

Development Management Sub Committee

Wednesday 29 January 2014

Application for Approval of Matters Specified in Conds 13/04320/AMC

At 65 West Harbour Road, Edinburgh, EH5 1PW

Approval of matters specified in condition 2 of outline
application 01/00802/OUT covering siting and height of
development, design and configuration of public and open
spaces, access, road layouts, footpaths and cycle routes.

Item number	4.5
Report number	
Wards	A04 - Forth

Links

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Executive summary

Application for Approval of Matters Specified in Conds 13/04320/AMC

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Summary

The proposals comply with the development plan and the relevant non-statutory guidelines, preserve the setting of the listed structures and would not prejudice flood prevention, nature conservation, residential amenity or road safety. There are no material considerations which outweigh this conclusion.

Recommendations

It is recommended that this application be Approved subject to the details 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 was advertised on 25 October 2013 and attracted 20 representations. There are 15 letters of objections, 4 letters of support including from Malcolm Chisholm MP on behalf of local residents and 1 letter of comment.

The letters of representation raised the following material issues:

- The scale and mix of the uses and the type of area this will create in terms of placemaking;
- Siting and height of buildings and impacts on the amenity of existing and future residents by reason of overlooking, loss of privacy and outlook and inconvenience/nuisance due to long building process;
- The lack of play areas/open space for children;
- The viability of the marina including lack of boat storage, car parking, public access and other operational concerns for existing harbour users;
- The suitability of infrastructure for cyclists and in particular the width of the coastal promenade and the lack of segregated cycle routes;
- The ability of local schools, shops and transportation to support a development of this scale.
- The traffic impacts associated with the development in particular given the scale of the marina;

The letters of support refer to the benefits the development will have for the area where development has stalled and commends the design of the new scheme including the retention of the canal features.

The non-material comments are:

- Loss of a view;
- Reduce property values.

No comments were received from the local Community Council.

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. The remainder of the site is largely cleared of buildings, and part of the site is already developed with flatted residential properties fronting Granton Square and within the site to the north of the existing industrial area. There is also an existing canal feature.

The harbour itself 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 site fronts onto Granton Square which creates 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 the construction of new canals infrastructure (04/00415/REM)

28 July 2004 - Permission granted for the 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 - 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 granted 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 was granted for strengthening works to upper concrete wall forming part of the Western Breakwater (05/01604/FUL).

10 November 2010 - Permission was 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.

30 August 2013 - Previous application to discharge matters specified in conditions 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 was withdrawn at the request of the applicant (13/01013/AMC)

2. Main report

2.1 Description Of The Proposal

The purpose of the current application is to discharge a selected number of reserved matters, which were attached to the outline planning permission under condition 2, including;

- Siting and height of development;
- Design and configuration of public and open spaces;
- Access and road layouts; and
- Footpaths and cycle routes.

The same matters were approved in 2009 under application 06/03636/REM in the form of a masterplan (2009 Masterplan). This masterplan was based on the following general principles: a dense urban form with a distinct identity; a varied complex of streets and spaces that are safe and easy to use; the efficient use of land; and a design that will allow for a future change of use and demand.

The current proposals will revise the 2009 Masterplan. It will maintain the same general design principles, but will seek to reorganise the commercial component and reduce the overall residential density, in order to create what the applicant claims will be a more economically sustainable and viable development, appropriate to the current economic climate.

The applicant states that "the aim of these revised proposals is to provide a residential development concept which accords with current market needs in the Edinburgh area and therefore is deliverable, with commercial and leisure facilities which will attract people to visit and live locally and will help provide some much needed development momentum." (Design Statement Page 4)

The applicant submits that the proposals will lead to the creation of 700+ permanent new job opportunities.

The revised masterplan maintains the same overall structure and form of the previous approved masterplan, with the existing proposed street structure and character areas remaining principally the same as the approved masterplan.

PROPOSED REVISIONS IN COMPARISON TO THE PREVIOUSLY CONSENTED MASTERPLAN

COMMERCIAL USES

In order to reinvigorate the masterplan, support the local marine economy and attract more people to the area (both residents and visitors) leisure, retail and commercial uses have been reconfigured at key locations within the masterplan.

The site currently occupied by the Pickfords building will now be retained and used as a 'Leisure/Retail Complex' offering a range of leisure and retail, and entertainment facilities and activities. To the north of the Pickfords site, the previously approved Class 1 Retail use ('Go Outdoors') is to remain.

Middle Pier and the east side of Lochinvar Drive is to retain previously proposed boat storage and yacht club facilities, as well as adding commercial activity related to the marine industry.

The proposals also include commercial/retail uses/ community uses proposed at the heart of the site in Hesperus Square.

Elsewhere ground floor retail has been retained at key locations below blocks of flats including fronting Granton Square and at the new marina in the West Granton Harbour.

NEW MARINA & HOTEL

To the north of the site, a new marina with approximately 500 berths is proposed in West Granton Harbour. A new spur is proposed at the northern end of the North Mole to protect the marina from heavy seas. The size of West Granton Harbour is to be slightly larger than was originally proposed, meaning that less land reclamation is required.

To the west of the marina, a new 100 room hotel is proposed, which was not part of the previous masterplan, but is permitted under the extant Outline Planning Permission. This new marina and the proposed hotel and ground floor retail will provide modern facilities to support this long established marine destination.

REDUCED NUMBER OF RESIDENTIAL UNITS

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 1980 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.

The proposed amendments to the masterplan incorporated in the proposals are listed below:

TRADING QUARTER (northern area)

- Minimal road changes in this area.
- Size of marina increased. Spur added to end of North Mole and Marina added to West Granton Harbour (approx. 500 berths).
- High density residential tower at northern end of site removed.
- New 100 bed hotel added north of Stopford Square (Plot 35). Includes undercroft car park below raised deck with approx. 100 car spaces dedicated to the hotel.
- Reduced number of residential units.
- Stopford Park removed from the design.

OLD QUARTER (south eastern quarter)

- New leisure/retail complex on 'Pickfords' site (Plot 12). Associated parking approx. 243 spaces.
- New roads running north-south (Lochinvar Way & Oxraig Street) and new east-west through route and public square ('Market Square').
- Plots 10A, 13, 14, 15, 16 & 17 (residential) reduced density with less flats and more family houses.
- Lochinver Park removed from the layout.

CENTRAL AREA (WAREHOUSE QUARTER/ HARBOUR VILLAGE)

- No road changes in this area.
- Reduced residential density of Plots 9A, 9B & 7B - less flats, more houses.
- Middle Pier - minimal changes - rearranged layout providing marina facilities and marine related commercial activity. Public access to waters' edge is maintained all around Middle Pier.

NEW QUARTER (south western quarter)

- No road changes in this area.
- Reduced density of residential - less flats, more houses - average 3-4 storey heights.

PHASING

The phasing of the masterplan 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 along the southern part of the site next to West Harbour Road (i.e. the Old Quarter and the New Quarter).

Under the current application, the leisure complex in the Pickfords building (in the Old Quarter) is likely to be in the first phase of development together with the marina and the hotel and associated leisure facilities in Plot 35 (Trading Quarter).

The marina will be phased with 100 berths plus all the service amenities in year 1 increasing gradually to satisfy demand thereafter.

The first phase of the housing will be Plot 35 (Trading Quarter). It is proposed that 125 units (75 family flats and 50 smaller flats) will be constructed within the first 2 years.

SCHEME 1

The proposed development has been amended during the course of the application. The main changes are as follows:

- the inclusion of 15% affordable housing;
- the designation of the new buildings on the Middle Pier for indicative purposes only and do not form part of the current application;
- the retention of the Coal Jetty at the north end of the Middle Pier
- the inclusion of a new area of public open space at the expense of loss of parking for Plot 12;
- the revision of the building line on West Harbour Road to take safeguard the tram line route 1b.
- the provision of further information regarding the proposed phasing of the housing and the marina.

Supporting Statement

- A Design Statement and Masterplan Summary;
- Transportation and Movement Matters (Letter from ARUP, 31 October 2013);
- Residential Market Statement (Rettie, October 2013);
- Retail Statement (Montagu Evans, October 2013);

These documents are available to view on the Planning and Building Standards online services.

2.2 Determining Issues

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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

a) The 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.

The current proposals do not exceed the approved thresholds and, in terms of the general mix of uses, are acceptable in principle.

The acceptability of the individual uses is considered further below.

Housing

The reduction of housing units is a significant change from the previously approved masterplan (06/03636/REM) and the implications of this change needs to be assessed.

The current application proposes 1980 units. This is some 1,416 housing units less than the consented masterplan. It comprises 483 houses and 1,497 flats (including the

1,099 units which have already been constructed or consented). This compares with the consented masterplan which showed 478 houses and 2,918 flats.

As the City is facing considerable pressure to release green field sites for housing, any significant reduction in the potential capacity of a major brownfield site like Granton Harbour must be fully justified.

The Edinburgh City Local Plan (ECLP) states that the total amount of housing approved in the Granton Waterfront area of change exceeds 8,000 units but does not include capacities for individual sites that lie within the Granton Waterfront area.

The Waterfront Granton Masterplan (WGM) which was approved as supplementary guidance in January 2001 identified 2,200-2,800 residential units in Granton Harbour and Village. This area includes additional land to the south of the current application site, including all land to the north of West Granton Road. Due to the smaller area that this proposal covers, the residential units provided are comparable to those identified in the WGM.

Whilst a subsequent outline application (01/00802/OUT) and masterplan (06/03636/REM) identified a higher maximum number of residential units (up to 3,396 units), this took into account the economic conditions at the time which supported the development of high rise flatted properties with underground parking.

The applicant has submitted a residential market statement which demonstrates that the consented masterplan is no longer viable. The statement refers to the need to incorporate larger units that are capable of providing family accommodation. The proposal includes five more houses than the previous outline approval. A new component of the housing mix are 304 family flats which are defined as having 3 or 4 bedrooms and the example provided are 'duplex' flats that occupy the lower two storeys and garden ground of a four storey building with smaller flats above. The houses and family flats will result in a total of 787 family units, which is a significant increase in the previous masterplan. The increase in houses and family flats that will provide additional family accommodation is supported.

This proposal has included an additional 307 residential units from the previous application (ref 13/01013/AMC) that was submitted in March 2013 and which was subsequently withdrawn by the applicant. A block to the south east of the site has been identified as having housing capacity. The increase in housing numbers ensures the proposals provide an appropriate density of development on the site and complies with policies Hou4 and Wa1 of the Edinburgh City Local Plan (2010).

The Proposed Local Development Plan provides support for revising the housing mix towards a greater number of townhouses than identified in the Master Plan but only where it would accelerate completions and be appropriate in placemaking terms.

The applicant has submitted further information which includes a provisional housing build programme demonstrating their commitment to delivering housing on the ground quickly. This outlines the build programme as follows 1st phase: within 24 months plot 35 - 125 units in two or more build phases. 2nd phase: house and flat plots surrounding 35 as soon as the market has absorbed the flats built. It is also stated that the programme would be accelerated should demand for units keep up with construction.

In terms of placemaking, the general view is that the revised mixture of accommodation combined with the other uses below has the potential to create the sort of place that people will want to live and visit. However, placemaking is considered further under the individual uses below.

In terms of affordable housing, the section 75 agreement on the outline consent establishes a requirement to provide 15% affordable housing on six areas across the three phases of development. In this case this equates to 297 affordable housing units. The proposals have been revised to show how the site layout would accommodate 297 affordable housing units on eight plots across the three main phases of the site in accordance with the requirements. This will deliver 15% AH on a spread of plots that are well-integrated throughout the harbour master plan area. Affordable Housing has confirmed that the proposals are acceptable.

Overall, the housing numbers and revised housing mix will ensure that the proposal complies with the Edinburgh City Local Plan and the Proposed Local Development Plan. The additional houses and family flats are particularly welcomed.

Retail/Leisure and New Marina and Hotel

The primary aim of the retail conditions on the outline permission is to deliver a local shopping centre to meet the convenience shopping needs of new and future residents. The unit sizes were restricted in order to define the role of shopping at Granton and protect the viability and vitality of other centres in the area.

The context for the retail restrictions was established by the WGM. It established that two new local centres should serve 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 current proposals provide opportunities for retailing at various locations throughout the site. However, the intention is to create a local centre in Hesperus Square at the heart of the development. Although this location does not coincide with the location (S5) in the local plan, this was the same location for the local centre as part of the previously consented masterplan (06/03636/REM) .

Elsewhere the proposals include further retailing and leisure space at the north end of the site next to the new marina and at the south end of the site next to West Harbour Road (the Pickfords building). There is also provision for retail units under flats at the entrance to the site on Granton Square. These retail and leisure facilities are intended to support the new marina and the new family housing.

The new marina is an important element in terms of placemaking. It is an opportunity to create a place where people will want to live and also visit. It will be supported by a hotel and other ancillary commercial uses. This aspect of the scheme is consistent with policy Ret 6 which promotes Granton Waterfront as a key location for leisure and visitor attractions.

Overall, this mixture of retail and leisure uses is welcomed as part of the placemaking process. It will providing a range of facilities together with the new marina and mix of housing accommodation which will attract families to live in the area, and provide some much needed development momentum. Moreover the size and layout of the retail units will not harm the viability or vitality of existing centres.

In summary, the quantum and mix of uses are acceptable .

b) Design and Layout

The Edinburgh City Local Plan contains general principles to inform the development of the Granton Waterfront Area of Change. These principles include new residential and business quarters and a network of streets and paths that will integrate the area with adjoining neighbourhoods and draw people to the water's edge.

The previously approved masterplan (06/03636/REM) has been informed by these principles and will deliver a dense urban form with a distinct identity; a varied complex of streets and spaces that are safe and easy to use; the efficient use of land; and a design that will allow for a future change of use and demand.

Although the current proposals will result in a revision of the previously supported master plan, the layout for much of the site remains the same, following the approved street layout and perimeter block urban form. The main changes are at the northern part of the site - where the marina is larger - and in the south east part of the site - where existing retail and storage sheds are retained.

The marina has the potential to provide considerable interest for people. Its success as an attractive place to visit will largely depend on the detailed design stage. Space for pedestrians needs to be generous and attractively designed. In this regard the current proposals have the potential to create an attractive frontage / promenade. This includes active frontages and space for the coastal promenade consistent with the local plan safeguard required under policy Tra13.

A major consideration of any new marina design is the arrangements for the existing sailing community that operates from the harbour. The applicant is seeking to agree terms with the yacht clubs regarding boat storage etc. but no agreement has been reached to-date. In this regard it would be prudent to impose a similar condition as the committee imposed on the previous application (06/03636/REM) requiring any further applications to address the needs of the sailing community for berths and storage facilities etc., on the Middle Pier.

In terms of the south east part of the site, the existing retail shed (Go Outdoors) has been excluded from the application. The existing building has a largely negative impact on its surroundings presenting a blank gable and timber fence to the north and car parking to the east. Its western side provides service access and is unattractive. This building will not change and therefore its existing negative characteristics will remain.

The storage building (the Pickfords Building) to the south of the retail shed is proposed for redevelopment as a leisure/retail facility. It will be important to ensure that any subsequent application for the detail design of this building ensures that active frontages are provided for West Harbour Road.

The proposed building frontage on West Harbour Road has been revised to take cognisance of the alignment of the tram lines and tram stop.

The car parking surrounding this building and stretching out to the north along the western boundary of the retail shed will have a negative visual impact. Car parking has been reduced in this area with the introduction of a local green space as part of the revised plans. The introduction of the green space is welcomed from a townscape point of view but the remaining car parking area is still extensive and its visual impacts must be mitigated.

The design shows some smaller ancillary retail buildings along the edges of the car park and at the corners of the car park and also a new market square on the north side of the Pickford Building between it and the Go-Outdoors Unit. These features would mitigate adverse visual effects of the car parking. However, to be effective, the ancillary buildings and market square would need to be developed at the same time as the car parking. This should be a condition of any consent.

If the ancillary buildings and market square cannot be secured at the same time as the car parking, then the adverse impacts of car parking should be mitigated through a robust landscape design that incorporates a high number of semi mature trees and hedge planting. This needs to more than meet the minimum requirements of the Council's Edinburgh Design Guidance.

The removal of Len Lothian building to the east is supported. Under the recent application (13/01013/AMC), these units were to be retained for retailing as a major part of a major new commercial hub in the previous application. Their removal helps bridge the gap between the Central Development Area (EW2b in the Proposed LDP) and the water's edge and provides a well defined, cohesive network of streets and spaces, as reflected in the approved Master Plan.

Whilst the key design principles of the Master Plan have been adhered to, there are a number of matters that will be required to be demonstrated as future detailed applications are submitted. These matters include;

- the relationship between the proposed market square, associated smaller retail/commercial units and the existing retail unit (Go Outdoors) excluded from this application
- demonstrating that all blocks provide a series of mixed use sustainable neighbourhoods that connect to the waterfront and each other
- the visual impact of surface car parking and its relationship with direct pedestrian movement
- detailed proposals will be required to demonstrate conformity to design policies contained within the Edinburgh City Local Plan, the Edinburgh Design Guidance and the Proposed Local Development Plan.

In summary, the design statement and other supporting information demonstrates that the key principles within the original Master Plan have been included within the proposal. There are a number of matters that will be required to be demonstrated through detailed applications to ensure this key brownfield site delivers the aspirations of the master plan and development principles set out with the ECLP and Proposed LDP.

c) Setting of the Listed Buildings

The site contains a number of listed structures, notably the A listed Middle Pier and B listed Western Breakwater.

The proposals show a number of new buildings on the Middle Pier. A detailed application would be required to assess the implications of the buildings for the historic character and integrity of the A listed pier, a structure of national importance. These buildings are therefore shown for indicative purposes only and do not form part of the current application.

The proposals originally included the demolition of the Coal Jetty at the northern end of the Middle Pier. This had formed part of the previous masterplan (06/03636/REM). However, the proposals were revised during the course of the application and the Coal Jetty is now shown as remaining in situ.

A further change from the previous masterplan concerns the addition of an extension on the end of the Western Breakwater. This spur is part of the applicant's proposals to improve the seawalls and flood defences in this location. This extension is similar to the proposals shown under the outline approval (01/00802/OUT) and has no new impacts for the setting of the listed breakwater. However, if the works affect the listed structure, a separate application for listed building consent will be required.

In summary, the proposals will not harm the setting of the listed structures.

d) Road Safety, Public Transport Accessibility and Parking

The proposals do not result in significant changes over and above the previously approved masterplan.

In comparing the current masterplan with the previously approved masterplan any changes to the traffic generation is likely to be minimal. Although the new marina and associated shops and restaurants in time may increase traffic generation, this will be off-set to a large degree by the reduction in traffic generation associated with the reduction in the number of housing units. The current scheme is therefore predicted to generate about the same level of traffic overall as the previously approved scheme and as such any impact on the wider road network will be similar.

There are no proposals to change the existing public transport proposals for the site and these will remain the same as the consented masterplan. The new roads already constructed have allowed bus services to access the site. These arrangements will continue.

The proposals include car parking for each plot and show an indicative layout for the parking on the plan. There is enough parking shown to provide sufficient parking for residents and visitors in accordance with Council's parking standards. However, these are not applied for within this application and are only shown for indicative purposes at this stage. The exact number of spaces and their detailed design of the parking areas will depend on the detailed applications for each plot.

In terms of other transport issues, Condition 4 of the outline consent (01/00802/OUT) requires that the building line fronting West Harbour Road must be designed to incorporate a footpath, cycle path and tram reservation.

As stated above the proposed building frontage on West Harbour Road has been revised to take cognisance of the alignment of the tram lines and tram stop.

The West Harbour Road/Lower Granton Road frontage now forms an integral part of the family cycle network as specified in the Council's approved Active Travel Action Plan. In view of the strategic importance of this part of the site to the cycle network, the plans have been revised to include, in addition to a tram reservation, a 4 metre wide cycle track for shared cycle/pedestrian use. This reservation is acceptable to Transport.

The cycle route will require to be designed to give priority to the cyclists and pedestrians using this facility over the side road traffic. It will also need to allow for suitable connections to the promenade at the east and west of the site. These requirements should be a condition of any consent to ensure they are included at the detailed design stage.

Transport has no objections to the proposals.

e) Residential Amenity

The impact of the development on the amenity of residents living within and adjacent to the site is a consideration. 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 proposals will generally see some reduction in the proposed maximum heights across the site. This excludes those sites that have been consented but not built which are to remain as approved. However, where heights are reduced, the proposed sitings will allow 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 or by the proximity and height of the plots generally.

The only area of the site where maximum buildings heights have increased is in relation to the new plot 35. This has the potential to impact on the daylighting and sunlight to the consented plots 29 and 31 and to assess the impact, the applicant has revisited the Daylighting and Shading Study which was undertaken in support of the consented masterplan (06/03636/REM).

The revised study reconsidered the impact of the new maximum storey height on the daylight and sunlight to both Plot 29 and 31. The impacts were generally found to be minimal. The only area of concern related to the loss of daylight to the east facing façade of Plot 29. The study anticipates that this reduction will be "noticeable" to "severe" when compared to the consented layout. However, it suggests that this matter could be addressed at the detailed design stage for the building by either sloping the top floor or setting the building back by a few metres so that the reduction in daylight can be minimised. This is a matter that can be addressed by attaching an appropriate condition.

In terms of noise considerations, the outline consent requires a suitable noise assessment when more detailed plans are submitted for each 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.

Representations have been raised regarding the nuisance to local residents due to the length of time it will take to build out the site. The construction phase will be regulated under other regulations and was an impact of the development that was accepted when planning permission was granted in principle at the outline stage in 2003 (01/00802/OUT).

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) although the plans have been amended to include a new green space (also called Lochinver Park).

While the new Lochinver Park is not as large as the original Lochinver Park, the reintroduction of green space will ensure that all parts of the development will now meet the policy requirements for access to local greenspace as set out in the Edinburgh Design Guidance.

In terms of access to a large greenspace, the standard requirement is that development should be within 800m of a 2ha good quality park or fair quality other green space. Although there is no large green space within the application site, there are proposals to provide a large greenspace (The Braes) as part of the masterplan for the adjacent Central Development Area to the south west of the site. Access to this green space is via The Walk which is opposite the western end of the site and as such the large open space standard can be met.

In terms of private open space, the proposed siting shows that in general there will be adequate space for private open space. However in some plots this will require further consideration at the detailed design stage. For example at present plot 17 to the south east of the site does not meet policy requirements for quantity of open space. This could be overcome if the car parking were largely decked over or if it could be confirmed that each of the flats will have a balcony that faces south and is 5% of the floor area of that flat. If balconies are proposed it will still be necessary to provide structural landscape within the parking areas to mitigate adverse visual impacts for residents.

In summary the impact of the development on residential amenity is acceptable and any concerns can be addressed at the detailed application stage.

f) Other Considerations

Economic Development Considerations

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 700+ permanent jobs".

In considering this matter the Economic Development Service has looked at the synergy between the marina, hotel and housing development. While they have some concerns regarding the viability of this scale of marina, they support the proposal to phase the marina incrementally by initially providing 100 berths. This is seen as a sustainable approach to the development of the area.

In summary, there is no definitive position on whether the synergy between the various elements will provide the momentum to drive the development. However the prospect of any sustainable economic growth in an area where development has stalled is welcomed.

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 ecological 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"). This legislation requires an appropriate assessment to be undertaken by the Council (as competent authority) where the effects of development are likely to have a significant effect on the qualifying interest of the site.

An appropriate assessment was carried out as part of the original outline 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 previously approved masterplan (06/03636/REM) was supported by a flood risk assessment and was approved on the basis that all internal ground floors will be 6 metres above sea level where there is potential for flooding, and all ground floor levels throughout the site will be higher than the adjacent road. The current application is not seeking to change the proposed levels as approved under the current masterplan

A change to the approved masterplan is the introduction of the spur on the Western Breakwater to protect the new marina. This is similar to the breakwater extension approved as part of the outline permission (01/00802/OUT) except that there are no

land or buildings immediately behind the spur. This arrangement is acceptable in principle to the Council's Flood Prevention Officer.

The detailed design of the breakwater extension will require detailed planning permission. It will also need to be constructed before the marina is operational and a condition to this effect should be attached to any approval. As this structure will protect the parts of the development close to the waterfront from wave action, the structure will also require consent under the Coast Protection Act 1949. This requirement should be an informative of any planning consent.

The other change to the masterplan that has implications for flooding is the reconfiguration of some of the building plots and road layouts. The Council's Flood Prevention Officer had requested a revised flood assessment and surface water management plan in order to assess the implications of these changes. However, following correspondence with the applicant on this issue the Flood Prevention Officer has agreed to accept a suspensive condition to the effect that no development can take place until a revised assessment has been submitted to and agreed in writing by the Council.

The only other issue concerns the arrangements for the future maintenance and repair of the coastal defences. The Flood Prevention Officer is seeking to establish that no liability for the future maintenance of the Western Breakwater will fall to the Council. However this matter is already the subject of a legal agreement under the outline consent and as such no further arrangements need to be made to protect the Council's interests.

In summary, the flooding and drainage matters are acceptable subject of a suspensive condition.

Education

Education has confirmed that developer contributions to provide the requisite primary and secondary school places needed to support the development will be secured under the section 75 agreement attached to the outline consent (01/00802/OUT).

Archaeology

The City Archaeologist has advised that an archaeological condition is attached to the consent. However this will not be necessary as a very similar condition is already attached to the outline consent and will cover any development resulting from the current application.

g) 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.

h) 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.

i) Public Comments

Material objections/comments-

The letters of representation raised the following material issues:

- The scale and mix of the uses and the type of area this will create in terms of placemaking and personal safety; this is addressed in Assessment 2.3 a) and b);
- Siting and height of buildings and impacts on the amenity of existing and future residents by reason of overlooking, loss of privacy and outlook and inconvenience due to long building process; this is addressed in Assessment 2.3 e); the lack of play areas/open space for children; this is addressed in Assessment 2.3 e);
- The viability of the marina including lack of boat storage, car parking, public access and other operational concerns for existing harbour users; this is addressed in Assessment 2.3 b) and 2.3 f);

- The suitability of infrastructure for cyclists and in particular the width of the coastal promenade and the lack of segregated cycle routes; this is addressed in Assessment 2.3 b) and 2.3 d);
- The ability of local schools, shops and transportation to support a development of this scale; this is addressed in Assessment 2.3 a), 2.3 d) and 2.3 f);
- The traffic impacts associated with the development in particular given the scale of the marina; this is addressed in Assessment 2.3 d).

Material comments in support-

The letters of support refer to the benefits the development will have for the area where development has stalled and commends the design of the new scheme including the retention of the canal features; this is discussed in Assessment 2.3 b).

Non-material comments-

The non-material comments are:

- Loss of a view; the loss of a view from a private residence is not a planning consideration.
- Reduce property values; is not a planning consideration.

Community Council comments -

No comments were received from the local Community Council.

CONCLUSION

In conclusion, the proposals comply with the development plan and the relevant non-statutory guidelines, preserve the setting of the listed structures and would not prejudice flood prevention, nature conservation, residential amenity or road safety. There are no material considerations which outweigh this conclusion.

3. Recommendations

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

3.2 Conditions/reasons

1. For the avoidance of doubt, this consent does not discharge any reserved matters in respect of the following:

(i) The storey heights shown are maximum heights only. The final heights will be defined as part of the detailed design for the individual plots and shall be in accordance with the Council's Edinburgh Design Guidance.

(ii) The consent is for a maximum number of residential units. The final number of units for each plot will be determined by the detailed design of the individual plots including the storey heights.

(iii) The residential amenity space and car parking areas for the individual plots are shown on the plans for illustrative purposes only and do not form part of the development hereby permitted. These will be agreed as part of the detailed design for the individual plots and shall be in accordance with the Council's Edinburgh Design Guidance and Parking Standards.

These matters shall be the subject of a further application(s) for the approval of height, unit numbers, residential amenity space and car parking.

2. No further development shall take place at the site until a revised flood risk assessment and surface water management plan has been submitted to and approved in writing by the Head of Planning and Building Standards. This shall then inform the detailed planning applications on the individual plots.

3. No development shall take place to construct the new berths within marina until the extension to the Western Breakwater has been implemented.

4. For the avoidance of doubt, this consent does not discharge any reserved matters in respect of the Middle Pier. These should be the subject of a further application(s) for the approval of reserved matters which should address the needs of the sailing community for berths and storage facilities, etc.

5. Prior to the first occupation of Plot 12, either the ancillary buildings and market square shall be constructed or alternatively a robust landscaping scheme shall be agreed for the perimeter of the plot. The landscape design shall incorporate a high number of semi mature trees and hedge planting and must first be submitted to and agreed in writing by the Head of Planning and Building Standards. Once approved the landscaping shall be fully implemented within the first available planting scheme.

6. The proposed 4 metre wide cycle track for shared cycle/pedestrian use on West Harbour Road/Lower Granton Road shall be designed to give priority to the cyclists and pedestrians using this facility over the side road traffic. It shall also allow for suitable connections to the promenade at the east and west of the site. The detailed design shall be first submitted to and agreed in writing by the Head of Planning and Building Standards

7. Notwithstanding the maximum building heights hereby approved, the height of Plot 35 shall be revised in accordance with the recommendations of the Dr Axel Jacobs, Daylighting Principal of Hoare Lea in his letter dated 22 November 2013, updating the Daylighting and Shading Study which was undertaken in support of the consented masterplan (06/03636/REM).

8. The detail design of the building on Plot 12 shall ensure that active frontages are provided for West Harbour Road.

Reasons:-

1. In order to define the consent hereby permitted.

2. In order to minimise the risk of flooding.
3. In the interests of the safe operation of the marina.
4. In order to enable the planning authority to consider this/these matter/s in detail.
5. In order to screen the car parking in the interests of the streetscape and visual amenity of the area
6. In order to safeguard the interests of road safety.
7. In order to ensure that there is not an unacceptable loss of daylight to the east facing façade of Plot 29 in the interests of residential amenity.
8. In the interests of placemaking.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or fifteen years years from the date of planning permission in principle, whichever is the later.
2. The new breakwater section to protect the marina will require separate consent from the Council under the Coast Protection Act 1949. For further information contact alvin.barber@edinburgh.gov.uk

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.

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 16 October 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 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

Policy Env 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 Des 9 (Waterside Development) sets criteria for assessing development on sites on the coastal edge or adjoining a watercourse.

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 13 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

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.

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

Appendix 1

Consultations

Historic Scotland comment 31/10/2013

*Thank you for your consultation dated 18 October which we received on 18 October. We have considered your consultation and comment as follows:
This application for reserved matters is similar to a previous one we commented on in detail in 2006 (06/03636/REM), subsequently approved. The new proposals appear to broadly match the previous approval and we don't therefore have detailed comments to make.*

A number of listed buildings are within the application boundary, notably the A-listed mid pier, and a few consents we understand in place. If these new proposals require additional works to listed structures we would be happy to comment on these if necessary.

Notwithstanding our comments above, we confirm that your Council should proceed to determine the application without further reference to us.

Scottish Natural Heritage comment 5/11/2013

Thank you for your consultation of 18 October 2013 relating to the above proposal. We note that this application is an amendment to that of 13/01013/AMC submitted earlier in the year. Our comments to this earlier application will apply to this application also. Therefore I'd refer you to our comments made on 10 May 2013. We have no further comments to make.

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.

Economic Development comment 12/11/2013

Our comments on the above application are as follows:

- 1. The applicant clearly acknowledges that the synergy between the marina, hotel and housing development (para. 7 of their letter dated 16 October refers) is a key element of the new plan, and hence the ultimate success of the development. While it is noted that the marina includes for 500 berths, what is not clear is the business case for a 500 berth marina. Previous research by the Tourism Resource Company, EKOS & the British Marine Federation indicated that the growth potential on the East Coast was for about 400 resident berths and a very modest, 7 visitor berths. Given the existing spare berths at Port Edgar, the number of berths proposed would seem somewhat optimistic, notwithstanding that the existing lack of facilities will obviously suppress demand. Confirmation of the number of existing berths and the 300 local owners seeking berths would be helpful, together with an outline of the business case for the 500 berths.*
- 2. Reference to "TIF" as a material consideration to the application is not considered appropriate as funding mechanisms are not usually part of the land use considerations.*
- 3. A final observation is that the development will form part of the gateway to the Edinburgh Waterfront. Special treatment of the building facades facing West Harbour Road may be required to achieve the quality of urban design required, while taking account of the need to accommodate a tram along the same frontage.*

Economic Development further comment 13/12/2013

From EDS's perspective a key consideration in this application has been the alleged synergy between the marina, hotel and housing development (para. 7 of their letter dated 16 October refers) which, together, could ultimately determine the success or otherwise of the plan.

The overall provision at the marina does seem somewhat generous based on what research we have been able to undertake but, that said, the proposal to embark incrementally by initially providing a 100 berths seems entirely sensible. That way the developer can respond to demand as it arises. Whether that in itself will provide the momentum to drive the rest of the development (housing + hotels) is a more difficult question to answer.

However, the prospect of up to 700 jobs and development at Granton Harbour must have a positive impact on the neighbouring communities and in that context the plan is very much supported.

Environmental Assessment comment 12/11/2013

Environmental Assessment commented on a similar application which was subsequently withdrawn (13/01013/AMC). We have also made the following comments in relation to the original outline application under 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 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 siting of the 'Leisure Complex' in the old Pickford storage depot. This is located within an area next to where residential properties are proposed therefore we would require a full noise impact assessment to be carried out when more detailed plans are submitted. Noise would also need to be addressed in respect to the proposed hotel, commercial uses, 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 latest 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 overall reduction in residential density from the outline application however would still highlight that the minimum level of parking should be 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. The applicant should also provide electric vehicle charging facilities throughout all the commercially managed car parking spaces. Environmental Assessment recommends that at least one of these charging units is a 50Kw rapid charging point. 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 offer no objection to the proposed changes in siting and massing subject to the conditions and legal agreement recommendations from 01/00802/FUL planning application being carried forward.

Transport comment 28/11/2013

We would be pleased if the application could be continued.

West Harbour Road and Lower Granton Road along the front of the development forms an integral part of the family cycle network as specified in the Councils approved Active Travel Action Plan. As such an off route cycle facility is required and it is considered that in addition to Tram reservation, a 5m wide reservation is required [$\frac{1}{2}$ metre verge, $4\frac{1}{2}$ metre cycle track (shared cycle/pedestrian use)]. It is not clear from the plans that this is provided and the developer should be requested to clarify this matter.

Note that the route requires to be designed to give priority to the cyclists and pedestrians using this facility over the side road traffic. Also details in respect of connections to the promenade at the east and west of the site is required.

It would appear that there is a overprovision of car parking contrary to the councils approved guidelines. In particular it is not clear why 290 spaces are required to serve plot 14. The developer should therefore be requested to submit a parking statement in accordance with the requirements of general note 1 (page 9) of the guidelines. As this development is located in Zone 5c general note 17 (page 10) is of particular relevance to this application.

Flood Prevention comments 12/11/2013

I refer to the above application and would comment as follows:

- 1. The revised layout for the west breakwater now includes a new breakwater section to protect the marina. This is quite acceptable; however it must be noted that this structure will protect the parts of the development close to the waterfront from wave action. It will therefore be necessary for the design calculations and drawings to be submitted to the Council for consent under the Coast Protection Act 1949. This could be a condition to planning consent.*
- 2. The siting of developments and the road layout could have a significant impact on the risk of flooding from surface water and from wave overtopping. I would therefore recommend that a revised flood risk assessment and surface water management plan should be submitted for approval.*
- 3. The current and proposed arrangement for maintenance and repair of all coastal defences affecting the development should be clarified.*

4. *The design statement (masterplan summary 2009) includes a recommendation that openings to basement parking should be no lower than 6.0m AOD for flood prevention requirements. The level is acceptable, but openings to basement car parking also need to be taken into account in the surface water management plan.*

SEPA comment 29/11/2013

We have previously provided two responses to the discharge of matters specified in Condition 2 of planning consent 01/00802/OUT (dated 26 April 2013 and 20 June 2013).

We support the comments made by the Council's Flood Prevention Officer, Alvin Barber, in his memorandum dated 12 November 2013 requesting the submission of a revised flood risk assessment and surface water management plan. We strongly recommend that flood risk from all sources is considered in any revised assessment.

We would welcome the opportunity to comment on a strategic approach for flood risk for the revised Master Plan at Granton Harbour or any revised flood risk assessment and surface water management plan submitted.

Please note the detailed technical flood risk comments below.

1. Flood risk technical report

1.1 We have been asked to comment on a proposal to revise a Master Plan for housing and commercial development at Granton Harbour. The proposal includes the addition for a greater number of housing to replace some of the retail developments and change the type of housing to more family orientated design.

1.2 Outline planning consent was granted in 2001 and a Master Plan approved with conditions in 2006. The previous masterplan was approved on the basis that all finished floor levels would be above 6 metres where there is a potential for flooding and above all, higher than adjacent road levels.

1.3 We have not previously given specific flood risk advice on the original application for this site. However, we are aware that the Council Flood Prevention Team has commented on proposals in 2008 (Ref No 06/03636/REM), April 2013 (HY527/117/AB) and November 2013 (HY527/116/AB). These comments indicate concerns over the design of the breakwater and impacts of wave action behind the breakwater at the site. It is understood that ground levels may be proposed at +6.0m AOD. However, it is also mentioned that new defences may be constructed as part of the development and that these should be adequately designed to provide protection to the proposed development.

1.4 We note that additional information that we have not seen has been presented to the Flood Prevention Authority to satisfy most of their concerns. However, we support the comments made by the Council's Flood Prevention Officer, Alvin Barber, in his memorandum dated 12 November 2013 in requesting the submission of a revised flood risk assessment and surface water management plan.

1.5 We strongly recommend that a strategic approach to flood risk is considered as part of this revised Master Plan. A strategic approach and 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 redevelopment. We would welcome any opportunity to comment on any flood risk information submitted.

1.6 We also note in the Flood Prevention Officer's comments that basement car parking is proposed and needs to be taken account of in any surface water management plan. We do not hold any information with respect to the effectiveness and lifetime expectancy of tanking and waterproofing techniques for basements. However, we recommend that full consideration will need to be given to the surface water management to ensure that surface waters cannot enter into the underground parking areas during heavy rainfall or wave overtopping events.

1.7 It should be 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.

1.8 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.

1.9 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 indeterminates such as post construction settlement. The use of flood resistant/resilient materials and design, where possible, during construction can reduce the consequences of flooding.

2. Content of flood risk report

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. 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 the City of 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 28/11/2013

As discussed we're by and large happy with the proposed new sightings and heights for the main area of redevelopment at Granton Harbour, what does cause us grave concern is the proposals which will affect the A-listed Pier.

The original agreed masterplan for Granton harbour saw, with the exception of the flats at the landward end, no significant new buildings to be built on the listed Pier. As such the plan maintained the historic character of this nationally important pier and the agreed archaeological brief for the site was tailored also to preserve in situ and caused minimum physical impact. The current proposals significantly go against these agreed aims by proposing new buildings across the entire length of the Pier.

This in my opinion would be regarded as a significant adverse archaeological impact upon this nationally important historic structure and one which I would have to recommend refusal on archaeological grounds being contra to policies ENV3 & ENV8. Given that subject to the undertaking of archaeological works on the remainder of the site we have no objections in principle is it possible to ask the applicants to revise the submitted plans showing no new build on the Pier in order to allow for further detail discussions regarding the impact, suitability, scale and location of any works to the pier including new build, conservation of historic fabric etc_

Archaeology further comment 20/12/2013

Further to your consultation request I would like to make the following comments and recommendations in respect to this application for approval of matters specified in condition 2 of outline application 10/00802/OUT covering the siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes.

I refer you to my earlier comments in response to 01/00802/OUT, 06/03636/REM and 13/01013/AMC, 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.

In terms of the affects upon the A-listed Middle Pier the construction of new buildings as proposed as part of this renewal application was a significant new addition as the original approved scheme did contain any such new construction. The construction of new buildings on the middle pier would have a major significant impact upon both the setting and fabric of this important historic structure and would be regarded as having a

potential adverse impact and one contra to planning policy. It is therefore welcomed that following our discussions that the newly revised Masterplan drawings (5690 001 Rev. G proposed block layout) shows these proposed buildings as being removed from this Masterplan application.

In terms of buried archaeological remains, 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, the Listed Warehouse situated on Middle Pier, the site of ship repair yard (located close to the western side of the former harbour) and on-site interpretation.

Accordingly it is essential that the following updated condition is attached to this consent to ensure the completion of this programme of archaeological works and the retention and conservation of significant maritime historic fabric within the development.

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

Children + Families comment 20/12/2013

Our response in June 2013 to the previous application 13/01013/AMC (which was withdrawn) still largely applies to this application, although the proposed number of dwellings have increased by around 300.

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 existing and proposed developments comprise of flats.

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

Primary School Contribution £978 per dwelling

Secondary School contribution £388 per dwelling
Total Educational Contribution £1,366

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 be 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 areas and permission was granted for 3,396 dwellings. This would have potentially contributed some £3.2 million towards a new primary school whereas under the revised application for approximately 2,000 dwellings the potential contributions would be around £2 million (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 current 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 becomes 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.

Affordable Housing

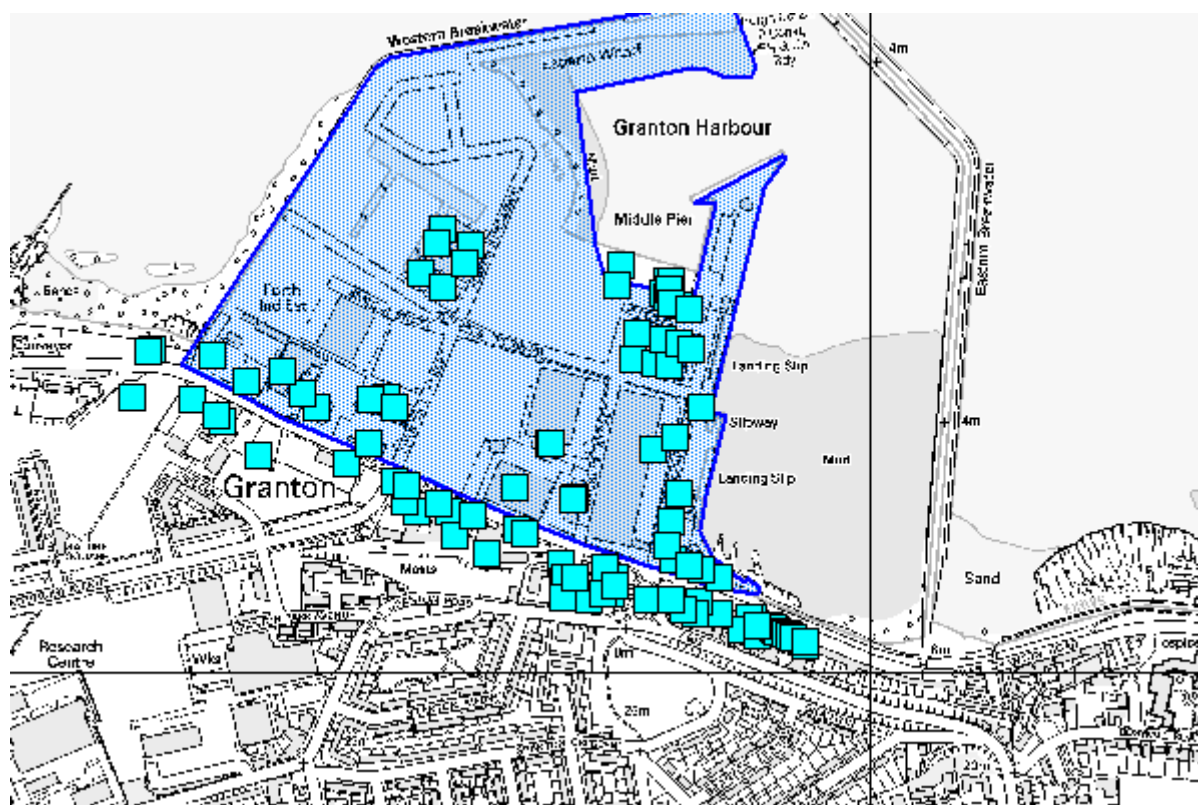
The applicant is proposing 15% affordable housing across a number of plots within the Masterplan area, specifically plots 9A, 9B, 10A, 13, 17, 19A, 23B and 35.

The Section 75 requirement for this area (clause 2.1) required that at least 6 plots were identified for affordable housing, in order to assist with integrating the affordable housing into the new emerging development. This has been achieved and indeed improved upon within this proposal and is therefore supported by the department. The S.75 for the Granton Harbour Masterplan area preceded the citywide unification of the AHP, so instead of a 25% AHP requirement, the affordable housing provision is set by this legal agreement at 15% for the Granton Harbour area. The applicant has satisfied that requirement too.

The affordable housing policy requirements of this application have been met (and in part improved) by the applicant in their commitment to provide 15% affordable housing across plots 9A, 9B, 10A, 13, 17, 19A, 23B and 35.

This specific proposal is therefore acceptable to the department.

Location Plan



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