

Development Management Sub Committee

Wednesday 28 August 2013

Application for Approval of Matters Specified in Condition 13/01013/AMC

At 65 West Harbour Road, Edinburgh, EH5 1PW

Application to discharge matters specified in condition 2 of outline planning permission 01/00802/OUT : variation of the matters approved by application 06/03636/REM, being the siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes; existing and finished ground levels in relation to ordnance datum.

Item number	9.1
Report number	
Wards	A04 - Forth

Links

[Policies and guidance for this application](#)

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Executive summary

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Summary

The application in its current form should be refused. The reduction in both flats and houses and reconfiguration of retail floorspace fails to maximise the development potential of the area in terms of the efficient or responsible use of land and is therefore contrary to policies Hou 4 and Wa 1 of the Edinburgh City Local Plan (2010). The scale and type of retailing is not consistent with the role of a local centre at Granton and will compete with and threaten the vitality and viability of other shopping centres in north Edinburgh and is therefore contrary to policy Ret 4 of the Edinburgh City Local Plan and the approved supplementary planning guidance for Granton Waterfront which seek to deliver a local shopping centre to meet the convenience shopping needs of new and future residents only. Moreover, the design and layout is not acceptable from a placemaking point of view and is contrary to a number of ECLP design and transport related policies, which support well-defined, cohesive networks of streets and spaces. There are no material considerations which would outweigh this conclusion.

Recommendations

It is recommended that this application be Refused for the reasons below (in section 3 of the main report).

Financial impact

There are no financial implications to the Council.

Equalities impact

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

Pre-Application Process

Pre-application discussions took place on this application.

Publicity summary of representations and Community Council comments

The application (Scheme 1) was advertised on 3 May 2013 and attracted 56 representations. There are 53 objections from local residents, Wardie Bay Residents Association, Spokes and Waterfront Edinburgh Limited, 2 letters of support and 1 letter of comment from Edinburgh Harbour User Group.

The letters of representation raised the following material issues:

- Retail floorspace and implications for other shopping centres;
- Housing numbers and implications for housing land;
- Design and placemaking including impact of commercial hub on the wider public realm;
- Siting and height of buildings and impacts in terms of overshadowing (including TV reception), privacy and key views;
- Removal of the existing canal feature and impacts on the character of the area and local wildlife;
- Food risk;
- Viability of the marina in terms of the proposed sea defences and lack of on shore facilities;
- Traffic generation, parking, congestion and road safety;
- Infrastructure for cyclists;
- Pedestrian connections;
- Public transport concerns;
- Access for construction traffic;
- Design and safe use of the harbour.

The letters of support refer to the benefits to the vitality of the area in terms of employment and amenity opportunities, including major new shopping facilities and other facilities including the marina, and the rebalance of the housing mix in favour of family houses (rather than flats).

The non-material comments are:

- Loss of a view.

No comments were received from the local Community Council.

On 1 July 2013, the contributors were notified of the changes resulting from Scheme 2. This attracted a further 29 letters of objection repeating material issues regarding:

- Retail floorspace and implications for other shopping centres;

- Design and placemaking including impact of Commercial Hub on the wider public realm;
- Removal of the existing canal feature and impacts on the character of the area and local wildlife;
- Traffic generation, parking, congestion and road safety;
- Infrastructure for cyclists.

A full assessment of the representations can be found in the main report in the Assessment section.

Background reading / external references

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

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1. Background

1.1 Site description

The application site comprises some 33 hectares of land to the north of West Harbour Road, Granton Square and Lower Granton Road and is known as Granton Harbour.

The site contains a number of established industrial units and a large retail warehouse unit (Go Outdoors) in the southern part of the site nearest to West Harbour Road. The remainder of the site is largely cleared of buildings, and part of the site is already developed with flatted residential properties fronting Lower Granton Road and within the site to the north of the industrial area. There is also an existing canal feature.

The harbour has two basins: the western harbour has been partially infilled and the eastern harbour is used as yacht moorings and is protected by the Eastern Breakwater.

The western harbour is protected from the Firth of Forth by the Western Breakwater/Esparto Wharf. This was constructed between 1842 and 1863 and is category B listed (reference number: 30219, listed on 28th November 1989).

The eastern harbour (and Eastern Breakwater) do not form part of the application site. This area is tidal and lies within a designated Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA). The Wardie Shore carboniferous beds, some of which are located in the Eastern Harbour, are of international importance for their fossils.

The two harbours are separated by the Middle Pier, a category A listed structure (reference number: 30216, listed on 28th November 1989). The pier contains a stone warehouse (formerly a gunpowder store) that is listed category B (reference number: 30217 listed on 28th November 1989), and the Harbour Light, also listed category B (reference number: 30218, listed on 28th November 1989).

Forth Ports Pilots operate from a building at the end of the Middle Pier. Local yacht clubs also operate from buildings and boat yards on the Middle Pier.

The application site is not within or adjacent to a conservation area. The site is not a scheduled archaeological site, but is of importance in industrial archaeological terms for the Middle Pier, Western Breakwater, any remnants of World War 2 naval defences, and any surviving railway lines.

The Surrounding Area

The area is bounded by industrial and commercial properties to the south west and residential to the south east. The site abuts Granton Square, with its classical buildings creating a formal space at the entrance to the harbour. West Harbour Road is located to the west of the square and contains a number of buildings, many of them listed, related to uses connected with the harbour, including the lighthouse lantern cupola at 22 West Harbour Road (listed category C (S) reference number: 29925, listed on 20th February 1985).

1.2 Site History

20 June 2003 - Outline planning permission granted for the Granton Harbour Village, mixed use development comprising residential units, hotel and serviced apartments, shops and retail/services, restaurants/cafes, public houses, general business, leisure facilities and marina. This permission includes a legal agreement to secure contributions towards education and transportation infrastructure, 15% affordable housing, restrictions on future tenancies within Granton Industrial Estate and the long term maintenance and upkeep of the Western Breakwater (01/00802/OUT).

20 October 2003 - Permission granted for 91 flats at Plot 2 (02/03635/FUL). Development completed.

29 April 2004 - Permission granted to construct new partial quay wall and landfill along south edge of new harbour (04/00191/REM)

11 June 2004 - Permission granted for construction of new canals infrastructure (04/00415/REM)

28 July 2004 - Permission granted for construction of new road, verge, footpath and cycleway infrastructure (04/00696/REM)

1 July 2005 - Permission granted for 295 flats at Plots 4 and 7A (03/01922/FUL). Plot 4 is completed. Plot 7A has not commenced.

21 July 2005 - Approval of reserved matters for 131 flats at Plot 3 (04/01662/REM). Development has not commenced.

5 October 2005 - Approval of reserved matters for 30 townhouses and 6 mews houses at Plot 29 Granton Harbour (04/04630/REM). Development has not commenced.

21 October 2005 - Planning permission granted for new roads and related infrastructure at Plots 29 & 30 Granton Harbour (05/00500/FUL).

1 March 2006 - Approval of reserved matters for 73 flats at Plot 30 (05/00228/REM). Development has not commenced.

18 March 2006 - Approval of reserved matters for 120 flats at Plot 28 (04/03604/REM). Development has commenced.

31 May 2006 - Approval of reserved matters for 264 flats at Plots 26 and 27 (04/01661/REM). Development has not commenced.

12 December 2006 - Listed Building Consent approved for demolition of former transit shed. (06/04029/LBC)

14 March 2009 - Approval of reserved matters to discharge the following reserved matters as attached to outline permission 01/00802/OUT (under condition 2): siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes; existing and finished ground levels in relation to ordnance datum (06/03636/REM)

27 March 2009 – Permission granted for strengthening works to upper concrete wall forming part of the Western Breakwater (05/01604/FUL).

10 November 2010 – Permission granted for upgrading Lochinvar Drive; forming a new square (Heron Square), converting, upgrading and extending the Gunpowder Store into a restaurant/bar (08/00098/REM). Development has not commenced.

2. Main report

2.1 Description Of The Proposal

A framework for the future development of Granton Harbour was approved in 2009 (06/03636/REM). It took the form of a masterplan and included approval of the siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes and existing and finished ground levels.

The approved masterplan divides Granton Harbour into 5 new residential districts each with a distinct identity and built form; the New Quarter and Old Quarter at the southern end of the site, the Warehouse Quarter (largely comprising plots already sold, and some at various stages of construction), and the Harbour Village and the Trading Quarter at the northern end of the site. It includes a new commercial high street from Lighthouse Square to a new central square which will provide the heart of the development.

The current application is seeking to revise the approved framework. It proposes to re-organise the commercial component and reduce the overall residential density in order to create a more economically sustainable and viable development, which the applicant claims is more appropriate to the current economic climate.

The main changes can be summarised as follows:

- Creation of a commercial hub in the south-east part of the site, pulling the majority of the retail, commercial and leisure uses together into one area;
- Reduced residential density, particularly in regard to the flatted development;
- Retention of the Go Outdoors unit within the commercial hub;
- Provision of a new 500 berth marina;
- Provision of a 120 bed hotel with separate health club/spa facility; and

- Amendments to the road, pedestrian, cycle and public transport network to accommodate the above changes, particularly in the vicinity of the commercial hub.

The revised masterplan would reduce the maximum number of residential units from 3396 to 1673 units (including the 1099 units which have already been constructed or consented).

The changes would affect each of the 5 new residential districts in the following way:

TRADING QUARTER (northern area)

- West Granton Harbour will be larger than under the consented masterplan and not require as much land reclamation.
- A new marina will be provided in West Granton Harbour (approx. 500 new berths).
- A new spur is proposed at the northern end of the North Mole to protect the marina from heavy seas.
- Some residential plots including high density residential tower at northern end of site will be removed.
- The local park (Stopford Park) will be removed.
- A new 120 bedroom hotel with leisure/spa facilities will be provided.

OLD QUARTER (south eastern quarter)

- The existing mainly residential plots in this part of the site will be replaced by a new commercial hub incorporating existing retail use (Plot 11 – ‘Go Outdoors’); retail/leisure uses on ‘Len Lothian’ site (Plot 14) and new leisure complex on ‘Pickfords’ site (Plot 12). This will include associated parking for approx. 615 spaces. This area will be serviced from Lochinvar Drive. The main access for the public will be from West Harbour Road.
- A new road will be created to serve the new layout running north/south to west side of commercial hub (Lochinvar Way).
- A new bus stop on north side of West Harbour Road will be provided.
- The layout of the remaining residential plots will be revised (Plots 10A & 14) to incorporate the retail/employment hub.
- The proposed Lochinvar Park will be removed.

CENTRAL AREA (former Warehouse Quarter/ Harbour Village)

- The proposals will remove the existing canal features west of Hesperus Broadway.
- The proposals will reduce the residential density of Plots 9A, 9B & 7B – less flats, more houses.
- Middle Pier will have a rearranged layout with some marine related commercial activity.

NEW QUARTER (south western quarter)

- No road changes in this area.
- Residential density will be reduced with less flats, more houses.

PHASING

The phasing of the site will change. Under the existing masterplan the development would be phased over a 15-20 year period with the final phase being the redevelopment of the existing industrial area.

Under the current application, much of the existing industrial area will be redeveloped in the first phase of development to create the commercial hub (and marina). The proposed phasing is as follows:

1. The commercial hub and marina and associated facilities;
2. Hotel and associated leisure facilities in Plot 35;
3. Residential plots 10A and 11;
4. Remainder of residential plots (other than in the industrial area next to West Harbour Road)
5. Residential plots in the industrial areas (as and when vacant possession arises)

The applicant claims the scheme is projected to create up to 1500 permanent jobs over the next 5 years.

SCHEME 1

Scheme 1 was amended to incorporate the following changes:

- A larger marina (increased from 440 berths to 500 berths);
- Relocate the hotel to accommodate the larger marina (with resultant loss of the proposed Stopford Park);
- Reduce the amount of retail floorspace (from 20420 sq.m to 9230 sq.m);
- Replace retail floorspace with Class 3 food and drink floorspace (1500 sq.m); Class 6 storage floorspace (1115 sq.m), community /exhibition floorspace (14477) and more commercial/business space (up from 2770 sq.m to 9898 sq.m);
- Reduce the number of houses and flats (from 1703 to 1673);
- Identify 685 houses and flats for family occupancy.

Supporting Statement

- A Design Statement and Masterplan Summary;
- Consented and proposed accommodation schedules;
- Supporting Transport and Movement Framework (2 April 2013);
- Revised Granton Masterplan: Request for Additional Information (30 May 2013).

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

2.2 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 principle of development is acceptable;

- b) the scale and type of development is acceptable;
- c) the design and layout is acceptable;
- d) the setting of the listed buildings will be affected;
- e) the proposal will have any road safety, public transport accessibility or parking issues;
- f) the proposal is detrimental to residential amenity;
- g) there are other material considerations;
- h) there are any equalities or human rights implications;
- i) the proposals address issues of sustainability; and
- j) the representations raised have been addressed.

a) Principle of Development

The principle of the redevelopment of Granton Harbour for mixed use development has been established through the outline planning permission. It allows for a mix of uses comprising residential units, hotel and serviced apartments, shops and retail/services, restaurants /cafes, public houses, general business, leisure facilities and marina. The current proposal complies in principle with the range of uses allowed for under the outline permission.

The conditions of the outline planning permission set the maximum threshold for the quantum of the various uses within the harbour. The main limitations are as follows

- residential units shall not exceed 3,396 units;
- commercial/business space shall not exceed 23,190 sq.m;
- public amenity and leisure uses shall not exceed 7,650 sq.m;
- each retail unit shall not exceed 250 sq.m with the exception of one that shall not exceed 1,500 sq.m.

While the proposals do not exceed the thresholds, the housing and retail uses have raised concerns in terms of the scale and type of the development which are discussed below.

b) Scale and Type of Development

Housing

The ECLP contains general principles to inform the development of the Waterfront Areas of Change including Granton. A key requirement is to achieve a "higher density of development leading to a critical mass of housing and business and a greater intensity of activity that will generate urban vitality and support and be supported by high quality public transport" (paragraph 11.6). To achieve this policy Wa 1a) requires comprehensively designed proposals which will maximise the development potential of the area in accordance with approved masterplans. Policy Hou4 supports higher density housing in appropriate locations.

In terms of numbers, the current proposal includes 393 houses and 1,280 flats (including the 1099 units which have already been constructed or consented). This compares with the consented masterplan which shows 478 houses and 2,918 flats. This represents a total reduction of 1,723 units including, importantly, a reduction of 85 houses.

The reduction in numbers is partly derived by significantly reconfiguring the retail floorspace provided. Whilst the appropriateness of the retail floorspace is considered separately below, the loss of a large area of land that was identified for housing in the previous masterplan is not acceptable within the context of the current shortfall in the effective housing land supply. Overall some 580 residential units would be lost in the south east corner of the site from the previous masterplan.

In mitigation, the applicant claims that the current application will increase family housing at the site. It is also claimed that all flats (except those which have already been constructed or consented) will be large family flats (i.e. with 3 or more bedrooms) and will deliver a total of 658 houses and larger flats designed specifically for family occupancy.

It is acknowledged that the proposed Local Development Plan does provide support for revising the housing mix towards a greater number of townhouses than identified in the masterplan but only, where it would be appropriate in terms of placemaking and where it would accelerate completions. In this case no supporting information has been provided to demonstrate that the revised mix would accelerate completions. The issue of placemaking is considered separately under section c) design and layout below.

In terms of the housing mix, the Council has evidence that when priced correctly, one and two bedroom flats attract a sizeable demand in the Granton vicinity (see comments from Housing and Regeneration at Appendix 1). Within the past 5 months, a total of 151 flats have been developed and marketed for letting under mid market rent in the Granton vicinity, through the National Housing Trust, with over 1,800 applicants for the first 12 flats alone.

The available demographic data points to the greatest majority of housing need and demand being from single person and two person households. There is demand for larger family homes, but it is a much smaller proportion of Edinburgh's housing need. One and two bedroom flats, when priced appropriately, will attract much greater levels of need and demand as the National Housing Trust projects have shown nationwide and especially in Granton.

Overall, there is no justification for a reduction in the number of houses provided within the site. The proposed LDP development principle specifically states 'revise the housing mix towards a greater number of townhouses'. Providing 85 fewer houses is not supported by the development principle. Any loss in the number of flats should be offset to a degree by a significant increase in the number of houses provided.

Therefore, whilst the emerging development plan does provide support for revising the housing mix in appropriate circumstances, the scale of the reduction of housing units proposed is not supported. The delivery of flats for this brownfield site remains a key requirement for any revisions of the masterplan. Whilst the number of units may be lower, this is anticipated to be delivered by reducing the heights of some of the blocks, rather than the loss of entire plots that were previously identified for flats.

In summary, the revised masterplan does not provide an appropriate density of development on the site and fails to maximise the development potential of the area and is therefore contrary to policies Hou 4 and Wa 1 of the Edinburgh City Local Plan (2010). Any reduction to the amount of flats provided should be based on reducing the number of storeys rather than removing entire blocks and a significant increase in the number of houses should be provided.

Retail

The purpose of the retail conditions on the outline permission was to deliver a local shopping centre to meet the convenience shopping needs of new and future residents. The unit sizes were restricted in order that existing shopping centres would not be prejudiced. The intention was that small groups of localised shops and cafes located beneath housing and commercial uses would be supported. The larger unit of 1,500 sq.m would serve as a local convenience store and a number of units would be related to the marina development.

The context for the outline planning permission was established by the 'Waterfront Granton Masterplan' (WGM) which was approved as Supplementary Planning Guidance in January 2001. The masterplan seeks to integrate the development activities of three main masterplan areas (National Grid, Waterfront Edinburgh and Forth Ports). In relation to retailing, the masterplan suggested that two new local centres should serve the entire Waterfront area – a larger centre located at the former Granton Gas Works site (now Morrisons) and a smaller centre at Granton Square.

The local plan objective of encouraging local convenience shopping is also an objective for the Granton area. This extends to the identification of a new local centre (S5) off West Harbour Road. The location of the new local centre coincides roughly with the proposed retail development.

The relevant policy is Ret 4 (Local Centres). The definition of local centres in the Glossary of the local plan is "...a shopping centre, usually of 10 units or greater serving as local retail function." It goes on to say that "In some instances centres of less than 10 units have been included in order to provide a local centre within 15 minutes walk of residents where possible" Policy Ret 4 states that retail development proposed in or on the edge of local centres will be permitted provided it meets criteria a to d.

The scheme, which includes a new mixed use 'commercial hub,' incorporating a 'Best of Scotland Arts, Crafts and Farmers Market,' 'Indoor Food Court,' and 'Indoor Discount Fashion Outlet' has the appearance of a speciality shopping facility. This is incompatible in terms of 'type' with the character and function of the centre which is to provide local shopping (as defined in the local plan glossary) with the principle aim of serving the community. For this reason there is a conflict with Ret 4 b.

The proposal is also contrary to Ret 4 d since it is promoting Granton as a 'retail destination. The existing and projected population of Granton is such that it is unlikely to sustain such a development without the support of shoppers from outside the immediate area. Furthermore, the type of retail development proposed (farmers markets, crafts and food markets, and indoor discount fashion outlet) is likely to attract shoppers from a much a wider area than just Granton. It could therefore divert trade away from many identified town and other centres in this part of the city and elsewhere, thus adversely affecting their viability and viability.

Overall, the scale and type of retailing is contrary to policy Ret 4 of the Edinburgh City Local Plan and the supplementary planning guidance: Waterfront Granton Masterplan which seek deliver a local shopping centre to meet the convenience shopping needs of new and future residents not one that will compete with other shopping centres in north Edinburgh.

In summary, the scale and type of housing and retail development is not acceptable.

c) Design and Layout

Granton Harbour is identified as a Waterfront Area of Change (WAC 2) in the Edinburgh City Local Plan (2010). Within this area, the Council supports a broad mix of uses and a finer grain of development, incorporating a high standard of design. ECLP para 11.6 states that development should have a strong urban form and scale, generating a permeable and legible perimeter block structure, in which buildings provide some kind of activity to all public ground floor frontages. ECLP para 11.10 supports a network of streets and paths which integrate with adjoining neighbourhoods and draw people to the water's edge. These principles are reflected in the approved masterplan, but would be compromised through the revised application for the reasons discussed below.

Mixed use sustainable neighbourhoods

Policy Wa 1b) supports development which will contribute towards the creation of new urban quarters in the Waterfront Area of Change. In particular, there is support in this area for the provision of a series of mixed use sustainable neighbourhoods that connect to the waterfront, with each other and with nearby neighbourhoods. The proposed concentration of retail, commercial and leisure uses together into one area would be contrary to ECLP policy Des 3d) which promotes design that facilitates adaptability in the future to the needs of different occupiers, and opportunities for mixed uses.

Layout and pedestrian / cycle movement

The large scale units and open expanse of car parking proposed will not deliver the dense urban form and cohesive network of spaces and streets set out in the approved Granton Harbour masterplan, having the effect of piecemeal development.

In the form proposed, it would also limit physical connections between the Harbour and existing urban area to the south of West Harbour Rd, in particular Granton Square. Greater urban structure and permeability would be required.

In urban design terms, these stand-alone retail units function poorly as a gateway to the Granton Harbour development from Granton Square, a primary entrance to the harbour. They also function poorly as bridging element between the adjacent Central Development Area to the north and the water's edge. The proposals negate the opportunity for well-defined, cohesive networks of streets and spaces, disengaging it from the water's edge. In this regard, the application is not only contrary to ECLP policy Wa 1b), but also ECLP policy Des 2, which states that "permission will not be granted for development which might compromise...the comprehensive development and regeneration of a wider area as provided for in a masterplan." The Edinburgh Design Guidance, approved by Planning Committee on 16 May 2013, is a material consideration. Section 1.4 states that "on larger sites, prepare and adhere to masterplans that integrate with the surrounding network of streets, spaces and services". The Guidance reiterates the importance of adopting a comprehensive approach to development, as set out in ECLP policy Des 2.

ECLP policy Des 4a) states that "planning permission will be granted for development where a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths and public and private open spaces has been taken". As illustrated in the supporting Transport and Movement Framework (figure 4), the car parking provision provides a barrier to direct and convenient pedestrian and cycle movement northwards towards the water's edge. Direct routes with multiple points of access and streets connected at both ends help integrate the housing and mixed use developments into the wider neighbourhood. Furthermore, ECLP policy Tra 6 states that off street surface car parking should not be located in front of buildings where the building would otherwise create an active frontage onto a public space or street and would preferably be provided at basement level within a building.

Whilst it is acknowledged that the new retail units might help animate the space during the day, the proposed lack of residential use in this quarter has the potential to reduce community safety and urban vitality, having a bearing on how this space is experienced throughout the day and night. The removal of the perimeter urban block form layout and the visual impact of the car parking provision would prevent continuity of urban frontages and enclosure, thus, reducing natural surveillance. The proposal is, therefore, contrary to ECLP policy Des 3f) and ECLP policy Des 3g), both of which, support safe and convenient access and movement in and around new development in accordance with the Scottish Government's policy statement "Designing Streets".

Density, massing and height

As discussed above the revised masterplan seeks to reduce the density, height and massing and quantity of future residential development, reducing the overall residential units from the 3396 consented in the original outline approval, down to 1,673 units residential units in total (including the 1099 units which have already been constructed or consented). This will be achieved by introducing more family housing, including larger family sized flats and houses with private rear gardens.

Although ECLP policy Wa 1d) supports proposals for a mix of house types and sizes, a general principle for this area, as set out in ECLP, is for higher density development leading to a critical mass of housing. Although it is recognised that townhouses would be acceptable in principle within this part of Edinburgh's Waterfront, there is still a strong urban design rationale for higher density than what is being proposed, particularly adjacent to the tram line safeguard which runs immediately south of the area. In order to comply with ECLP policy Wa 1b) and ECLP policy Hou 4b), higher densities should be sought adjacent to the public transport stops and commercial/retail uses, which enable a series of more sustainable mixed use neighbourhoods to be developed and thus, an attractive residential environment to be created.

In summary, the design and layout is not acceptable from a placemaking point of view and is contrary to a number of ECLP design and transport related policies, which support well-defined, cohesive networks of streets and spaces.

d) Setting of the Listed Buildings

The proposed changes to the consented masterplan would have no adverse implications for the setting of any of the individual listed structures or buildings within the docks. This includes the Western Breakwater and the Gunstore. In terms of the change in design of the breakwater and North Mole, the new spur is intended to protect the proposed marina from heavy seas. As the new spur adjoins a listed structure, a separate application for listed building consent will be required.

e) Road Safety, Public Transport Accessibility and Parking

Transport has no objection in principle to the application but states that there remain a number of issues from the previous masterplan application (06/03636/REM) which appear to be unresolved. Some issues concern matters that are not part of the current application including car parking, taxi parking and disabled infrastructure. These matters can be addressed when more detailed plans are submitted for the individual phases of the development.

The other issues relating to footpath and cycle routes and road layout, are matters that are under consideration as part of this application and will need to be resolved if Committee is minded to grant consent. A key outstanding issue from Transport's point of view is the design of the new road layout. Transport's recommendation is that "Designing Streets requires a Quality Audit and will require more detailed discussion to achieve a suitable design." The outcome of these discussions will have implications for road safety and public transport accessibility

In summary, the road safety and public transport accessibility will require further investigation if Committee is minded to approve the application.

f) Residential Amenity

The amenity of existing and future residents is a consideration including those that live within and adjacent to the site. This includes existing flats (Plots 2, 4 and 28) and also a number of plots that have been consented for residential development. There is also housing to the south of the site in the vicinity of Granton Square.

The proposed reduction in the heights and reconfiguration of the blocks will provide sufficient space between the plots for the amenity of existing and future residents not to be compromised in terms of privacy or sunlighting or daylighting.

In terms of noise and other considerations Environmental Assessment has concerns regarding the concentration of commercial uses in the commercial hub area and recommends that a full noise assessment be carried out prior to consent being granted. While this recommendation is noted, under the terms of the outline consent a suitable noise assessment will be required when more detailed plans are submitted for this particular phase of the development. This will ensure that no development can take place until it could be shown that residential amenity will be protected in accordance with ECLP policy Env 18.

In terms of amenity spaces, ECLP policies Os 3 and Hou 3 seek to ensure that there is adequate provision for open space. In this regard there are three main parks at the site under the consented masterplan. The proposal will result in the loss of two of these parks (Stopford Park and Lochinver Park) and also the loss of West Canal, an established amenity feature, to create a substantial new green space. The loss of the canal is strongly opposed by local residents.

While infilling the canal will change the character in this part of the site and affect the type of wildlife that will use the space, the impacts are likely to be relatively neutral if the proposal can deliver a useable amenity space that is well designed and maintained. The timing of the works will be critical to ensure that the infilled area is not left untreated but in principle, subject to suitable a condition to secure these matters, the infilling of the canal feature for use as an open space would not be a reason for refusal.

In summary the impact of the development on residential amenity can be addressed by appropriate conditions.

g) Other Considerations

Ecology / Natural Heritage

The site is located adjacent to the Firth of Forth Special Protection Area (SPA), Ramsar and Site of Scientific Special Interest. These sensitive areas are protected from development by policy Env 13 Sites of European Importance and Env 14 Sites of Special Scientific Interest.

Special Protection Areas are protected under the Conservation (Natural Habitats, &c) Regulations 1994, as amended (the "Habitat Regulations"). If the effects of development are likely to have a significant effect on the qualifying interest of the site, then an appropriate assessment would be required to be undertaken out by the Council (as competent authority).

An appropriate assessment was carried out as part of the original application, with conditions attached to the consent relating to timing of works etc, These conditions will still apply should the current development be approved. It has been determined, therefore, in consultation with SNH, that no further assessments or appropriate assessments are required.

In summary there are no overriding ecological or natural heritage constraints to the revised scheme.

Drainage /Flooding

In terms of flooding, the current masterplan (i.e. 06/03636/REM) was approved on the basis that all internal ground floors will be above 6 metres where there is potential for flooding, and all ground floor levels throughout the site will be higher than the adjacent road. The current applicant has advised that the proposed amendments do not change the proposed levels as approved under the current masterplan

The main change to approved masterplan is the introduction of the spur on the Western breakwater to protect the new marina. However, the size and location of the new spur is similar to the North Mole extension approved as part of the outline permission except that there are no land or buildings immediately behind the spur.

The Flood Prevention Officer is of the view that there are substantial changes to the layout from the previous masterplan which will necessitate a new flood risk assessment, coastal protection report and surface water management plan. However, he does acknowledge that the current layout would appear to make all of these simpler and easier to achieve without compromising other factors like the loading on the breakwater.

In summary, the flooding, drainage and coastal protection issues will require further investigation if Committee is minded to approve the application.

Economic Development

Scottish Planning Policy (SPP) and draft SPP (published for consultation April 2013) are material planning considerations in the determination of this application. The SPP, and new draft in particular, attach significant weight to developments that will deliver economic development and jobs within the context of the Scottish Government's overarching purpose of increasing sustainable economic growth.

The latest guidance in the draft SPP advises that " Planning has a positive and proactive role to play in building a dynamic and growing economy that offers opportunities for all, while making efficient and responsible use of land, environmental and other physical resources and infrastructure. The aim is to achieve the right development in the right place, rather than development at any cost." (Paragraph 16).

In this regard the applicant claims that "the proposals represent a commercially-realistic and deliverable development which will enable the regeneration process to restart and be completed" and "is projected to create up to 1500 permanent jobs over the next 5 years".

It is acknowledged that the proposed development has the potential to provide new job opportunities with resultant direct and indirect economic benefits to the area. However the proposal would not deliver sustainable economic growth for the following reasons:

- the housing proposals and commercial hub fail to maximise the development potential of the area in terms of the efficient or responsible use of land;
- no supporting information has been provided to demonstrate that the revised housing mix would accelerate completions.

- the scale and type of retailing is not consistent with the role of a local centre at Granton and will compete with and threaten the vitality and viability of other shopping centres in north Edinburgh;
- no information has been provided regarding the breakdown of new jobs across the various uses but, in terms of retail jobs, the recent evidence suggests that in an era when retail spending is largely stagnant, any new retail jobs will mainly be derived through displacement of jobs from other locations;
- the design and layout of the commercial hub is not acceptable and will not deliver a sustainable mixed use neighbourhood;
- the Edinburgh Harbour Users Group have questioned the viability of the harbour proposals on the basis that the marina “would need shore facilities including yard storage probably in the region of 2 ha before it could be considered viable”. While some on shore facilities are provided the local users group do not consider these to be adequate;
- Economic Development has raised similar concerns to those above and question whether the market research is there to support this size of marina.

In summary, the economic benefits of the scheme would not outweigh the other material considerations.

h) Equalities or Human Rights Implications

The application was assessed in terms of equalities and human rights. No significant impacts were identified. An Equality and Human Rights Assessment is available to view on the Planning and Building Standards Online Portal.

i) Sustainability

The outline planning permission was granted prior to the adoption of the Edinburgh Standards for Sustainable Buildings (ESSB) and as such there is no requirement to comply with the relevant sustainability criteria. However, an informative on the outline consent states that the Council will expect new development to concur with the most current sustainable construction advice available from government agencies, both in the construction phase and throughout the life of the buildings. Each developer will be required to ensure that their buildings comply with the current required standards for sustainable development. In this regard further consideration will be given to sustainability as and when the detailed applications for the individual development plots come forward.

j) Representations

Material representations

- Retail floorspace and implications for other shopping centres – this matter has been addressed in section 2.3b);
- Housing numbers and implications for housing land supply – this matter has been addressed in section 2.3b);
- Design and placemaking including impact of Commercial Hub on the wider public realm – these matters have been addressed in section 2.3c);
- Siting and height of buildings and impacts in terms of overshadowing (including TV reception), privacy and key views - this matter has been addressed in section 2.3 c). The impact of building heights on TV reception is not a concern as building heights have been reduced compared with the consented scheme;

- Removal of the existing canal feature and impacts on the character of the area and local wildlife – this matter has been addressed in section 2.3 f).
- Food risk and impacts from waves overtopping the seawall - this matter has been addressed in section 2.3 g) in terms of drainage /flooding;
- Viability of the marina in terms of the proposed sea defences and lack of on-shore facilities – the issue of sea defences is addressed in section 2.3 g) in terms of drainage /flooding . The concern regarding the lack of on-shore facilities is discussed in section 2.3 g) under economic development ;
- Traffic generation, parking, congestion and road safety concerns - this matter has been addressed in section 2.3 e);
- Infrastructure for cyclists - this matter has been addressed in section 2.3 e);
- Pedestrian connections - this matter has been addressed in section 2.3 c);
- Public transport concerns - this matter has been addressed in section 2.3 e);
- Access for construction traffic - this matter has been addressed in section 2.3 e);
- Design and safe use of the harbour – this matter is dealt with in terms of the coastal protection issues in section 2.3g) and parking issues in section 2.3e).

The letters of support raised the following material considerations:

- Increased retail vitality and economic benefits – this matter has been addressed in section 2.3 g);
- Re-balance in favour of family houses - this matter has been addressed in section 2.3b);

Non-Material representations

- Loss of views from existing properties – the loss of a private view is not a valid consideration.

Community Council Comments

- No comments were received from the local Community Council.

CONCLUSION

The application in its current form should be refused. The reduction in both flats and houses and reconfiguration of retail floorspace fails to maximise the development potential of the area in terms of the efficient or responsible use of land and is therefore contrary to policies Hou 4 and Wa 1 of the Edinburgh City Local Plan (2010). The scale and type of retailing is not consistent with the role of a local centre at Granton and will compete with and threaten the vitality and viability of other shopping centres in north Edinburgh and is therefore contrary to policy Ret 4 of the Edinburgh City Local Plan and the approved supplementary planning guidance policy for Granton Waterfront which seek to deliver a local shopping centre to meet the convenience shopping needs of new and future residents only. Moreover, the design and layout is not acceptable from a placemaking point of view and is contrary to a number of ECLP and LDP design and transport related policies, which support well-defined, cohesive networks of streets and spaces. There are no material considerations which would outweigh this conclusion.

The issues of road safety and public transport accessibility, and flooding, drainage and coastal protection will require further investigation if Committee is minded to grant consent.

3. Recommendations

3.1 It is recommended that this application be Refused for the reasons below

3.2 Conditions/reasons

Conditions:-

Reasons:-

1. The proposal is contrary to policies Hou 4 and Wa 1 of the Edinburgh City Local Plan (2010) as the reduction in both flats and houses and reconfiguration of retail floorspace fails to maximise the development potential of the area in terms of the efficient or responsible use of land.
2. The proposal is contrary to policy Ret 4 of the Edinburgh City Local Plan and the approved supplementary planning guidance policy for Granton Waterfront as the scale and type of retailing is not consistent with the role of the proposed local centre at Granton and will compete with and threaten the vitality and viability of other shopping centres in north Edinburgh.
3. The proposal is contrary to policies Wa 1b), Des 2, Des 3d), Des 3f), Des 3g), Des 4a), Hou 4b) and Tra 6 of the Edinburgh City Local Plan as the design and layout of the commercial hub in the south east corner of the site will not result in a mixed use sustainable neighbourhood or well-defined, cohesive networks of streets and spaces.

Statutory Development

Plan Provision

The development plan comprises the Strategic Development Plan for Edinburgh and South East Scotland (SESplan), which was approved by Scottish Ministers on 27 June 2013, and the Edinburgh City Local Plan which was adopted by the Council on 28 January 2010.

SESplan identifies the Edinburgh Waterfront as one of the city's four Strategic Development Areas (SDAs). The local plan identifies the site as part of the Granton Waterfront Area of Change (WAC 2). This part of waterfront regeneration area is allocated for mainly housing and includes a proposal for a local shopping

centre (Proposal S5) and a safeguard for a strategic cycleway / footpath (Coastal Promenade). The coastal areas immediately adjacent to the site are allocated as nature conservation sites of international and national importance.

The local plan will be superseded by the Local Development Plan (LDP). This was approved for consultation on 19 March 2013 and published for representations in May 2013. The representations are due to be made public in October 2013. It is considered that the proposal does not accord with the provisions of the Proposed LDP.

Other relevant guidance is provided by the 'Waterfront Granton Masterplan' (WGM) prepared by Llewelyn Davies and approved as Supplementary Planning Guidance in January 2001. This provides the vision and framework for the area including detailed guidance for the four main urban quarter that make up the area including Granton Village and Harbour.

Date registered 28 March 2013

Drawing numbers/Scheme 01, 02A, 03A,

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 Wa 1 (Waterfront Areas of Change) sets criteria for assessing development in the Granton and Leith Waterfront Areas of Change.

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

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

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

Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

Policy Env 13 (Sites of European Importance) identifies the circumstances in which development likely to affect Sites of European Importance will be permitted.

Policy Env 14 (Sites of National Importance) identifies the circumstances in which development likely to affect Sites of National Importance will be permitted.

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

Policy Env 18 (Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

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

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 Ret 4 (Local Centres) sets criteria for assessing proposals in or on the edge of local centres.

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

Relevant Non-Statutory Guidelines

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings and landscape, in Edinburgh.

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

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.

Appendix 1

Consultations

Health + Safety Executive comment 11/04/2013

This HSE advice refers to the proposed development Application to discharge matters specified in condition 2 of outline planning permission 01/00802/OUT at 65 West Harbour Road Edinburgh EH5 1PW, input into PADHI+ on 11 Apr 2013 by City of Edinburgh Council.

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of major Hazard sites/ pipelines. This consultation, which is for such a development and also within at least one Consultation Distance, has been considered using PADHI+, HSE's planning advice software tool, based on the details input by City of Edinburgh Council. Only the installations, complexes and pipelines considered by City of Edinburgh Council during the PADHI+ process have been taken into account in determining HSE's advice. Consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Historic Scotland comment 22/04/2013

We have considered your consultation and have no comments to make on the proposals. We confirm that your Council should proceed to determine the application without further reference to us.

SEPA comment 26/04/2013

We have no objection to this planning application. Please note the advice provided below.

Advice for the planning authority

1. Flood risk

1.1 SEPA was previously involved in commenting on drainage designs with regard to the 2001 application (01/00802/OUT) at this site. However, we have no record of being consulted on the 2006 application (06/03636/REM) and we have never provided flood risk advice regarding the proposed masterplan area.

1.2 We note that part of the application proposal relates to existing and finished ground levels in relation to ordinance datum, however we are not aware of any information being submitted in this regard.

1.3 We are aware that Edinburgh Council's Flood Prevention Team has commented on flood risk matters relating to the site in correspondence dated 28 November 2008. These comments indicate some concern over impacts of wave action behind a breakwater at the site, although ground levels may be proposed at +6.0 metres above

ordinance datum (mAOD). It is also mentioned that new defences will be constructed as part of the development.

1.4 We have reviewed the information provided in this consultation and it is noted that the application site (or parts thereof) lies within the 1 in 200 year (0.5% annual probability) flood envelope of the Indicative River & Coastal Flood Map (Scotland), and may therefore be at medium to high risk of flooding.

1.5 For information, an approximate 1 in 200 year water level for the area is 3.98mAOD based on extreme still water level calculations using the CFB Method. This does not take into account the potential effects of wave action, funnelling or local bathymetry at this location. We also recommend that the applicant contact the Flood Prevention Authority with regard to the appropriate levels of freeboard for the area and if any other allowance for climate change is required.

1.6 We recommend finished floor levels include, in line with CIRIA report C624, a freeboard allowance of 500 to 600mm to account for uncertainties involved in flood design and physical imponderables such as post construction settlement. The use of flood resistant/resilient materials and design, where possible, during construction can reduce the consequences of flooding.

1.7 We strongly recommend that a strategic approach to flood risk is considered as part of this masterplan area. A strategic approach and an agreed flood risk assessment for the whole area can provide information for individual planning applications on smaller plots when submitted. This would be a similar approach to that used under the Leith Docks re-development. We would welcome any opportunity to comment on any flood risk information provided.

Detailed advice for the applicant

2. Content of flood risk information

2.1 The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance & storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland. For further information please visit www.sepa.org.uk/flooding/flood_extent_maps.aspx.

2.2 We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from www.sepa.org.uk/flooding/planning_flooding.aspx. Please note that this document should be read in conjunction with Annex B in SEPA Policy 41: "Development at Risk of Flooding, Advice and Consultation – a SEPA Planning Authority Protocol", available from www.sepa.org.uk/planning/flood_risk.aspx.

2.3 Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal

which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from www.sepa.org.uk/flooding/planning__flooding/fra_checklist.aspx

2.4 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from www.sepa.org.uk/planning/flood_risk.aspx.

Archaeology comment 03/05/2013

Further to your consultation request I would like to make the following comments and recommendations in respect to this application to discharge matters specified in condition 2 of outline planning consent 01/00802/OUT: Variation of the matters approved by application 06/03636/REM.

I refer you to my earlier comments in response to both 01/00802/OUT and 06/03636/REM which outlined the archaeological significance of the site and mitigation requirements. As such this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh City Local Plan Policies ENV4, 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.

An Archaeological mitigation strategy was agreed for the redevelopment of Granton Harbour. Although various elements have been undertaken to date principally by CFA Archaeology (the last element of field work to the Western Harbour was undertaken in 2008) not all of the required mitigation has been undertaken. Principally mitigation is still required that will affect/expose historic fabric relating to the western and middle piers, Listed Warehouse situated on Middle Pier, site of ship repair yard (located close to the western side of the former harbour) and on site interpretation. Accordingly is it is essential that the following updated condition is attached to this consent to ensure the completion of this programme of archaeological works.

'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (interpretation, historic building recording, reporting and analysis and 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.

Police Scotland comment 07/05/2013

As the local crime prevention/architectural liaison officer covering the North of Edinburgh, new build properties, which have failed to comply with the Secured by Design standards, have often been brought to my attention. I would recommend that the framework is subject to Secured by Design accreditation, if there are any queries regarding the success of such developments, then the report summaries are accessed on the Secured by Design website, work shows security does not compromise sustainability and crime has an impact on sustainability.

When problems regarding theft/antisocial behaviour and other matters have arisen, the police and various council services then have to manage the public's expectation and disappointment regarding the standard of the build and small changes that would have mitigated or eliminated the problems. The public expect a new build property to offer the latest level of amenities, security and often to meet their aspirations, some residents who have contacted me regarding the issue of security have found this, not to be the case.

One development sold their properties stating that there was 'secure parking' when a resident challenged this, they were informed that secure parking did not mean that the parking was secure, but in buying the property they had 'secured' a parking space. This is indicative of assumptions the public have made because of how properties have been marketed and sold.

One of the key principles that the council should consider and adopt for development in the framework area, is there should be public space and private spaces, with no public access to private spaces.

The private, secured space should start at the very least at the curtilage of the property line or better still slightly offset from the property line.

- Any underground parking should be appropriately secured and with access control to account for all users.*
- Off street parking, needs to be in areas, where residents can easily observe vehicles and not in parking courts, this is generally most successful when property living areas overlook parking, generally at the front of properties, not be obstructed by 1.8 metre fence lines for private rear gardens. It is unknown if the parking courts would have access control, this would have to prevent pedestrian access either by walking or climbing into the area.*

Note: If the parking facilities do not meet the residents needs and is either perceived to be or found to be unsafe or becomes a focus for criminal enterprise then the pressure on street parking will increase and could include indiscriminate parking wherever drivers can mount pavements or use park areas, the other option would be to use commercial car parks that have good lighting and natural surveillance – creating a conflict of interest.

- Within underground parking, services that pass through the area such as water, gas, etc need to be appropriately protected, any interference with these services causes problems for the residents, but also council and police if the residents have to leave due to safety concerns.*
- Other service 'hubs' may require additional security measures to prevent them being misused/damaged or stolen.*

- *Cycle storage should be in small areas (possibly within or linked to each common stair – many insurance policies do not cover cycles in ‘communal facilities’). Currently developments have large rooms with inappropriate doors, locks and cycle stands, which after the first few thefts of or from cycles, become unused areas, people then park cycles in common stairs or elsewhere and other problems arise.*
- *Location and security of bin and recycling areas have to be carefully considered, recycling means that this material is generally dry and can be easily ignited, causing problems with fires and the damage caused.*
- *Mail delivery should occur at the premises entrance for common stairs, so that there is no requirement for a ‘service button’ and residents only permit entry to visitors to their address. The style and design has to be carefully considered to limit theft from mail-boxes.*
- *Good natural surveillance of all entry doors, especially common stair doors enhances residents and users feeling of well being.*
- *Common stair design and security is important, if there is a fire door on each level placed between the corridor that the properties are on and any stair or lift, this can be used as an additional barrier if residents agree.*
- *Design of communal private areas needs to be carefully considered to ensure the area will be used in the manner it is being designed for.*
- *All accessible windows and doors need to meet PAS 24 with impact tested laminate glass as required.*

Public spaces should be well maintained to ensure that any planting is kept below a metre and trees are crowned about 2.2 metres. Areas should be well lit. People using the area should have clear sightlines.

If public spaces are to have additional amenities, such as a children’s play area, the design of the play equipment, natural surveillance of the area need to meet the needs of users and residents to prevent the area becoming a hub for anti-social behaviour. Where the area is for general amenity, the type of surface, levels and location of any seating have to be carefully designed to ensure that it is used in the manner it was conceived rather than in other ways.

Even secondary and tertiary streets should be designed more like a boulevard, so that pedestrians, cyclists and vehicles have their allotted path, cycleway and road – which leads to an increased sense of well being and safety for those using the area. On a personal note I appreciate the walkways and cycleways the city has to offer, but at times when I consider that pedestrian and cycle traffic will be limited, I use the road network. Areas that have greater ‘traffic’ are used for longer periods.

Transport hubs and any shelters have to be designed to maximise visibility, reduce the impact of weather and be constructed from products that minimise them as a canvas for vandalism or graffiti.

Factoring is an aspect that impacts on a development, issues regarding the scope of work to be done and the finances of the development can heavily influence security.

Due to the number of ‘Buy to Let’ properties, some developments have very few properties with resident ‘owner occupiers’, I have found that due to the way the title

deeds are set up, those who rent, possibly pay the factoring fees, have no influence of involvement in the relationship between the owner occupiers and the factor.

Developments of the size proposed will impact on policing and council service provision, probably increasing the demand of the area currently.

Scottish Natural Heritage comment 10/05/2013

This proposal is for revisions to the existing masterplan and outline consent for the site, granted in 2002.

Position

The proposal is adjacent to The Firth of Forth Special Protection Area (SPA) classified for its wintering bird populations. The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended; (the "Habitats Regulations") apply. See <http://www.snh.gov.uk/docs/A423286.pdf> for a summary of the legislative requirements.

In our view, it is unlikely that the proposal will have a significant effect on any qualifying interests of the SPA either directly or indirectly. An appropriate assessment is therefore not required.

Appraisal

An appropriate assessment was carried out as part of the original application, with conditions attached to the consent relating to timing of works etc, which it is assumed still apply or have been completed. Where a proposal has already been assessed, even if it was many years ago, it does not need another assessment, unless it is a new or revised application. This current application is not a revised application and does not propose to vary any part of the masterplan which could affect the Firth of Forth SPA. Therefore no new likely significant effects are identified and therefore no additional assessment is required.

Affordable Housing comment 24/05/2013

The Council is fortunate to hold real time information on the demand for one, two and three bedroomed properties with planning consent in the Granton area. This is helped by Edinburgh Council's participation in the National Housing Trust (NHT). The NHT provides rented accommodation (with an option to buy in the long run, between years 5 and 10) for households who are often thought of as "key workers" - people earning between the minimum wage and the median income level in the city.

Many of these people would have matched the profile of a target market First Time Buyer at the time the waterfront Master Plans were being devised in the early part of the 2000's. While the mortgage, banking and finance sectors have radically altered since the consenting of the Master Plans, we have evidence that is strong, current and credible which suggests that the homes that were planned are still needed, and they are needed to house by and large the same people they were planned for. The main issue is not that they are the "wrong" product, the main issue is that they needed to be priced differently, and provided in a different tenure that responds to the current lack of

mortgage availability. The greatest part of the housing market in Edinburgh is still one and two person households, who need one and two bedroom flats.

Edinburgh's experience of NHT in the past 4 months in the Granton area has been as follows:

Phase 1 of NHT saw contracts signed for around 600 homes to be constructed, Scotland-wide.

422 of these are in Edinburgh, with 62 being at Madelvic in Granton, and a further 89 being nearby at Crewe Road.

Between January 2013 and May 2013, 254 of these 422 mid market rent homes have been completed.

In January 2013, the first 12 homes at Madelvic in Granton were advertised, and received an exceptional response of 1800 applicants.

These were households in affordable housing need (key workers earning below the median income level in the city) who are increasingly priced out of the private rental market and who would like to become a first time buyer, but are unable to access a mortgage.

This market is clearly looking for one and two bedroom flatted properties in the Granton area.

The marketing was performed by Places for People (a Registered Social Landlord who will be the Management and Maintenance provider for these two developments). They used site signage, their own website, plus CityLets, LettingWeb and Rettie (plus EdIndex) to market these properties.

This appears to be compelling evidence that the problem with developing flatted units in Granton can be overcome by adapting to meet the present day's circumstances. Specifically, by getting the pricing right, and getting the tenure right, and getting the marketing right, these properties can be built viably and successfully let and run. By and large these properties are the same properties that were planned and Master Planned, and they are arguably providing housing for the same people they were always intended for. It's just that those people are currently rent-to-buyers, rather than First Time Buyers, and models like the NHT have performed two tasks. They have unlocked the problem and shed light on the extent of this market, and the need for one and two bedroomed properties in the city (and specifically the Granton area).

We would summarise that the one and two bed properties planned in Granton were never the wrong product - the need and demand are significant. The key appears to be about adapting and adjusting the price and tenure to meet the financial and mortgage circumstances that the market currently faces.

Affordable Housing further comment 18/06/2013

We would add the following, having read the submitted text from the applicant. Within the past 5 months a total of 151 flats have been developed and marketed for letting under mid market rent in the Granton vicinity, through the National Housing Trust. City

of Edinburgh Council has a direct interest in these flats, and privileged access to information on the marketing, demand and letting of these homes.

The majority of these were one and two bedroom flats. There were 1800 applicants for the first 12 flats alone.

These were all households in employment, earning between the minimum wage and median income levels in the city.

They have commonly reported to the land lord (Places for People) that they see themselves as frustrated potential first time buyers who can't access a mortgage.

The level of interest, and the profile of the tenants, all suggests that the product and the planning aspects of Granton were not wrong. It is a pricing issue, not a product or a place issue that has held back the regeneration of this area. The one and two bed roomed flats, when priced correctly, attract a sizeable demand. One could argue that the tenants inhabiting the flats are by-and-large the same people, with the same housing need requirements, moving into the same flats that were designed with them (or people like them) in mind. The only difference between 2013 and the time when the flats were planned is that these flats are now marketed at a different price under a different tenure (mid market rent). But the housing need has not changed, the people inhabiting the flats have not changed, since the flats were designed during the previous planning phase.

All demographic data points to the greatest majority of housing need and demand being from single person and two person households. There is a demand for larger family homes, but it is a much smaller proportion of Edinburgh's housing need. One and two bed flats, when priced accordingly, will attract much greater levels of need and demand, as the National Housing Trust projects have shown nationwide, and especially in Granton.

The key analysis the NHT experience has offered in the past 5 months is that the product is right, the planning is right, in order to meet the existing housing need in the area. It is the price that has needed to change, not the product or the planning approach.

Environmental Assessment comment 31/05/2013

Environmental Assessment made the following comments for the 06/03636/REM application;

Plot-specific issues will be addressed through detailed development processes (assuming the Masterplan delivers no major shift in the content or context of the outline approval, including development phasing).

This AMC application proposes a major shift from what has been previously been consented. This application intends to reorganise the commercial areas and reduce the overall residential density. Many of our issues have been have been addressed in the form of conditions and legal agreements for the outline application (01/00802/FUL). However due to the scale of the alterations from this consent we would like to make further comment.

Noise

Environmental Assessment has concerns regarding the concentration of commercial uses in the 'Commercial Hub' area. Specifically the service yard which the plans show will be located in a area where there are existing residential properties therefore we would require a full noise impact assessment to be carried out before we can support the application. Noise would also need to be addressed in respect to the proposed hotel, leisure complex, and details of how noise will be controlled on the proposed marina for example will there be a noise management plan for users. The outline application (01/00802/OUT) addressed noise from existing industrial/commercial uses on the site and the phasing-in of the new noise sensitive uses in the form of a legal agreement. We will require updated information on the phasing taking into account the changes proposed in the AMC application.

Land contamination

This Department had received information regarding the outline consent for Granton Harbour (01/00802/OUT). This Department will require this information to be updated.

Air Quality

We are satisfied with the reduction in residential density however would still highlight that the minimum level of parking should provided in accordance with the Councils Transport Parking Standards. We would also seek justification for the high levels of proposed car parking for the proposed hotel and commercial quarter. Furthermore it has been noted that Hanson Cement works is located approximately 150m to the west, this department has commented on a recent application which would involve some changes to this cement works (12/00644/FUL). We would advise that the applicant investigates the likely impacts on the proposed residential properties located on the west side of the site.

General

As stated in the outline application (01/00802/OUT) planning conditions will still be required to be attached to consents at the detailed planning stages for each application. This will ensure that an acceptable level of amenity in relation to noise/vibration (operational, entertainment, plant and machinery), hours of operation, odour (cooking) and light pollution can be achieved.

In conclusion we would recommend that a fresh full application is submitted due to the magnitude in change not just within the application site but in the surrounding area. As it stands Environmental Assessment cannot support this application until a satisfactory noise impact assessment has been submit which demonstrates that there will be no impacts on the existing residential amenity.

Flood Prevention comment 14/06/2013

Coastal Protection:

- The outline consent included the approval of measures to strengthen the breakwater in order to take account of loading from the infilled ground. The strengthening has now been carried out. It will be necessary for the applicant to show that the parameters assumed in the design of the strengthening works are still adequate. In particular I*

would refer to the ground levels behind the wall and the sea bed levels at the toe of the wall.

- The development layout is not clear with regard to the proposed work at the eastern end of the north breakwater, where strengthening was not carried out. While the drawings submitted appear to be acceptable in principle, further details will be required in order to demonstrate that the proposals will provide adequate protection to the development and that the structural design of the breakwater is adequate.
- I understand that a legal agreement was drawn up to ensure that the owner of the breakwaters had adequate resources to maintain and repair them if necessary. The developer should be required to submit the agreement, with any amendments, to the Council for approval. Please note that this includes the East breakwater.

Flood Prevention

- The developer must demonstrate that the development meets guidelines for prevention of flooding from tidal, wave action and surface water. If any changes to layout are proposed, a new flood risk assessment and surface water management plan must be submitted, with reference to suitable drawings. This should cover the entire development; it is not acceptable to divide it into units.

Children + Families comment 18/06/2013

This site is located within the catchment areas of:

- Granton Primary School;
- Holy Cross RC Primary School (part has no RC catchment);
- Broughton High School; and
- St Thomas of Aquin's RC High School (part has no RC catchment)

The development site comprises part of the overall Granton Waterfront Masterplan that related to land in the ownership of Forth Ports. Within the overall masterplan areas there are three separate Section 75 Agreements that collectively make provision for 6,396 dwellings. Most of the proposed development comprised of flatted development.

The three Section 75 agreements relating to the Granton Waterfront sought similar levels of educational contributions as set out below;

<i>Primary School Contribution</i>	<i>£978 per dwelling</i>
<i>Secondary School contribution</i>	<i>£388 per dwelling</i>
<i>Total Educational Contribution</i>	<i>£1,366</i>

The secondary school provision has been met by the development of a Craigroyston High School and a new Broughton High School through public private initiative funding (PPP). Future contributions will used to help offset the annual PPP payments. The primary school contribution was to cover land acquisition costs and funding for a new primary school. However, the economic downturn has meant that housing developments have stalled and pupil generation and developer contributions have been too low to justify building a new school.

In terms of number of dwellings, the Fort Ports development site is the largest of the three development area and permission was granted for 3,396 dwelling. This would

have potentially contributed some £3.2 million towards a new primary school whereas under the revised application for some 1,700 dwellings the potential contributions would fall by half (at 2002 prices).

Granton Primary School is currently the catchment school for the area, and the school is facing capacity pressures due to rising birth rates. While it is still envisaged that a new primary school will be required in the longer term to serve the Granton Waterfront area, the low rates of development means that a Waterfront Primary School is more long term.

Developer contributions per dwelling from the revised application will still be sought as currently set out in the Section 75 Agreement. As an interim measure, until the timescale for a new primary school become clearer, primary school educational contributions may alternatively be sought to help provide extra accommodation at the catchment primary school.

On the basis of the above, we have no objection to the proposal.

Transport comments 31/07/2013

Whilst Transport has no objection in principle to the application, there remain a number of issues which appear to be unresolved (see my memorandum of 26 November 2008). These include:

1. Car parking;
2. Taxi parking;
3. Cycle / pedestrian facilities;
4. Disabled infrastructure:
 - a. Suitable parking spaces must be distributed throughout the site at appropriate locations;
 - b. Dropped kerbs, bollards, pedestrian crossing points must all be suitably designed;
5. Road layout:
 - a. Primary access for bus use should be 7.3m minimum (as requested by Lothian Buses);
 - b. Designing Streets requires a Quality Audit and will require more detailed discussion to achieve a suitable design;
6. Traffic orders – a number of traffic and other orders will be required to implement the proposals.

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. Council records show that the majority of Lochinvar Drive is private. The applicant will be required to bring this road up to an adoptable standard.

Economic Development comments 2/08/2013

1. Whilst the overall scale of the retail element is generally in keeping with the earlier consent, it does appear that the proposal is to concentrate the retail offering within the former Len Lothian sheds, surrounded by car parking. In terms of place making, this seems to fall short of what was in the original approval.
2. The concentration of the retail offer within a large retail unit, rather than within smaller diverse outlets is also likely to make Granton more of a shopping destination

which I would have thought would then compete with Morrisons Supermarket at Waterfront Broadway, which by all accounts is suffering from a lack of footfall. This appears to conflict with the notion of creating a local centre which would not compete with existing interests.

3. In terms of creating a sense of community, the development includes about 500 marina berths and other support services. Marinas are difficult propositions in our experience and whilst attractive for the East coast, achieving critical mass and hence creating a viable offering can be a challenge, notwithstanding the desires of the Royal Forth Yacht Club and the Corinthian Yacht Club, both of whom are looking for permanent homes. By comparison, Port Edgar has about 350 members and in excess of 100 berths and its survival has been the subject of some debate.

4. A hotel overlooking a vibrant marina is an attractive thought but not sure the market research is there to support this size of marina. Also, the success or otherwise of the marina will no doubt influence the successful sale of residential units.

5. Final observation is that the development will form part of the gateway to the Edinburgh waterfront. Not sure what is proposed meets the Council's objectives in terms of a high quality urban design.

Location Plan

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