

Development Management Sub Committee

Wednesday 6 November 2013

**Application for Planning Permission 13/02527/FUL
At Craigpark Quarry, 1 Craigpark, Ratho
Material variation to planning permission Ref; 05/01229/FUL
to provide amended housing layout and substitution of
house types and associated works.**

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|---------------|----------------------|
| Item number | 4.1 |
| Report number | |
| Wards | A02 - Pentland Hills |

Links

[Policies and guidance for this application](#)

LPRW, RWE1, RWE2, RWE4, RWE15, RWE18, RWE20, RWE22, RWE26, RWE28, RWE29, RWE30, RWE41, RWE42, RWE45, RWE46, RWE52, RWM5, RWM6, RWH1, RWH2, RWH5, RWH6, RWH7, RWH9, RWTRA1, RWTRA2, RWTRA3, RWTRA4, RWTRA5, NSG, NSDCAH, NSESBB, NSGD02, NSGESS, NSMDV, NSP,

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Executive summary

Application for Planning Permission 13/02527/FUL At Craigpark Quarry, 1 Craigpark, Ratho Material variation to planning permission Ref; 05/01229/FUL to provide amended housing layout and substitution of house types and associated works.

Summary

The proposed use is suitable for this location and the number of units appropriate, to ensure the viability of the scheme, given the financial outlays involved.

The proposed design and layout and plans for landscaping and tree protection are acceptable and will safeguard the site's setting and biodiversity. There are no outstanding concerns in terms of traffic issues or other environmental issues, subject to the use of appropriate conditions. The use of a legal agreement to ensure the implementation of a proposed phasing programme and revised Landscape and Habitat Maintenance Plan will ensure that the approved country park at the adjoining site is fully implemented and the provision of a link across the canal to the Climbing Centre.

The proposed development and the works required under the relevant legal agreement will enhance the character and appearance of the surrounding area, protect local biodiversity and benefit the local community by improving access to parkland recreational facilities.

The proposal is acceptable subject to the use of conditions and the conclusion of a legal agreement.

Recommendations

It is recommended that this application be Granted subject to the details below (in section 3 of the main report).

Financial impact

The application is subject to a legal agreement for developer contributions.

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 meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

Pre-Application Process

A Proposal of Application Notice was submitted and registered on 18 February 2012. Copies of the Notice were issued to:

- Ratho and District Community Council
- All ward councillors
- Gordon MacDonald MSP

4 April 2013 - meeting with Ratho and District Community Council.

12 April 2013 - Community Exhibition was held at Ratho Community Centre.

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

17 April 2013 - A pre- application report on the proposals was presented to the Committee. The Committee noted the issues raised.

Publicity summary of representations and Community Council comments

Two letters of representation were received. These were from a neighbouring resident and Ratho and District Community Council.

The letter from a neighbouring resident raised the following material issues-

- Concerns regarding the requirement for coordinating the building works with restoration works at adjoining quarry site (as per the requirements of previous planning permission for this site).
- Concerns owing to potential loss of privacy and security owing to siting of public footpaths next to housing on site.
- Concerns regarding loss of any more trees on site and the 'unsafe' condition of existing trees.
- Recommend the opportunity is taken to provide traffic lights at the junction of the A71 and Dalmahoy Road to benefit the local community.

The following non material issues were raised:

- Opportunity to install micropower generation to benefit whole community.
- Opportunity to install fibre optic broadband, to benefit whole village.

Ratho and District Community Council raised the following material issues:

- Concerns regarding the loss of the link between the housing development and the country park proposals, approved under the previous planning consent for the quarry site and the risk that the separation of these elements would jeopardise the implementation of the country park scheme.
- Need for the protection of wild orchids on site.
- Loss of green features in the approved housing scheme such as layout designed to attract passive solar gain and use of green roofs.

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

This 9.81 hectare site is part of the disused Craigpark Quarry, at the western edge of the village of Ratho. The site's topography consists of a series of plateaus, with highest ground located towards the south west. The site contains a significant number of trees which formed part of the ancient woodland associated with the former Craigpark House. An existing concrete batching plant is located close to the existing vehicular entrance to the site from Wilkieston Road.

The site is bounded to the north by a strip of trees and shrubbery, next to the Union Canal, which is a scheduled ancient monument and by the Edinburgh International Climbing Arena to the north east. It is bounded to the west and south east by the proposed country park within the former quarry site and to the south by the Wilkieston Road, from which it is separated by a high stone wall. Existing two storey dwelling houses, within Ratho Village border on to the site to the east, land to the south east on the opposite side of Wilkieston Road, is part of the Greenbelt and in agricultural use.

A Site of Importance for Nature Conservation (SINC) runs along the northern edge of the site and to the south east there is an area of Long Established Woodland of Plantation Origin.

1.2 Site History

The site was an active quarry producing hard rock until 1990 when all extraction ceased.

May 2002 - planning application for restoration of redundant quarry and mixed use redevelopment comprising housing, business and commercial uses, with associated engineering works refused (ref; 02/01597/FUL).

14/8/2009 - Planning permission granted for the erection of 117 dwelling houses at the current application site and restoration of the disused quarry to the south west for public amenity purposes (formation of country park) (Ref; 05/01229/FUL). An Environmental Impact Assessment was submitted with this application.

The proposal included 45 town houses 42 four storey apartments, and 30 detached dwelling houses.

This planning permission is subject to a legal agreement, requiring amongst other matters the implementation of a phased restoration programme and landscape management plan. The approved restoration works are currently in progress, with infilling of the quarry site now well underway.

2. Main report

2.1 Description Of The Proposal

It is proposed to materially vary the terms of planning permission ref; 05/01229/FUL for the restoration of the disused Craigpark Quarry, to form a country park and residential development.

The proposed development relates to the residential component of this previous planning permission only. All the previously approved restoration and landscaping works associated with the proposed country park will remain subject to the terms of planning permission ref; 05/01229/FUL. However, the current proposals include revisions to the legal agreement relating to both parts of the site, concluded under the terms of planning permission ref; 05/01229/FUL. The proposed revisions relate mainly to the phasing programme for the proposed development and restoration of the quarry site, as well as the substitution of the previously agreed contribution of £100,000 towards a new bridge link over the Canal, with a proposed footpath connection to the existing, bridge to the northwest of the site.

The proposed development constitutes a change of house types and amendments to the approved housing layout. These changes include alterations to the approved road and footpath layout, and to the approved landscaping scheme. The total number of dwelling units is 111 as opposed to 117 under the consented scheme and includes a mix of 100, two storey detached units and 11, three storey terraced town houses, in place of the previous mix which included a number of flatted and terraced properties, as well as larger detached villas. The town houses are all located at the north western corner of the site. The proposed dwellings are of a conventional design and facing materials include natural tones of render and grey roof tiles.

The overall layout of the proposed development is similar to that previously approved in that it follows the main contours on this sloping site, with development on the steepest area, towards the North West, being located on a series of stepped plateaus. The finalised site levels have been set to facilitate retention of existing trees and to integrate with existing levels and the new finished ground levels of the in filled Quarry basin and to facilitate the bus route and future connection across the canal to the EICA.

A singular vehicular access from Wilkieston Road is proposed to the site at the same position as previously approved. The proposed road layout has been designed to accommodate a bus route, as required under the approved layout. A bus terminus is proposed next to the public footway, towards the north western end of the site, with a further halt close to the site access from Wilkieston Road.

A number of pedestrian routes from the site to the country park to the west are proposed, the most northerly of which also connects with a proposed route to the climbing centre further to the North West, via the existing bridge over the Union Canal. A pedestrian and cycle route is also proposed to the east of the site, linking the development with existing residential area at Hallcroft Park to the east, and to the remainder of Ratho Village.

A total area of 3.82 hectares of open space are provided within the site and included within the proposed landscaping scheme.

Existing tree belts to the south and east of the site, which are remnants of the Ancient Woodland, within the grounds of the former Craigpark House, are to be retained, in accordance with the provisions of the previously approved scheme. These include a belt of mature trees running across the middle section of the site. These trees line a proposed pedestrian path, linking the development with the village of Ratho to the east with the proposed country park to the west. Further areas of tree and shrub planting are proposed around the periphery of the site and between the layers of housing across the site.

The proposed Sustainable Urban Drainage System includes the use of permeable paving and retention ponds, close to the existing body of water in the adjoining country park site.

The phasing of the proposed development is to take place in accordance with a co-ordinated programme which includes the implementation of the approved country park at the adjoining site. The details of this programme are to be agreed under the relevant section 75 agreement.

Previous Scheme

The proposed scheme constitutes an amended scheme (scheme 2). The original scheme (scheme 1) incorporated an additional dwelling house, which was removed to allow sufficient space for the protection of existing trees.

The belt of trees on the south eastern boundary of the of the site was narrower in the original scheme and incorporated within the gardens of adjoining house plots, rather than being part of the communal open space, as in the current scheme.

In the revised scheme a courtyard and link road towards the north west of the site have been narrowed in width, in order to allow more space within rear garden grounds for the re-grading of the slope, and for a reduction in the height of retaining walls. The revised scheme also includes 4 number of split level dwelling houses, to help improve the quality of amenity within rear garden grounds on steeper parts of the site.

The proposed courtyard in front of the townhouses to the north west of the site has been reconfigured in the revised scheme and the parking lay-by now includes disabled parking spaces. The proposed access to the pedestrian and cycle route through the proposed country park has been moved to a more accessible location which is closer to the public road and bus terminus.

The revised scheme also identifies the site for the re-assembling of the remains of the decorative stone gateways at the former walled garden, as required under the terms of the previous planning consent.

Supporting Statements:

The following documents have been submitted in support of this application and are available to view online:

Pre-application Consultation Report - 26 June 2013
Statement of Supporting Information - 28 June 2013
Design and Access Statement - July 2013
Sustainability Statement - 28 June 2013

Planning Statement - June 2013 comprising:
Historic Building Recording (update on 2006 document)
Drainage Strategy
Protected Species Survey

Transport Assessment - May 2013
Ground Investigation Report - May 2013
Public Transport Statement - June 2013
Landscape and Habitat Management Plan - May 2013
Tree Survey - June 2013

Financial Profile - August 2013

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 the proposed development is acceptable at this location;
- b) The design, scale, layout and form of development are satisfactory and appropriate for this location;
- c) The impacts on landscape and nature conservation are acceptable and there would be any detrimental impact on the historic landscape;
- d) The proposals safeguard and enhance the setting of the Union Canal;
- e) The proposals safeguard the amenity of neighbouring residents and provide a satisfactory standard of amenity for future for future occupiers;
- f) The proposals are acceptable in terms of traffic generation, road safety and parking and public transport provision;
- g) There are any other significant environmental impacts.
- h) There are other financial implications;
- i) The proposal constitutes a sustainable development;
- j) The issues raised in the representations are addressed;
- k) The proposal has equalities or human rights impacts.

a) Principle of the Proposed Development

a) The proposal accords with the overall provisions of policy H2 of The Rural West Edinburgh Local Plan in which the Craigpark Quarry site is designated for strategic housing land allocation. The proposal further complies with the principles of Policy M6 which supports the beneficial reuse of Craigpark Quarry, including its partial use for housing, subject to: provision being made for safe access to and appropriate re-use of the quarry void; there being no unacceptable impact on local residents or the Union Canal and; providing the transport implications of the proposal accord with the Council's Local Transport Strategy; the existing trees are protected, where possible and the proposal accords with the overall development plan strategy and other policies.

Whilst the current proposals do not include the previously approved country park, the works to this adjoining site will remain the subject of the previous planning consent. The applicant has proposed a revised phasing programme, to coordinate the implementation of the housing development with various stages of the restoration works and landscaping programme at the adjoining site. The applicant had agreed to sign a new section 75 agreement to ensure that the works are carried out in accordance with this programme. The relevant section 75 agreement would either take the form of a partial revision to the previous agreement or a completely new agreement covering both the current and previous planning consents. The proposals would safeguard the restoration of the quarry void and ensure that a high quality area of amenity and recreational space is available to serve the local community, providing this legal agreement is put in place. The transport and landscape implications of this proposal are addressed in sections c) and f) of this Assessment.

Whilst the principle of developing this site for housing is supported under policy M6, no more than 80 houses is supported, unless it can be demonstrated that a larger number of dwellings is necessary to fund the minimum acceptable restoration of the quarry site. The proposed number of houses at 111 is in excess of the figure specified, but less than the 117 approved under the consented scheme. A financial case was made under the previous planning application for an increase in the number of dwelling at this site to 117, owing to the abnormally high costs of restoring the quarry void, preparing the site for development and the implementation of the proposed country park. The applicant has provided financial information which shows that as with the previous application there is sufficient justification for allowing 111 units to be developed, under the terms of the relevant planning policy.

The case for the proposed number of housing units has been clearly made and the proposal complies with development plan policy in this respect.

b) Design

The proposed layout has been designed in accordance with the principles of the approved scheme, as referred to in the Design and Access Statement. Where possible, existing features which contribute towards the area's character and sense of place have been retained. These features include the existing tree belts and the stone wall on the site's frontage on Wilkieston Road.

The retained tree belts are to be reinforced where possible with new planting, to enhance the site's setting and soften connections with the existing country park to the west. The proposed landscaping has also been used to soften breaks in the slope and to enhance the character of the proposed streets, in accordance with the Edinburgh Design Guidance.

The proposed layout has also been designed to incorporate a number of physical links to the proposed country park to the west, as in the approved scheme. A network of pedestrian and cycle routes are proposed, allowing permeability through the site to the proposed country park to the west, in accordance with the provisions of the consented scheme. A link is also proposed to the existing village and school to the east of the site, as included in the previous scheme.

The requirement for incorporating a bus route through the site, as previously approved, has necessitated the widening of the main site access road to 7 metres, in order to conform to current standards. However, the opportunity has been taken to narrow the carriageway on this route where possible, to lessen the visual impact and slow traffic down. The secondary streets have been designed to promote pedestrian and cycle activity and create a more intimate character, in accordance with relevant guidance.

The proposed development is less varied in terms of the pattern of development, with the vast majority of dwellings comprising detached two storey buildings, as opposed to the approved mix of detached, terraced and flatted properties. The proposed dwellings are more conventional in style than the designs included in the previously approved scheme, although they do include the use of 4 split level dwellings on the steepest parts of the site. The proposed use of strong landscaped belts, together with the siting and orientation of the proposed housing, to reflect the site's topography, allows the scheme to harmonise in a suitable manner with the surrounding landscape. The proposed materials, which include the use of natural shades of render and grey roof tiles, are considered suitable in principle for this location. The detailed specifications may be agreed through the use of an appropriate planning condition.

The design, scale and massing and orientation of the proposed development, and the integrated landscaping scheme, allow the development to harmonise with the surrounding countryside and village setting, thereby making a positive contribution to the area's character.

c) Landscape and Nature Conservation

The Union Canal SINC is of importance as it supports a continuous wildlife corridor which is represented by semi natural woodland on the Craigpark site. The applicant states that plans will be put in place to manage the species and habitats through the development and post development stages.

An ecological survey was undertaken in May 2013 to update the results of the surveys carried out under the previous planning application for this site. The Protected Species Survey, found no evidence of protected species on site. The revised scheme indicates that the ponds to the northwest will be retained and therefore their habitat would not be compromised. There is therefore no reason to require further protection measures in this respect. However, these survey findings recommended that certain measures are carried out to ensure the safeguarding of protected species in the proximity of the site. These measures may be required through the implementation of the submitted Landscape and Habitat Management Plan. It is noted that the Common Spotted Orchid *Dactylorhiza Maculate* has been identified on site. Whilst this variety is not rare or subject to specific protection, the measures stated in the Landscape and Habitat Management Plan for the re-use of surface material, which is rich in orchid and other wild flower seed will allow for the potential retention of this species.

The finalised plans include measures for the protection of existing trees on site, to ensure that the contribution they make to the areas character and amenity is maintained. The Landscape and Habitat Management Plan is the most appropriate means of ensuring that the proposed landscaping scheme at both this site and the adjoining country park is implemented and maintained in a co-ordinated manner. Amendments to the submitted LHMP are required to ensure that full details of the planting and maintenance schedule for both the current site and that of the country park are agreed as part of a coordinated programme. The implementation of this plan will be secured through the relevant legal agreement.

The former octagonal walled garden is located towards the eastern boundary of the proposed housing site. Constructed as part of the Craigpark Estate in the 1850's, both the house and garden were in a poor state of repair at the time the previous planning application was determined. Half the garden walls have now been demolished, with the remainder still in their previous condition. The loss of this garden was approved under the previous planning consent. However, the scheme was conditioned to require the retention and re use of the stonework on the former decorative archways to this garden, within the proposed landscaping scheme. Locations within the site have been identified on the landscape plan for the siting of this stonework. The detailed design for the re-assembling of these features would be secured through the use of an appropriate planning condition. Historic Scotland and Scottish Natural Heritage have made no specific comments on this aspect of the application.

The applicants commissioned a report from archaeological consultants concerning the remains of the former walled garden, under the terms of the previous planning consent. The report recommended that a full survey should be undertaken for the archaeological record. Only part of these works has been completed to date. The requirement to complete the outstanding aspects of this survey work may be secured through the use of an appropriate planning condition.

The existing stone wall to the estate on the frontage of Wilkieston Road is to be retained, thereby safeguarding this element of the site's historic character and contribution to the area's amenity. The proposal is to re-use remaining elements of the walled garden within the proposed development, such as way finders along pathways and land art. The City Archaeologist recommends that a detailed survey and assessment is carried out, and that elements of the structures are identified and re-used at the locations identified on the amended site layout plans. Conditions are therefore recommended to allow for the surveying of the remaining structures, and to detail how the salvaged remnants will be re-used.

There is no evidence of the tunnels referred to in the Community Council's response on the submitted historic plans for the site nor did such remnants show in the desktop study or on site survey to indicate their presence. Furthermore, the site investigation carried out and submitted as part of the application found no evidence of underground tunnels in the relevant area.

In terms of the effects on the landscape and nature conservation aspects at the site, the proposal would be acceptable, and methods would be in place to survey, protect and enhance species at the site.

d) Setting of Union Canal

The application site is separated from the Union Canal by a landscaped area which forms part of the proposed country park, approved as part of the quarry restoration proposals under the 2005 planning application. A further belt of landscaping is proposed within the current application site, along this boundary. The proposed landscaping scheme would mitigate the visual impact of the proposed housing development on the canal, whilst the landscaping works would enhance its setting. The proposed development would not adversely affect the character or setting of the monument. Historic Scotland has no objections to this aspect of the proposed development.

e) Residential Amenity

The layout has been designed to ensure that good standards of privacy are maintained at all house plots. Boundary treatments at rear gardens are a minimum of 1.8 metres in height, including those which back on to public footpaths and cycle routes. Footpaths to the rear of gardens have also been set back from plot boundaries to minimise the risk of disturbance or loss of security to neighbouring residents.

The proposed development would not result in any loss of daylight, sunlight or privacy to neighbouring residential properties which are located a minimum of 40 metres away.

The layout includes good sized rear garden grounds, which are in keeping with the area's character. Some rear gardens would be partially overshadowed by mature trees close to their boundaries. However, the layout has been partially amended to ensure that such overshadowing is reduced to an acceptable level. Some re-grading of the slope has also been required at the steepest parts of the site, to ensure that daylight and sunlight provision to the rear of properties is not unduly compromised by the presence of retaining features. The level of daylight and sunlight provision to all properties in the finalised scheme complies with relevant guidance.

The area of communal open space at approximately 3.48 hectares is slightly more than under the approved scheme and provides a good level of amenity ground for future occupiers. The provision of several linkages to the proposed country park to the west further enhances the standard of amenity for future occupiers, as well for neighbouring residents.

f) Transport

The proposed vehicular, cycle and pedestrian access facilities have been designed in accordance with relevant standards and are acceptable.

The findings of the traffic study are that the development would not result in any significant increase in traffic generation at neighbouring road junctions including the A71 junction with Dalmahoy Road. However, the applicant has agreed to provide contributions towards improvements at this junction through the relevant Section 75 agreement. They have also agreed to provide contributions through the relevant section 75 agreement towards safer routes to schools, public transport infrastructure and speed limit signage, as agreed under the previous consent.

The proposed inclusion of a bus route through the site and a terminus towards the north west of the site, will allow a connection to be made with the existing bus service to the village and onwards towards the city centre, via other connecting services, including future tram routes. This service would not only enhance the existing village bus service, by improving access to the neighbouring climbing centre, but would also lessen dependence on the use of private vehicles, for occupiers of the future scheme. The re-routing of traffic during construction works, to minimise disruption on local roads, would be controlled under the relevant construction consent.

The proposed layout includes a potential link to the Climbing Centre to the north west, either by a proposed new footbridge over the Union Canal (to be provided by another party) or via a proposed new pedestrian and cycle access route through the new country park. The proposed entrance to this route is located close to the proposed bus terminus. The developer has agreed to provide a contribution of approximately £100,000, as agreed under the previous planning permission, towards the provision of this connection, via either of the alternative routes. It is noted that the provision of a new footbridge would require a new planning application and the provision of substantial funding from other sources.

The proposals are acceptable in terms of parking, access and public transport provision.

g) Other Environmental Issues

Blasting has ceased at the adjoining part of the redundant quarry site, where the proposed country park is located. Environmental Assessment has raised some concerns about the potential impact on neighbouring amenity caused by rock blasting within the housing site. The areas to be blasted are minimal and are centred on the central stepped plateau.

The use of conditions is therefore recommended to ensure that blasting operations on site are controlled and monitored on site in order to prevent any significant disturbance to neighbouring residents. It is also recommended that the phasing programme includes provisions to ensure that all required blasting is complete before any of the proposed residential properties are occupied.

Whilst previous ground investigations have been carried out, it is recommended that, any reports and relevant survey work submitted in relation to the previous planning application are updated. It is further proposed that any remedial measures identified are carried out prior to the occupation of the proposed dwelling houses. These measures will be required through the use of appropriate planning conditions.

The proposed sustainable urban drainage system is acceptable in principle. The proposals for drainage include provision to discharge surface water to the canal basin and Scottish Canals has confirmed that they are in discussion with the applicant concerning this proposal. The finalised drainage plan demonstrates to a satisfactory extent that the proposal would not increase the risk of flooding in the area.

There have been no concerns raised to this application by Edinburgh Airport.

In conclusion, the environmental impacts are acceptable, subject to the use of conditions as referred to above.

h) Other Financial Considerations

A contribution was required towards additional school places at Balerno High School under the consented scheme for this site. However, since then it has been determined that the school has sufficient capacity to accommodate the additional school places generated by this development and a contribution will no longer be necessary. The existing primary schools have sufficient capacity also and no requirement is therefore sought towards educational provision.

An exception was made to the requirement for affordable housing under the consented scheme for this site, owing to the exceptional costs of site restoration and implementing the adjoining country park. The developer has presented a summary of their construction and site preparation costs for inspection on an Open Book and confidential basis. These figures, which have been examined by Planning, Strategy & Investment, clearly demonstrate that the constraints which led to the decision to allow an exception to this obligation previously, remain applicable. An exception relating to the obligation for affordable housing provision is therefore considered justifiable; as such an obligation would materially affect the viability of the development, and render it non-viable.

No contributions are therefore required towards either affordable housing or educational provision for the reasons stated above.

i) Sustainability Impact

The applicant has submitted a sustainability statement in support of the application.

| Essential Criteria | Available | Achieved |
|---------------------------------|-----------|----------|
| Section 1: Energy Needs | 20 | 20 |
| Section 2: Water conservation | 10 | 10 |
| Section 3: Surface water runoff | 10 | 10 |
| Section 4: Recycling | 10 | 10 |
| Section 5: Materials | 30 | 30 |
| Total points | 80 | 80 |

The proposal complies with the requirements of Part B of the Edinburgh Standards for Sustainable Buildings.

j) Public Comments

Material representations

- Concerns regarding the coordination of this development with works to provide a country park at the adjoining site, as required under the terms of the previous planning consent - this has been addressed in section 2.3a;
- Concerns regarding loss of privacy, security and potential light pollution owing to positioning of footpaths to rear of existing dwelling houses - this has been addressed in section 2.3e;
- Concerns regarding loss of more trees on site - this has been addressed in section 2.3d;
- Requirement for traffic lights at Dalmahoy junction - this has been addressed in section 2.3f.

Non material representations

- Renewable micro powered power generation should be provided on site - whilst this may be considered desirable feature, it is not a mandatory requirement.

Community Council Comments

The Ratho and District Community Council has raised the following issues:

Material representations

- Concerns that this application which relates solely to the residential component of the approved scheme for the restoration of the quarry site will jeopardise the provision of the country park element - this has been addressed in section 2.3a;
- Lack of justification for non provision of affordable housing contribution - this has been addressed in section 2.3h;
- Requirement to protect of wild orchids on site - this has been addressed in section 2.3c;
- Consider further clarification required on whether historic tunnels are present on site - this has addressed in section 2.3c;
- Requirement for construction traffic to be re-routed via Newbridge roundabout, as per terms of previous planning permission - this has been addressed in section 2.3 f.

k) The proposal has equalities or human rights impacts.

An equalities and Human Rights Assessment has been carried out on this application. No significant concerns have been raised.

CONCLUSION

The proposed use is suitable for this location and the number of units appropriate, to ensure the viability of the scheme, given the financial outlays involved.

The proposed design and layout and plans for landscaping and tree protection are acceptable and will safeguard the sites setting and biodiversity. There are no outstanding concerns in terms of traffic issues or other environmental issues, subject to the use of appropriate conditions. The use of a legal agreement to ensure the implementation of a proposed phasing programme and revised Landscape and Habitat Management Plan will ensure that the approved country park at the adjoining site is fully implemented and the provision of a link across the canal to the Climbing Centre.

The proposed development and the works required under the relevant legal agreement will enhance the character and appearance of the surrounding area, protect local biodiversity and benefit the local community by improving access to parkland recreational facilities.

The recommendation is acceptable, subject to the use of conditions requiring an archaeological works and a scheme for the re-assembling of former stone gateways, full SUDS details, a survey of ground conditions, a schedule of all external materials, the control of blasting during construction works, details of the proposed bus shelter, and proposed landscaping and tree protection measures as well, as the conclusion of a legal agreement, relating to phasing and maintenance of the proposed development scheme and the contributions required towards transport and traffic projects, as referred to above.

3. Recommendations

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

3.2 Conditions/reasons

1. 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 Planning Authority, having first been agreed by the City Archaeologist.

2. 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, 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 Planning Authority.

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 for the approval of the Planning Authority.

3. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

4. No dwelling house hereby approved shall be occupied until all blasting has ceased on site, unless otherwise agreed in writing with the Planning Authority.

5. Blasting during site preparation works shall only take place only between the hours of 10am to 4pm, Monday to Saturday only.

6. Ground vibration from blasting on site during site preparation works shall not exceed a peak particle velocity (PPV) of 2.5mm/s in any plan in 95% of all blasts, as measured outside the most sensitive location. The developer shall monitor every blast at the most appropriate monitoring position. The results of the monitoring shall be kept on the site and available for inspection by the Planning Authority.

7. Full drawings and specifications relating to the construction of the proposed bus shelter at the location indicated on the approved Site Location Plan (drawing no AS01 (rev.E) shall be submitted to and approved by the Planning Authority prior to the commencement of development on site.

8. Prior to the commencement of development detailed drawings and specifications shall be submitted and approved by the Planning Authority relating to the re-assembling of the decorative stone gateways belonging to the former walled garden at this site, at the location indicated on the approved boundary treatment plan (Ref ;AS 03-c) and these features shall be re- assembled as part of the finalised landscaping scheme.

9. Prior to the commencement of development, a scheme showing full working details of a suitable and practical method of treatment of surface water and attenuation of flow from the site shall be submitted to and approved in writing by the Head of Planning and Strategy. This scheme shall be in accordance with best practice Sustainable Urban Drainage (SUDS) /Sustainable Drainage principles and the Council's Flood Guideline Summary and shall be of no threat to airport safety.

10. The works to trees, as set out in the approved Tree Schedule dated June 2013, shall be carried out in accordance with BS 3998:2010, 'Tree Work Recommendations'. No other works to trees within the application site shall be carried out without the prior consent in writing from the Planning Authority.

11. The measures to protect existing trees on site will be implemented in accordance with the approved Tree Protection Plan (ref; drawing no. 009/TPP/002) and shall be implemented prior to the commencement of development on site and maintained, in accordance with the specifications for the duration of the construction period. All works adjacent to, or affecting the root protection area shall be carried out in accordance with the Arboricultural Statement Method Statement, dated October 2013. No materials, equipment or building shall be stored or located within the designated construction exclusion zone, nor shall any trenches be taken through this zone.

12. Development shall not proceed until a detailed scheme of arboricultural supervision has been approved in writing by the planning authority, confirming the qualified arboriculturalist appointed to oversee the implementation of all arboricultural works, including tree protection measures.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. In order to safeguard the amenity of occupiers on site.
5. In order to safeguard the amenity of neighbouring occupiers.
6. In order to safeguard the amenity of neighbouring occupiers.
7. In order to ensure that the proposed details are suitable.
8. In order to safeguard the site's historic character.
9. In order to safeguard against flood risk.

10. In order to safeguard existing trees and to safeguard the area's amenity.
11. In order to safeguard existing trees and to safeguard the area's amenity.
12. In order to safeguard protected trees.

Informatives

It should be noted that:

1. The works 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. 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.

5. Prior to the issue of consent an agreement under Section 75 of the Town and Country Planning (Scotland) Act will be concluded between the applicant and the Council to secure :

a) That no work shall begin on the housing site (other than infrastructure works for the housing) until 60% of the work to provide the park is complete and that the park is 100% complete by June 2018 or other date to be agreed by the parties.

The agreement shall secure full public access to the park and to the pedestrian system within the housing development during daylight hours.

The agreement shall require the whole park to be kept in one ownership subject to the same provisions as the existing S75 agreement.

An obligation shall be made on the developer to ensure the maintenance of the park in perpetuity.

A bond is to be provided by an agreed Bank or Insurance Institution in respect of which the Council could draw down funds in the event of failure by the applicants to implement or delay in implementing their maintenance obligations. This shall comprise a financial contribution secured by means of a bond for the sum of £240,000.00 for maintenance of the park for a period of 12 years.

There shall be no maintenance obligations with regard to the park on the occupiers of the housing development.

b) The agreement shall require the submission and approval of a finalised Landscape and Habitat Management Plan which shall comply with BAA requirements for bird management and include a bird hazard management plan. It shall include tree retention details, planting proposals, habitat creation and protected species measures, as well as a schedule relating to the phased implementation and the maintenance of all landscape works. The LHMP shall be implemented and reviewed on a regular agreed basis by a specified Ecological Clerk of Works. The findings of the review shall be implemented as agreed.

c) A contribution of the sum of £100,000 towards the provision of a new footbridge/cycleway over the Union canal to link the new development with the National Climbing Centre. This sum will revert back to the applicant should the bridge not be secured from 10 years on commencement of house building (with the exception of the housing infrastructure works).

d) The provision of a new footpath/cycle route across the proposed country park, linking the approved development to the existing bridge over the Union Canal and National Climbing Centre.

e) The erection of a vehicle activated sign on the north side of the Wilkieston Road and within the extended 30mph limit.

f) The contribution of the sum of £10,000 to the Council's Safer Routes to School Programme.

g) The contribution of the sum of £30,000 for improvements to the Public Transport Infrastructure.

h) The contribution of £40,000 for improvements to the A71/Dalmahoy junction.

i) The applicant to make an application at no cost to the Council to extend the speed limit on Wilkieston Road to the limit of the development site. This will include the erection of 3-2-1 countdown signs.

Statutory Development**Plan Provision**

The site is designated as a Strategic Housing Proposal in the Rural West Edinburgh Local Plan with an estimated capacity of 80 dwelling houses.

Date registered

3 July 2013

Drawing numbers/Scheme

01a,02b,03-35,36a,37a,38a,39a,40,41a-43a,44b,45a,46a,47-53,

Scheme 2

David R. Leslie

Acting Head of Planning and Building Standards

Links - Policies

Relevant Policies:

Relevant policies of the Rural West Edinburgh Local Plan.

Policy E1 seeks to prevent development which would be inconsistent with local plan objectives for sustainable development.

Policy E2 states that development proposals affecting Air Quality Management Areas (AQMA's) should not impede the achievement of National Air Quality Objectives.

Policy E4 states that development proposals should fully take into account the likely effects on the environment and include measures to mitigate any adverse effects.

Policy E15 seeks to ensure the survival and retention of healthy mature trees as part of development proposals. Where the loss of woodland, trees or hedgerows is unavoidable, the developer will be required to undertake equivalent replacement planting.

Policy E18 protects identified sites of local nature conservation interest. Development within or affecting Sites of Interest for Nature Conservation will not be permitted unless there are appropriate mitigation measures to enhance or safeguard the nature conservation interest of the site.

Policy E20 says that outwith the area identified in policies E17 and E18, the Council will seek to maintain and improve the nature conservation and biodiversity value of the countryside when considering development proposals.

Policy E22 says that development proposals which have the potential to harm a protected plant or animal species or its habitat will not be permitted unless the protection of species can be secured through the appropriate design and construction methods.

Policy E26 aims to protect and, where appropriate, improve existing rights of way and will seek to create a network of linked walkways/cycle/horse riding routes throughout the local plan area.

Policy E28 supports the protection and enhancement of the Union Canal through a number of measures

Policy E29 states that development will not be permitted which fails to ensure the protection, preservation and enhancement of a scheduled ancient monument and its setting

Policy E30 says that any planning application affecting a site of archaeological significance will require an archaeological field evaluation to be undertaken in consultation with the Council's Archaeologist

Policy E41 encourages high standards of design for all development and its careful integration with its surroundings in terms of scale, form, siting, alignment and materials. New development should improve energy efficiency and reduce noise pollution.

Policy E42 requires new buildings to make a positive contribution to the overall quality of the environment and the street scene, making provision for high quality landscaping and, where appropriate, new open spaces.

Policy E45 says that as a general principle all new residential and business development should be designed to avoid or manage any threat to susceptible properties from a 200 year flood

Policy E46 states that planning applications should demonstrate that proposals will not result in a significant increase in surface water run-off relative to the capacity of the receiving water course in flood risk areas.

Policy E52 encourages proposals to improve the quantity and quality of open space provision. Where appropriate, the Council will work with the relevant landowner and interested parties to secure the implementation of Proposals (ENV1 - 7).

Policy M5 requires the imposition of appropriate conditions to secure a satisfactory programme for the phased restoration, after case and beneficial after-use of the site where permission is granted for mineral extraction.

Policy M6 says that the Council will support proposals for the beneficial reuse of Craigpark Quarry subject to the four criteria listed

Policy H1 says that new development will be supported on sites which already have planning consent and those which were previously identified in the 1999 Finalised Local Plan.

Policy H2 says that housing development will be supported on sites HSP1 to HSP8

Policy H5 states that all new housing should harmonise with and reflect the character of its surroundings and should adhere to the criteria set out in the policy.

Policy H6 says that development which would significantly damage residential amenity will not be permitted in residential areas within the defined settlement boundary.

Policy H7 states that planning permission for residential development, including conversions, consisting of 12 or more units, should include provision for affordable housing amounting to 25% of the total number of units proposed.

Policy H9 says that the Council will encourage and promote developments designed to increase the range and type of housing available within the local plan area.

Policy TRA1 says that development with the potential to generate significant levels of personal travel should be located on sites which minimise the need to travel and are easily accessible by foot, cycle or public transport

Policy TRA2 states that proposals will not be permitted where it would have an unacceptable impact on the existing road network; public transport operations; air quality; road safety, residential amenity and walking and cycling

Policy TRA3 says that a transport assessment will normally be required for significant development proposals

Policy TRA4 says that development proposals should make specific provision for the needs of cyclists and pedestrians and provide convenient and safe access to existing or proposed networks where practicable

Policy TRA5 says that the Council will support traffic management measures which seek to create a safe and attractive environment, particularly in towns and village centres and residential areas

Relevant Non-Statutory Guidelines

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.

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

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 'The Edinburgh Standards for Streets' sets out principles and guidance whose aim is to achieve a coherent and enhanced public realm.

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

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

Appendix 1

Consultations

Archaeology

The following comments and recommendations are made in respect to this application for material variation to planning permission 05/01229/FUL to provide amended housing layout and substitution of house types and associated works.

Given the archaeological significance of the site a programme of archaeological works were agreed in relation to the 2005 application, though only part of these works have been undertaken to date by AOC (2006 walled garden HBR & 2007 Evaluation). 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 Rural West Edinburgh Local Plan Policy E30. 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.

Buried Archaeology

As stated the full scope of the agreed programme of archaeological works have yet undertaken, principally the excavation of both the site for the former Craigpark House and Craigpark House Steading and a watching brief during ground breaking works.

Walled Garden Gateways

As stated it is also an archaeological requirement that the former decorative stone gateways of the former listed Walled garden be re-assembled on site as part of the overall landscaping/archaeological works. Accordingly it is essential that detailed plans are submitted describing where these gateways are to be located within the overall landscape of the new development and along with a conservation statement describing how they will be reassembled

It is therefore essential that the agreed scope of works for this development site is completed and that the following updated condition is attached to this consent to ensure its undertaking.

'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, 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.

Archaeology, Response 3/9/13

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Walled Garden Gateways

As stated it is also an archaeological requirement that the former decorative stone gateways of the former listed Walled garden be re-assembled on site as part of the overall landscaping/archaeological works.

Following receipt of revised plans from Yeoman McAllister Architects on the 30th August I'm happy to confirm acceptance of the proposed new location plan for these monuments within the overall landscaping design. This addresses one of my requirements as stated in my memo of the 12th July 2013. However a detailed conservation statement describing how they will be reassembled will be require to be submitted prior to their reconstruction as part of the overall archaeological mitigation strategy for the site.

It is therefore essential that the agreed scope of works for this development site is completed and that the following updated condition is attached to this consent to ensure its undertaking.

'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, conservation, 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.

Scottish Environmental Protection Agency

No objection to this planning application. Please note the comments and advice provided below:

At page 4, the planning statement accompanying this application for a material variation to Planning Permission Ref 05/01229/Ful refers to three main issues of interest to SEPA: Condition 4 Waste Management Strategy; Condition 5 Drainage & Sustainable Urban Drainage Systems (SUDS); and, Condition 20 in relation to a Waste Licence Exemption.

Advice for the planning authority

1. Condition 4, Waste Management Strategy.

1.1 From the planning statement, it appears that this condition has been signed off by the City of Edinburgh Council. If this is the case, SEPA has no further comments on this issue.

2. Condition 5, Drainage & SUDS (and Drainage Strategy and Pre-Application Statement 7.11)

2.1 The Planning Statement and Drainage Strategy identify that CIRIA guidance is being followed. Surface water drainage to the canal is via SUDS. If this drainage strategy and SUDS strategy are implemented, SEPA has no further comments.

3. Condition 20, Waste Licence Exemption

3.1 There is an ongoing Paragraph 19 WML exemption in place (WMX/E/30588) in relation to import of 320,898 tonnes of waste inert infill to restore the quarry to a 1 in 3.5 slope as part of the formation of a country park. The site is inspected by SEPA, and the wastes being imported are of acceptable quality to meet the terms of the exemption. The current exemption does not relate to any infill of materials in the part of the site that is allocated for housing, but only to the proposed country park area.

Children and Families, Education

These comments are based on a development of 112 houses.

The proposed development site is located within the catchment areas of:

- Ratho Primary School*
- Fox Covert RC Primary School;*
- Balerno Community High School; and*
- St Augustine's RC High School.*

Ratho Primary School has a capacity of 210 and a roll in 2012/13 of 119. Taking account of rising primary school rolls and current development within the village, it is considered that there is capacity to accommodate the proposed development.

In respect of the earlier application (05/01229/FUL) it was advised that a developer contribution was required to address capacity issues at Balerno High School. The roll has since fallen and it is expected to remain flat for the next several years. Accordingly, this developer contribution is no longer sought at the current time.

With regard to RC provision, where there are capacity issues, in the first instance management controls will be applied to give priority to baptised Roman Catholics.

In summary there are no objections to the proposal.

Services for Communities, Affordable Housing

Services for Communities has developed 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 particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.

This is consistent with Policy Hou 7 Affordable Housing in the Finalised Edinburgh City Local Plan (ECLP).

In this case, there is an extant consent which contains a zero affordable housing requirement, on the justification that (at the time of the previous consent) there were significant site preparation costs which meant that developer contributions, and specifically affordable housing, were not viable for an RSL or the developer to deliver. The two key exceptional costs were the preparation work required to turn the quarry site into a developable construction site, and the provision of extensive parkland.

The fact that there is an existing consent with zero AHP is never treated as a reason to automatically justify a similar outcome with a new application for planning permission. The onus was put on the developer to provide their construction and site preparation costs, and to present these for inspection on an Open Book and confidential basis.

The developer provided these costs, which were inspected by colleagues in Planning, Strategy & Investment and Estates. These figures were accepted as being reasonable and they clearly evidenced that the circumstances which led to the zero AHP decision last time round (the site preparation costs in the quarry and the parkland provision) have not changed for the better, and still exist today. This is an unusual case and it has been evidenced that an insistence on affordable housing provision would materially affect the viability of the development, and render it non-viable.

Therefore, the department can report that following a renewed and updated Open Book assessment of the site preparation and construction costs (in particular those relating to the preparation of the quarry for development and the provision of parkland) the department accepts the rationale for the continuation of a zero AHP requirement on this particular site.

Services for Communities, Environmental Assessment

Environmental Assessment has previously commented on the 05/01229/FUL application for this site. The application proposal and surrounding environment has changed since this application was consented. The main changes relate to the surrounding environment for example the quarrying has stopped and a country park is being developed on the neighbouring land to the west of this application site. SEPA have confirmed that quarrying has stopped but advised that blasting may be required for site preparations.

Environmental Assessment has no objections in principle to this development but does have concerns about the large amount of rock blasting and earth moving work which may be required to prepare the site for development.

As this work will take place in close proximity to an existing residential development it is important that both working hours and levels of vibration are controlled and monitored in order to prevent serious disruption and disturbance to neighbouring residents. The developer should also phase work to ensure that all required blasting is complete before any of the proposed residential properties are occupied.

For these reasons, Environmental Assessment recommends ground vibration from blasting does not exceed a PPV of 2.5mm/s for 95% of blasts, and that the blasting be restricted to between the following times: Monday to Saturday between the hours of 10am to 4pm. It is further recommended that the developer monitors each blast to ensure these levels are being complied with.

Due to the historic land use contaminated land will need to be further investigated, any previous reports relating to the 05/01229/FUL application must be updated.

Therefore, should the application be granted, this department recommends the following conditions:

Site Preparation Works

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

a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development;

b) 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.

2. Blasting shall only take place between the hours of 10am to 4pm, Monday to Saturday.

3. Ground vibration from blasting shall not exceed a peak particle velocity (PPV) of 2.5mm/s in any plan in 95% of all blasts, as measured outside the most sensitive location.

4. The developer shall monitor every blast at the most appropriate monitoring position. The results of the monitoring shall be kept on the site and available for inspection by the Planning Authority.

Edinburgh Airport Limited

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal.

Scottish Canals

Scottish Canals has confirmed that a meeting has taken place with Cala to discuss this proposal. It is understood that the planning gain has been fixed for the site in terms of canal improvements and the authority is working with Cala to determine how the path network can best be improved accordingly. If there is any possibility of further gain from the application this could be put to good effect in improving accessibility to the surroundings/ village, lighting, etc.

The canals authority is facilitating a study on alleviating surface water discharge by using the canal as a resource. This is a strategy that is supported at high level within the City Council. The study is at a feasibility stage and is being worked on alongside the applicant.

Generally speaking, Scottish Canals is supportive of the strong landscape strategy that binds the proposals together, and ameliorates the visual impact of the proposed housing. Bringing a mix of good quality family homes to the locality, it is viewed positively and will help support the wider village in the longer term. The tie in with the country park that is under construction is also particularly strong.

Scottish Natural Heritage

This proposal is for a material variation to the consented application for this site. It relates to the housing development part of the site; the proposed country park does not form part of this application. It is noted that a new EIA is not required but that the applicant has updated relevant sections from the original EIA.

Appraisal

SNH has minor comments to make with regards this application. The species surveys have been updated within the Statement of Supporting Information and have found no evidence of protected species on site, and therefore there are no licence requirements. However, it concludes that there is potential for protected species to be on the site in future. The Recommendations section (including Mitigation) is thorough, containing good practice guidance which would address any future risk. It is recommended that this section is taken forward to avoid any future impacts and/or offences occurring. However, it is for the planning authority to determine, within the context of its own policies, whether conditions are necessary to secure these recommendations.

Historic Scotland

Historic Scotland has considered this application and has no comments to make on the proposals. It confirms that the Council should proceed to determine the application.

Ratho and District Community Council

The Community Council expects that when determining this application the City Development Department will as is normal with a major application consider aspects such as:

- Infrastructure (including traffic and services),*
- Education provision*

- Sustainability,
- landscaping,
- Public transport, which is already a major issue for residents
- The environment
- Archaeology, etc

The Community Council would ask that:

- in the event of a consent being issued, construction traffic be directed to the site via Newbridge roundabout, Cliftonhall road and Wilkieston Road only
- further investigation by ground radar of the claim for the existence of tunnels be conditioned
- the attention of Scottish National Heritage is drawn specifically to the claim that wild orchids exist on site and their comments taken in to consideration

A planning application for housing and Country Park on a larger site (05/01229/FUL) was granted consent in 2006. Although presented as merely a variation in house types compared to the original application, this application is actually much more in that it appears effectively to de-couple the Country Park element from the Housing development

The Country Park

Reflecting the views of respondents to the applicant's public consultation, the Community Council's main concern is with the adjacent, developing Country Park which is not included in this application.

Given that ownership is not a material planning consideration we are at a loss to understand why this aspect of the original consented application is omitted. To be candid, the Community Council remain suspicious of the motives for de-coupling the housing development from the Country Park. Our fear is that houses will be built but the Country Park will remain a pipe-dream.

Our attitude is coloured by the treatment of the original consented application (05/01229/FUL), which was granted consent although contrary to the Local Plan because of:

- The amenity provided by the proposed country park
- The high quality of the housing design
- The inclusion of many sustainable elements such as, for example,
- Greened roofs
- The use of locally available renewable building materials
- Passive solar gain and reduced energy consumption
- Underground parking to reduce hard surfacing at ground level

We do not feel that in its current format that the new application is an improvement in many of these respects.

In the consented application, the amount of housing allowed and how it was phased was restricted:

- The housing element was seen first and foremost as providing funding for the restoration of the quarry and its transformation into a Country Park.

- The majority of the park area was to be completed before a certain number of houses could be constructed. 60% of the Country Park works were to be completed before works to the housing could even commence and no more than 10% of the houses should be constructed until the park is complete. I.e. work was allowed to commence in respect of 12 houses only.

Even with all these restrictions, the number of houses consented was in excess of the number proposed (80) in the Rural West Edinburgh Local Plan inquiry report. We note that this number is still exceeded in this latest application.

The inclusion of the Country Park was a major factor in such support as the Community Council gave to the original proposal. Without the Country Park, this proposal fails to deliver many of the community and infrastructure improvements that residents of Ratho are expecting and that the Community Council consider are necessary to support this proposal.

Affordable Housing

In the existing consented application omission of an affordable housing element was supported by City Development Department because of the high cost of restoring the quarry and turning it into a country park. We can see no obvious reason why this should be the case with this application. We are not experts but it would seem to us that the new house types will be much less expensive to construct. In the Community Council's view the omission of affordable housing requires re-justification.

The Community Council is of the view that any consent you may grant in respect of this application cannot contain conditions related to anything outwith the application site; this serves to reinforce our concerns for the future of the Country Park.

Summary

In summary, the Community Council would require further assurance regarding the points raised in this consultation response before it could actively support this application and would expect to find this assurance in any report to the Development Management sub-Committee which recommends that consent be granted. In the absence of such assurance, the Community Council would object to the application as proposed. Without the Country Park the Community Council does not see this development delivering very much to the community, other than more residents.

Scottish Water

In terms of planning consent, Scottish Water does not object to this planning application. However, please note that any planning approval granted by the Local Authority does not guarantee a connection to our infrastructure. Approval for connection can only be given by Scottish Water when the appropriate application and technical details have been received.

Due to the size of this proposed development it is necessary for Scottish Water to assess the impact this new demand will have on our existing infrastructure. With Any development of 10 or more housing units, or equivalent, there is a requirement to submit a fully completed Development Impact Assessment form. Development Impact Assessment forms can be found at www.scottishwater.co.uk.

Marchbank Water Treatment Works may have capacity to service this proposed development.

The water network that serves the proposed development is potentially able to supply the new demand.

Newbridge Water Treatment Works – has limited capacity available for new demand.

The Developer should discuss their development directly with Scottish Water.

In some circumstances it may be necessary for the Developer to fund works on existing infrastructure to enable their development to connect. Should we become aware of any issues such as flooding, low pressure, etc the Developer will be required to fund works to mitigate the effect of the development on existing customers. Scottish Water can make a contribution to these costs through Reasonable Cost funding rules.

Scottish Water is funded to provide capacity at Water and Waste water Treatment Works for domestic demand.

Funding will be allocated to carry out work at treatment works to provide growth in line with the Local Authority priorities. Developers should discuss delivery timescales directly with us.

Developers should discuss delivery timescales directly with us.

If this development requires the existing network to be upgraded, to enable connection, the developer will generally meet these costs in advance. Scottish Water can make a contribution to these costs through Reasonable Cost funding rules. Costs can be reimbursed by us through Reasonable Cost funding rules

A totally separate drainage system will be required with the surface water discharging to a suitable outlet. Scottish Water requires a sustainable urban drainage system (SUDS) as detailed in Sewers for Scotland 2 if the system is to be considered for adoption.

If the connection to public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s). This should be done through a deed of servitude.

Police

The residential area adjacent to the development experiences a relatively low recorded crime rate. Ratho as a whole has a low to medium level of recorded crime. Below are details of my comments and recommendations:

- Footpaths should not run to the rear of, and provide access to gardens, rear yards or dwellings as these have been proven to generate crime. Networks of separate footpaths to unsupervised places facilitate crime and anti social behaviour and should be avoided. If the planned footpaths are unavoidable it is recommended that they should be at least 3 metres wide (to allow people to pass without infringing on personal space), with at least a 2 metre verge on either side, be well lit, devoid of potential hiding places and be as straight as possible.

- Vulnerable areas such as side and rear gardens need more robust defensive barriers by using walls or fencing to a minimum height of 1.8m. The 1500mm masonry boundary wall does not meet this standard and should be raised to 1800mm.

Bridges and Flooding

It is confirmed that the documents submitted are sufficient to recommend approval of this application, subject to the following condition:

Prior to the commencement of development, a scheme showing full working details of a suitable and practical method of treatment of surface water and attenuation of flow from the site shall be submitted to and approved in writing by the Head of Planning and Strategy. This scheme shall be in accordance with best practice Sustainable Urban Drainage (SUDS) /Sustainable Drainage principles and the Council's Flood Guideline Summary and shall be of no threat to airport safety.

Transport

No objections to the application subject to the following conditions being applied:-

a) The developer to design and construct a new footpath linking the new residential scheme to the existing bridge over the Union Canal to the National Climbing Centre. (Construction details and status will be further discussed at the road construction consent stage)

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

a) Erect a vehicle activated speed sign, to be approved by the Head of Transport, on the north side of the Wilkieston Road and within the extended 30mph limit. (Reason: Wilkieston Road is prone to high speeds and with the proposed extension of the speed limit the sign will alert drivers to adhere to speed limit.) Sign to be in place and in operation prior to any house occupation

b) Contribute the sum of £10,000 to the Department's Safer Routes to School Programme. (Reason: The development proposals will add to the local primary schools roles (Hillwood and Ratho primaries) The contribution will add the councils limited budget to provide safe access for walking and cycling to school Contribution payable on commencement of site operations and will be utilised within 3 years of payment.

c) Contribute the sum of £30,000 for improvements to the Public Transport Infrastructure. (Reason: Lothian service 12 will be extended to serve the development site and the contribution will utilised to provide infrastructure associated with the service extension) Contribution payable on commencement of development and will be utilised within 3 years or returned

d) Contribute the sum of £40,000 for improvements to the A71/Dalmahoy junction. (Reason: The submitted transport assessment indicates additional vehicle movements will be added to the A71/Dalmahoy junction. This junction is particularly busy at peak times with a delay in right turn manoeuvres improvements are needed and the contribution will assist in any improvements considered necessary (Contribution payable on commencement of development and will be utilised within 5 years of payment

e) Contribute the sum of £100,000 to the footbridge / cycleway over the Union Canal to link the new development with the National Climbing Centre. This sum will revert back to the applicant should the bridge not be secured from 10 years on commencement of

house building (with the exception of the housing infrastructure works) Contribution payable on commencement of development.

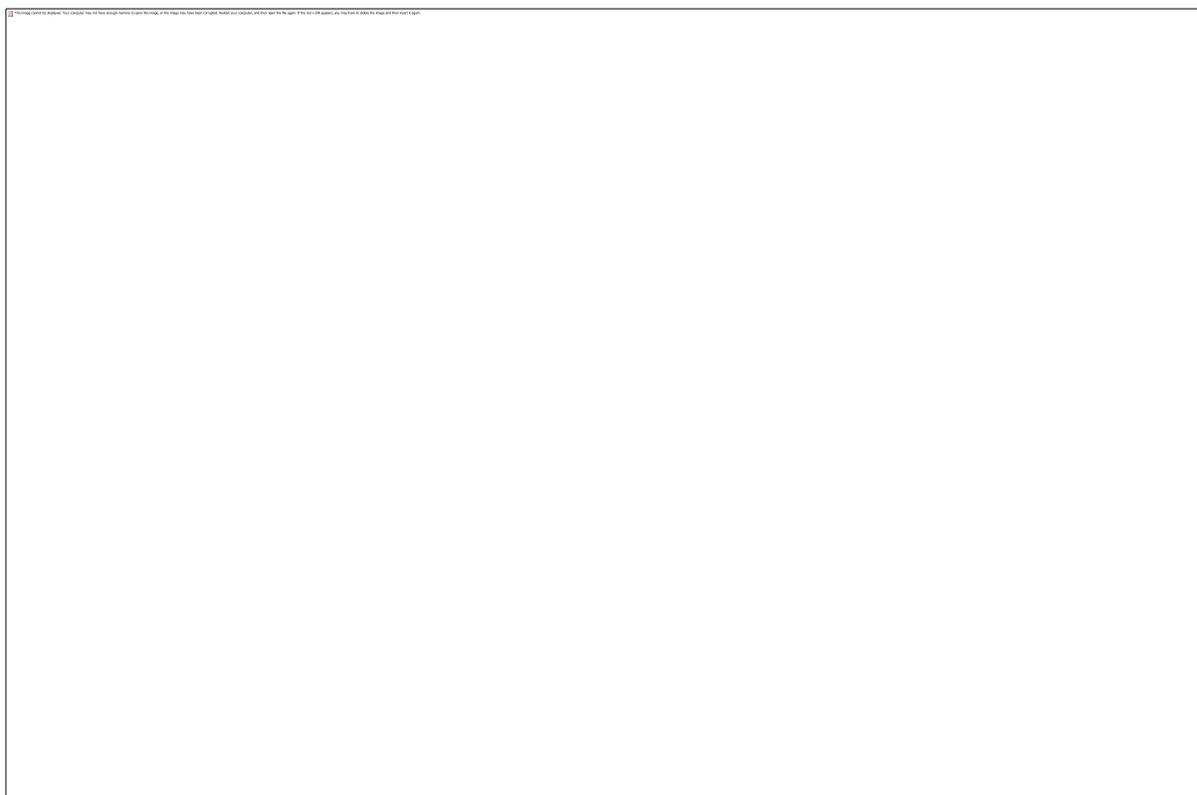
f) The applicant to make an application, at no cost to the Council, to extend the speed limit on the Wilkieston Road to the limit of the development site. This will include the erection of 3-2-1 countdown signs.(Application to be made prior to commencement of any site works to enable the statutory procedures to commence and be processed prior to any occupations)

Informatives

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 construction traffic routing will be discussed at the Road Construction Consent stage.

Location Plan



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