed amended layout on Powderhall Road (estimated cost £2,500).

(d) The proposed parking layout adjacent to the townhouses on Powderhall Road will require amendment;

3. Cycle and motor cycle parking design, numbers and specification to be to the satisfaction of the Head of Transport.

Note:

1. The road, including the on-street parking places, will be the subject of separate application for Road Construction Consent;

2. A traffic regulation order is required to include the proposed road and parking spaces in the existing controlled parking zone (Zone N1), at no cost to the Council. The applicant must be informed that the proposed spaces within the site cannot be allocated to an individual property, nor can they be the subject of sale or rent. The spaces will be available to all eligible permit holders within the controlled hours. Private enforcement is illegal and only the Council as roads authority has the legal right to

control on-street parking spaces, whether the road has been adopted or not. The developer will be expected to make this clear to prospective residents and tenants;

3. The developer should note and make prospective residents and tenants aware that Council policy states that new residential properties within this area of the controlled parking zone are only eligible for one residents permit per property;

4. The applicant should be aware that a new road name may be appropriate for this development and they should be asked to discuss this with the Council's Street Naming and Numbering Team at an early opportunity. Street naming is likely to influence the progression of traffic regulation orders.

Transport further comment 20/04/2012

The proposed motor cycle and cycle provision is satisfactory.

Transport further comment 14/06/2012

Further to our memorandum of 27 March 2012, we would comment on the proposed amendments to the accommodation and parking provision as follows:

The amended accommodation increases the 'mid-market rent' units from 26 to 29. Current Council standards would therefore require an increase of 3 spaces giving a shortfall of 14 spaces (originally a shortfall of 11 spaces). As previously stated, these will be offered as 'affordable' units for the short term and are likely to have lower car ownership associated with them. In the longer term these units are intended to be available on the open market and therefore should be considered as 'private sale or rent' from the outset in terms of parking provision.

As the proposed development is within the controlled parking zone, it is considered that the shortfall of 14 spaces is acceptable. In mitigation, a contribution of £11,500 for the provision of two car club spaces is sought (amended from £7,000 for space).

We therefore have no objection to the proposed development subject to the conditions and informatives (and notes) set out in our previous response and above.

Bridges + Flood Prevention comment 16/02/2012

The proposed development is located within an historical flood risk area. Currently a Flood Prevention Scheme is being constructed along the Water of Leith which will provide some alleviation from flooding to the site. It is intended that these works are completed by Summer 2012. The scheme has been constructed to ensure protection against flooding of 0.5% A.E.P. probability (1 in 200 year return period) with defence (top of wall) levels which vary from 11.41m at Warriston Rd to 9.9m at the downstream end of the recent Powderhall development. The lowest proposed development floor level is 10.0m. A condition to planning is required to ensure that the buildings are not occupied until confirmation has been received from this Unit that the Flood Prevention Scheme has been built.

Advice given by this Unit for the previous planning application 06/02579/FUL where the minimum flood datum level benchmark had previously restricted floor area for residential properties has now been superseded with the building of the Scheme. Therefore residential properties could now correspond with local site levels.

Surface water flooding along Beaverhall Road has been known to occur in the past. The proposal should ensure that sufficient kerb height is attained and that the design of driveways or new roads does not increase the risk of surface water channelling into the properties. Furthermore the access to the properties themselves should be set sufficiently high to ensure that flood waters do not enter the properties.

A Drainage Statement accompanies the application, however this is not sufficient for this Unit's approval. A surface water management plan is required, the main elements being as follows:

- 1. Since the proposed drainage system will discharge to the combined sewer the Council's requirements for attenuation does not apply. Approval from Scottish Water is required.*
- 2. Surface water should be dealt with by analysing the existing and proposed flow paths and depths for surface water runoff. This should include runoff from outwith the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system.*
- 3. The surface water management should be analysed up to the 1;200yr (0.5%AEP) event with an allowance for climate change.*
- 4. New buildings in the development must not be at risk of flooding as a result of these flow paths and depths*
- 5. The increased runoff from paved surfaces, relative to greenfield runoff, (up to the 1;200yr event) should be attenuated on site.*
- 6. If the development alters existing flow paths in a way which increases flood risk to existing property, additional attenuation or other measures may be required.*

Bridges + Flood Prevention further comment 03/03/2012

I refer to the above application and this Unit's memo of the 16th February 2012.

We are satisfied that the following information has been provided to our satisfaction:

- 1. The topography of the proposed driveways and new roads are adequately designed to ensure that surface water flowing down Beaverhall Road can not be directed into the development site. This is further alleviated with the fall of the development site in a Westerly direction.*
- 2. Scottish Water has approved the proposed plans of surface water discharge into the combined sewer system.*
- 3. A MicroDrainage assessment of the proposed drainage system shows that the pipelines are of sufficient capacity to withhold a 1:200 year (0.5%AEP) event with a*

10% increase for climate change. Although 3 out of the 10 manholes are shown to be surcharging the predicted water level are below the proposed ground level.

4. Pre- and post-development surface water flow paths were indicated on drawing Proposed Overland Flow Paths BRE_ENG_010_1. The assumed flow paths gave concern with regards to the potential direction of the surface water and the levels of some of the finished floor levels. After a number of emails the following was agreed (email 28/3/12) by the developer:

- Plot No.s 86 and 87 FFL's (Finished Floor Levels) will be increased by 375mm from 11.85m AOD to 12.225m AOD.
- The 600mm diameter surface water attenuation pipe (surface water system - network 2) will be changed to 2no. 450mm pipes therefore the storage will not be compromised but will allow the road levels to be lowered by 150mm. This will allow the road level to be lower than the commercial unit access and ensure that any potential overland flow is not directed towards the commercial unit.

Drawings with revised FFL and flow paths due to these changes are requested before planning is granted.

5. The request for a condition by planning is still required to ensure that the buildings are not occupied until confirmation has been received from this Unit that the Flood Prevention Scheme along this part of the Water of Leith has been built (as per memo to planning 16th February 2012).

Bridges and Structures comment 4th May 2012

I refer to the above application and this Unit is satisfied that our concerns / comments have been addressed.

Environmental Assessment comment 30/03/2012

The applicant proposes a mixed use development comprising of residential and commercial uses. The site is located on a derelict brownfield site and car-park and has a range of uses surrounding it from residential, to commercial and light industry.

Environmental Assessment has considered the application in relation to the impact it may have on existing uses and the appropriateness of the development for this site, in terms of air quality, contaminated land and noise.

Air Quality

The proposals were considered in relation to the EPUK guidelines for Planning and Air Quality and it was determined that a full air quality impact assessment was not required considering the size of the development and the predicted change in traffic flows associated with the development. Traffic is the main contributing source of pollution in the City therefore some recommendations are made to the developer in terms of ensuring car parking spaces are kept to a minimum and that the provision for parking is built with at least 20% electric car charging capabilities.

It is noted that the development promotes sustainable non-motorised travel through the communal cycle store and general location to nearby bus routes.

There is a foundry located approximately 700m away on Beaverhall Place. It is not anticipated that the operations of the foundry will have any impact on the proposed development considering the distance and intervening uses between both sites.

Land Contamination

The site has been derelict for many years. Historically it has had many industrial uses. The developer should ensure investigations of potential contaminations are carried out on the soil and land to ensure the ground will be safe for the proposed end use.

Noise

A noise assessment was submitted in support of the application, which considered a number of different noise sources surrounding the site with the potential to adversely affect the amenity of future residents of the flats.

To the south on Dunedin Street, there is a building merchants and a taxi operator repair garage. There are also a number of large industrial units to the west of the site, which have restricted hours of operation until 8pm Monday to Saturday. Industrial noise from these sources were not deemed significant in relation to the appropriate assessment criteria and therefore there would be no detrimental impact on future residents of the development site. In support of this the Council has not received any complaints about these operations, from existing residents across the road on Beaverhall Road, adjacent to the development site.

A noise survey carried out at night with regards to the social club also to the south of the site, indicated loud noise from music entertainment and noise from an extractor fan.

As the application would bring residential properties in close proximity to the club, mitigation measures are required to be considered.

The club is licensed to operate until 1am every day and typically hold such events as karaoke and live music. Noise from patrons leaving the club late at night has been a problem historically but the Local Authority has not received any complaints on this matter since 2006. In intervening years licensing legislation does put an onus of proprietor of such clubs to manage patrons leaving the pub appropriately.

However night time disturbance to future residents of the development is of serious concern as it could potentially impact upon health by causing sleep disturbance.

The proposed development consists of a number of different blocks of residential units, some of which have commercial use at the ground floor level. Block A and E to the south of the site are those most likely to be affected by noise from the club.

As a method of mitigating against the noise from music emanating from the club the developer proposes to provide a level of sound insulation through a closed window standard, while also providing an alternative means of ventilation, which would meet current building standards. It is recommended that these windows are fixed shut, otherwise people may want to open them at night and then be disturbed by noise. Should complaints be made to the Local Authority in this respect, we would be obliged to carry-out monitoring of the noise with windows open for ventilation purposes. We know from the surveys that noise from the club would be clearly audible in the flats and

therefore this would lead to detriment to the club as action would then have to be taken against them. If the windows are fixed close this scenario is eliminated.

The supplementary acoustic report of 22nd February 2012, details the façades affected and hence those which require to be of a fixed window nature. The residential apartments that relate to these façades should have the alternative means of ventilation installed.

It is practice for Environmental Assessment to recommend that the alternative means of ventilation take the form of a passive whole house ventilation system as these do not consume energy and not noise producing themselves.

However in these circumstances the developer is exploring the option of a mechanical ventilation system, the specifics of which have not been agreed. Environmental Assessment team has not been able to assess the details of the system, including the level of internal noise production.

However the developer has stated the one viable option for the proposed development rates highly in sustainability terms. It is understood a similar system has been installed in a recent Local Authority housing development for sustainability purposes, but to require a system of this type to deal with a commercial noise source is not normally supported by this team.

Environmental Assessment supports the technical solution proposed by the developer to eliminate noise intrusion to the flats, but can not fully support the application, for the reasons mentioned above. However should permission be granted, it should be conditional so that the details of the ventilation system are submitted to the Local Authority prior to development commencing on the site.

Other conditions are also recommended to be put on any permission given in order to protect residential amenity. The are detailed below;

Site in general

Prior to the commencement of construction works on site:

(i) A site survey (including initial desk study as a minimum) 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

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

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.

Residential Use

No development shall commence until the details of the means of ventilation for apartments in blocks A and E are submitted to and approved by the Local Authority.

The design, installation and operation of the lift 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.

Commercial Use

The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25; when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

The use shall be restricted to Use Class 4.

Deliveries and collections, including collection of waste shall be carried out between the hours of 7am to 7pm Monday to Saturday.

The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operations within the application premises is audible in any neighbouring living apartment.

Hours of operation shall be restricted to between the hours of 7am to 8pm Monday to Saturday.

Environmental Assessment revised comment received 01/06/2012

The applicant proposes a mixed use development comprising of residential and commercial uses. The site is located on a derelict brownfield site and car-park and has a range of uses surrounding it from residential, to commercial and light industry.

Environmental Assessment has considered the application in relation to the impact it may have on existing uses and the appropriateness of the development for this site, in terms of air quality, contaminated land and noise.

Air Quality

The proposals were considered in relation to the EPUK guidelines for Planning and Air Quality and it was determined that an full air quality impact assessment was not required considering the size of the development and the predicted change in traffic flows associated with the development. Traffic is the main contributing source of pollution in the City therefore some recommendations are made to the developer in terms of ensuring car parking spaces are kept to a minimum and that the provision for parking is built with at least 20% electric car charging capabilities.

It is noted that the development promotes sustainable non-motorised travel through the communal cycle store and general location to nearby bus routes.

There is a foundry located approximately 700m away on Beaverhall Place. It is not anticipated that the operations of the foundry will have any impact on the proposed development considering the distance and intervening uses between both sites.

Land Contamination

The site has been derelict for many years. Historically it has had many industrial uses. The developer should ensure investigations of potential contamination are carried out on the soil/land to ensure the ground will be safe for the proposed end use.

Noise

A noise assessment and subsequent addendums were submitted in support of the application, which considered a number of different noise sources surrounding the site with the potential to adversely affect the amenity of future residents of the flats.

To the south on Dunedin Street, there is a building merchants and a taxi operator repair garage.

There are also a number of large industrial units to the west of the site, which have restricted hours of operation until 8pm Monday to Saturday. Industrial noise from these sources was not deemed significant in relation to the appropriate assessment criteria and therefore there would be no detrimental impact on future residents of the development site. In support of this the Council has not received any complaints about these operations, from existing residents on Beaverhall Road, adjacent to the development site.

A noise survey carried out at night with regards to the social club also to the south of the site, indicated loud noise from music entertainment and noise from an extractor fan could be an issue.

As the application would bring residential properties in close proximity to the club, it was necessary to consider mitigating measures that may be appropriate.

The club is licensed to operate until 1am every day and typically holds such events as karaoke and live music. Noise from patrons leaving the club late at night has been a problem for nearby historically but the Local Authority has not received any complaints on this matter since 2006. In intervening years licensing legislation does put an onus of proprietor of such clubs to manage patrons leaving the pub appropriately.

However night time disturbance to future residents of the development is of serious concern as it could potentially impact upon health by causing sleep disturbance.

The proposed development consists of a number of different blocks of residential units, some of which have commercial use at the ground floor level. Block A and E to the south of the site are those most likely to be affected by noise from the club.

As a method of mitigating against the noise from music emanating from the club the developer proposes to provide a level of sound insulation through a closed window standard, while also providing an alternative means of ventilation.

It is normal practice for Environmental Assessment to recommend that the alternative means of ventilation take the form of a passive whole house ventilation system as these do not consume energy and not noise producing themselves.

However in these circumstances the developer is exploring the option of a mechanical ventilation system, the specifics of which have not been agreed. One viable option for

the proposed development rates highly in sustainability terms. It is understood a similar system has been installed in a recent Local Authority housing development for sustainability purposes. The Planning team are in support of this type of system.

The alternative form of ventilation should meet building control standards for comfort ventilation and a good rate of rapid cooling should also be achievable. It will be important that the windows are not compromised by trickle ventilation.

A condition is recommended to ensure that full details of the ventilation system are agreed with the Local Authority before development commences.

Any future assessment of noise complaints would have to be undertaken with the windows closed for noise insulation purposes and as per these design proposals. It is recommended that the developer notifies future owners/occupants of the purpose of the alternative form of ventilation as a method of sound insulation. An informative to the permission is recommended to this effect.

In conclusion Environmental Assessment supports the technical solution proposed by the developer to mitigate against noise. Conditions are recommended to be put on any permission given in order to protect future residential amenity from any adverse impact from noise. The impact of the development on air quality was not considered to be a determining factor in assessment of the application. A condition is also recommended to address land contamination issue.

In general, Environmental Assessment supports the application on a conditional basis. The following conditions and Informative should be attached to any planning permission given;

Conditions

Site in general

1. Prior to the commencement of construction works on site:

(i) A site survey (including initial desk study as a minimum) 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

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

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.

Residential Use

2. No development shall commence until the details of the means of ventilation for apartments in blocks A and E are submitted to and approved by the Local Authority.

The system shall be installed, tested and operational, prior to the use hereby approved being taken up and maintained appropriately thereafter.

3. *The design, installation and operation of the lift 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.*

Commercial Use

4. *The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25; when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.*

5. *The use shall be restricted to Use Class 4.*

6. *Deliveries and collections, including collection of waste shall be carried out between the hours of 7am to 7pm Monday to Saturday.*

7. *The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operations within the application premises is audible in any neighbouring living apartment.*

8. *Hours of operation shall be restricted to between the hours of 7am to 8pm Monday to Saturday.*

Informative

9. *Information packs should be provided for owner/occupants of flats in Blocks A and E to advise of the workings of and purpose for the ventilation system.*

10. *The developer shall investigate the installation of electric vehicle charging points with reference to Making the Connection - The Plug-in Vehicle Infrastructure Strategy, Office for Low Emission Vehicles (June 2011).*

Edinburgh Waste Services comment

We refer to our meetings of 13/03/12 regarding the above new development and can also confirm receipt of revised drawings. Agreement on the waste strategy and requirements for this development has been reached and that the following conditions will apply.

When applying for a building application warrant through Building Control, please ensure that a copy of this letter is also enclosed for their records. Please also ensure that a copy of this letter is provided to the builder / developer, site manager and the property management company.

Waste strategy for new developments

The City of Edinburgh actively promotes the provision of recycling facilities in all new developments and other appropriate sites within the City. The National Waste Plan 2003 establishes the direction of policies and aims to provide widespread, source segregated collections to over 90% of Scottish householders by 2020. Recycling collections will be integral to the overall waste collection system, with this in mind, it is the intention of the Department to incorporate recycling facilities within your development.

Waste management planning

Please note the following requirements when planning for the waste facilities.

- All roads requiring access by waste collection vehicles will be built to an adoptable standard*
- Hammerheads or turning areas are required for dead ends. Yellow line marking (hatching) to be provided to stop people parking and causing access problems at the hammerhead*
- Yellow line marking should be provided where access to bin storage areas may be deigned*
- There are four separate types of waste bins in each bin store and adequate space is to be allocated to ensure that the bins at the rear of the store can be serviced without all the bins having to be taken out.*
- The distance for the transportation of waste containers from the collection point to the vehicle should be kept to a minimum, 10 metres is the maximum acceptable distance.*
- Maximum distance a vehicle will reverse along an access road is 25 metres where a turning area is not provided*
- Drop kerbs should be provided for any route from the bin store to the collection vehicle*
- Doorways should be wide enough for easy passage of wheeled containers, at least 300mm either side of the largest container*
- The fitting of metal protection plates are recommended at either side of openings or doorways to prevent damaged to property while servicing of containers.*
- The provision of motion detecting lighting within the bin storage areas is recommended.*
- It will be the architect's responsibility to contact city development if line marking or pavement blisters are required to ensure access from bin storage areas to vehicle.*
- All containers should be designed to be forward facing to enable access by the resident*
- Line markings may be required to ensure vehicle access is clear*

Provision and collection of waste containers

5 x 240 Residual bins, 5 x G/W Plus 5 M/M boxes & Food caddy's

Block A: 3 x Residual 1280 2 x 1280 Packaging 1 x 1280 Paper 1 x 1280 Mixed glass 1 x 500 Food

Block B: 3 x Residual 1280 2 x 1280 Packaging 1 x 1280 Paper 1 x 1280 Mixed glass 1 x 500 Food

Block C: 2 x Residual 1280 1 x 1280 Packaging 1 x 1280 Paper 1 x 1280 Mixed glass 1 x 500 Food

Block D & E: 5 x Residual 1280 2 x 1280 Packaging 1 x 1280 Paper 1 x 1280 Mixed glass 1 x 500 Food

For flatted developments we would recommend that 1280 Litre wheeled containers are used for household waste. This would consist of containers for, residual, paper, packaging, glass, and food. For individual properties, 240 Litre wheelie bins for residual and garden waste would be recommended. Both bins should be stored within the confines of each property. Red & Blue 55 Litre recycling boxes would be provided for recycling.

All wheeled bins and recycling multi material boxes are to be kept within the confines of the properties and presented kerbside for 7.00 am on the nominated days of collections.

All bins/boxes are to be returned to the confines of the property as soon as practicably after the containers have been serviced.

An information leaflet showing the dimensions of the 1280 litre communal bins containers suitable for servicing by this Department has already been provided for your information.

Builder or developer

It will be the builder/developer's responsibility to purchase the residual and recycling containers. We can advise that we have a limited stock available and can make arrangements for the delivery of the containers at cost price and bins will be invoiced at the current price. Please note that, should you wish to pursue this option, contact should be made with this Department at least 6-8 weeks prior to occupation in order that container delivery can be arranged.

Residual waste containers and including individual wheeled bins will be serviced on a fortnightly frequency with recycling containers normally being serviced once a fortnight but on a maximum of once per week.

It will be the builders or developers responsibility to provide unrestricted access to the bin storage areas during the building stage and occupation of the properties.

Containers will not be delivered until adequate vehicle access is provided.

Responsibility for the bin storage areas will lie with the builder / developer until handed over to the property management company.

Temporary street signage to be installed should permanent signage be unavailable at the time of delivery/servicing.

Property management

On completion of the building or individual block and when handover from the builder / developer has taken place the following requirement will apply:

Property management company responsibility

- Ensure that all material, residual or recycle is deposited within the communal bins prior to collection*
- Removal of excess waste where residents do not use the containers provided*
- Removal of any dumped items e.g. furniture, carpets, white goods etc*
- General cleaning of the bin storage areas*

Edinburgh Council responsibility

- *Provide initial guidance documentation for residents in using the recycling facilities*
- *Servicing of residual and recycling waste containers as scheduled*

It is appreciated that new occupiers may initially have quantities of cardboard and other recyclable material generated from new appliances. The Department requests that householders flatten cardboard boxes and deposit them in the packaging communal bins provided. Large cardboard boxes should be flattened and placed alongside the containers for collection.

Affordable Housing comment 16/05/2012

Services for Communities has worked with Planning to develop a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.

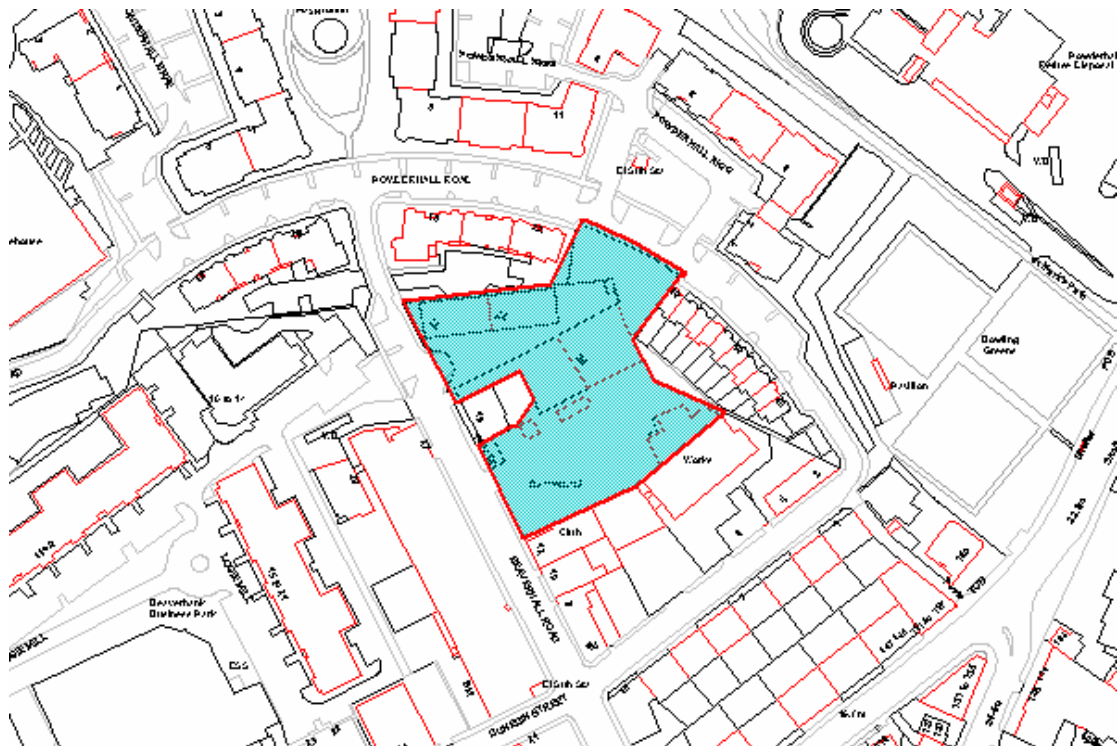
- *The AHP makes the provision of affordable housing a planning condition for sites over a certain size*
- *The proportion of affordable housing required is set at a city-wide level of 25% for all proposals of 12 units or more.*
- *This is consistent with Policy HOU 7 Affordable Housing in the Finalised Edinburgh City Local Plan.*

This application is for 80 residential units. The AHP will apply, and 20 AHP units would be required. The applicant has proposed an above-policy level of affordable housing, with 41 units (more than half of the homes) to be delivered as approved affordable housing tenures from the start. This delivery model has worked elsewhere in the city and the developer and RSL are satisfied that it will work in this instance too. The affordable housing-led delivery model being proposed has been developed partly in response to the current difficult economic situation, where a lack of mortgage finance favours the delivery of rental tenures over market sale homes, and it is partly due to the considerable levels of affordable housing need that exist in Edinburgh.

The department is very supportive of this approach, which has helped to deliver a record number of affordable homes in Edinburgh over the past two years. That process has many wider benefits for the city in terms of job retention and supporting economic activity, as well as delivering much needed affordable housing across the city. The Broughton area is, in fact, one of the areas of the city with the least existing amount of affordable housing, so this development will assist with achieving the core aim of the affordable housing policy, the development of mixed, sustainable communities. 15 of the affordable homes will be retained in perpetuity, which is in line with the core aspirations of the policy, and the remainder will be sold off in time on a try-before-you-buy basis. All of the homes will therefore be retained as affordable tenures in the medium term at least, with 19% being retained in perpetuity.

Services for Communities is therefore very supportive of this application and would be happy to assist with any further discussions round affordable housing in this development.

Location Plan



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