

**Application by City of Edinburgh Council
06/01703/CEC**

at

**Stenhouse Mill Wynd
(Water Of Leith)
Edinburgh
EH11 3XX**

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

1 Purpose of report

To consider application 06/01703/CEC, submitted by City Of Edinburgh Council.. The application is for: **Construction of 30m of flood wall behind 38-52 Chesser Grove, 2 underground pump stations, and 3 areas of scour protection**

It is recommended that **APPROVED**.

2 The Site and the Proposal

Site description

This section of the river comprises the area from the bridge over the river at Gorgie Road in the north to the south-western edge of the Stenhouse Industrial Estate, on the left bank. At the southern end of the industrial estate a footpath runs from the adjacent streets along the southern boundary of Saughton Prison. Between the industrial estate and the river is a wooded area.

On the right bank is a factory unit on Gorgie Road and, until the footbridge, gardens of residential properties. Beyond the footbridge, the riverbank is again wooded, with the Water of Leith Walkway running alongside. There is also an area of allotment gardens.

Site History

03/04204/CEC - Water Of Leith Flood Defence Scheme, Adjacent To The Water Of Leith, Between Bonnington And Longstone, Adjacent To Murray Burn Between Longstone Road And The Confluence With The Water Of Leith, Harlaw Reservoir And Threipmuir Reservoir, granted consent on 14 July 2004.

Description of the Proposal

The previous proposal for this section, as part of the original flood scheme extended from point 1220 to 1760 north of the road bridge on Gorgie Road, and was as follows;

On the left bank of the river, the defence starts as a 840mm embankment behind the Booker cash and Carry, and then becomes a flood wall from there to the Longstone Inn, at up to 930mm high.

On the right bank of the river opposite the Longstone Inn, the floodwall passes Saughton Cemetery and the wraps around the allotments at a height of up to 1440mm, tying into high ground at the west end of the cemetery.

Floodwalls will be a beige coloured pigmented textured concrete finish.

The proposals has been amended and resubmitted.

The principle difference is the extension of the floodwall by 35 metres from behind 38 Chesser Grove to 52 Chesser Grove. This section has an existing brick wall which is not adequate protection. Three areas of scour protection are also proposed between points 1480 and 1640. This section of wall will be 200 -300mm high.

3 Officer's Assessment and Recommendations

Determining Issues

- Do the proposals comply with the development plan?
- If the proposals do comply with the development plan, are there any compelling reasons for not approving them?
- If the proposals do not comply with the development, are there any compelling reasons for approving them?

ASSESSMENT

To address the determining issues, the Committee needs to take account of the following specific considerations:

- a. Are the proposals acceptable in terms of design and visual amenity?
- b. Do the proposals have any adverse effect on existing wildlife habitats or trees of high amenity value?
- c. Do the proposals raise any concerns relating to road safety or pedestrian accessibility?
 - a. The removal of the brick wall, and its replacement with a low concrete flood wall will have little to no effect. The wall will be exposed only on the river side. There are industrial units opposite and this will hardly be visible. The areas of scour protection will be in the river bed and will not normally be visible.

b. The works to the wall will have no effect on landscape habitats or trees. the scour protection to the river bed will initially have an effect on the river bed habitat, but over time this will regenerate. Every effort will be made to minimise these effects, and will be covered by the environmental action plan.

c. There are no roads or paths crossing the flood defences at this point and so accessibility is not an issue.

The changes are minimal to this scheme and will have no adverse effect on visual amenity, nature conservation, road safety or pedestrian accessibility.

As the application, having been advertised, attracted no objections, referral to the Scottish Ministers is not required.

It is recommended that the Committee approves this application, subject to the original being included as informatives.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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| Contact/tel | Kingsley Drinkwater on 0131 529 3648 |
| Ward affected | 28 - Moat |
| Local Plan | South West Edinburgh |
| Statutory Development Plan Provision | Residential |
| Date registered | 24 April 2006 |
| Drawing numbers/ Scheme | 01-3 Scheme 1 |

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal : www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Ian Dryden on 0131 529 3464. Email: ian.dryden@edinburgh.gov.uk.

Alan Henderson on 0131 529 3494. Email: alan.henderson@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail gavin.king@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

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Consultations, Representations and Planning Policy

Consultations

Archaeological Service

This application relates and amends the original granted scheme covered by planning consent 03/04204/CEC. As such I refer you to my earlier comments in regards to this earlier application (19th Dec 2003) in which I confirmed that the proposed mitigation strategies outlined in sections 12.5 (p163-4) and 21.11.4 (p280) of the EIA be adopted and form the basis of an agreed programme of archaeological works. At present I am working with John Wharrie of City Development to finalise the details of the required programme of archaeological works in each area, and it is envisaged that a watching brief will be required as a minimum during ground breaking works in this area.

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

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

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

Environmental and Consumer Services

This Department has no objections to the above application, subject to a conditions relating to plant noise from the pumping station.

Representations

The application was advertised on 05/05/06. No representations have been received.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

The site is identified by the **South West Edinburgh Local Plan**, and **Draft West Edinburgh Local Plan** as being within a residential area. The Water of Leith is marked up as an area where recreational potential is to be enhanced, and Saughton Cemetery and allotments is designated as a site with opportunities to improve environmental quality and open space provision.

Relevant Policies:

Policy E6 seeks to preserve and protect ancient monuments and archaeological sites.

Policy E13 seeks to protect and enhance the recreational potential of the Water of Leith and proposes a number of measures for this purpose.

Policy E5 requires all new buildings to make a positive contribution to the overall quality of the environment throughout South West Edinburgh in terms of materials, landscaping, setting and other matters.

Policy E14 seeks to protect and enhance the recreational potential of the Union Canal and proposes a number of measures for this purpose.

Policy E18 seeks to enhance the environment through the achievement of as much tree planting as possible, by developers and the Council.

Policy E19 seeks to improve open space provision in areas of need, expand the opportunities for outdoor recreation and leisure and secure greater access to the countryside when opportunities arise. Land for new public open space is proposed at Craighouse Road and Camus Avenue.

Policy E20 establishes a presumption against the development of areas of public and private open space defined on the Proposals Map and other areas of public and private open space of recreational or amenity value.

Policy T5 requires development proposals to make specific provision for the needs of cyclists by ensuring easy access to the existing or proposed cycleway network and the provision of well designed cycle racks, where justified.

Policy DQ1 The council will take full account of all aspects of environmental impact when assessing development proposals.

Policy DQ2 New development proposals will not be permitted which are likely to cause unacceptable harm to the environment, give rise to unmanageable flooding, do not adequately deal with site contamination and are likely to cause unacceptable noise.

Policy DQ6 states that new development should be designed to make a positive contribution to the quality, accessibility and safety of the environment, having regard to the character, opportunities and constraints of the site and its surroundings and the basic character of the city.

Policy DQ7 states that the new development should include proposals for new tree planting and robust landscaping to achieve a suitable visual setting for new buildings and enhance open spaces and boundaries. It should be designed to minimise its impact on any trees subject to a Tree Preservation Order and other healthy trees worthy of retention.

Policy DQ20 protects Scheduled Ancient Monuments against development which would adversely affect their setting

Policy GE09 states Planning permission will not be granted for development which would result in the loss of:

- a) public parks (shown on the proposals map);
- b) public and private playing fields and sports pitches (shown on the proposals map)

c) other areas of open space of recreational, amenity or social value (including allotments)

However, in assessing proposals the Council will take into account the function and importance of the open space and the need for, or benefits to be gained from allowing, the development proposed.

Policy GE11 states that development within or affecting Urban Wildlife Sites will not be permitted unless it can be demonstrated that appropriate mitigation measures can be incorporated into the development to enhance or safeguard the nature conservation value of the site

Policy GE12 Development proposals will generally be considered for their impact upon wildlife, habitats and geological features.

Policy GE14 Undeveloped Floodplains Development that will significantly reduce the water storage capacity of an undeveloped floodplain or other area of value for water storage, or be liable to flooding, will not be permitted. Developments with a minimal vulnerability to flooding may be acceptable.

Policy GE16 The recreational value of the Water of Leith and Union Canal corridors will be protected and enhanced, subject to safeguarding their wildlife value.

Policy T7 states that development proposals should be designed to make walking and cycling as safe, convenient and attractive as possible and, where possible, should link with and provide extensions to the city-wide network of off-road routes.

Policy IMP1 Phased Developments which are in outline, are required to provide enough details on visual impact, access, open space and landscaping. To enable draft proposals to be considered at the outset.

Non-statutory guidelines 'ACCESS TO THE BUILT ENVIRONMENT' seek to ensure that development proposals and streetscape works take account of the needs of disabled people.

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

Non-statutory guidelines on 'TREE PROTECTION' supplement local plan green environment policies, and support the retention of healthy trees of landscape or amenity significance, encourage new tree planting wherever appropriate within new development and promote a substantial renewal of the city's woodland resource.

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Conditions/Reasons associated with the Recommendation

Recommendation

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

INFORMATIVES

It should be noted that:

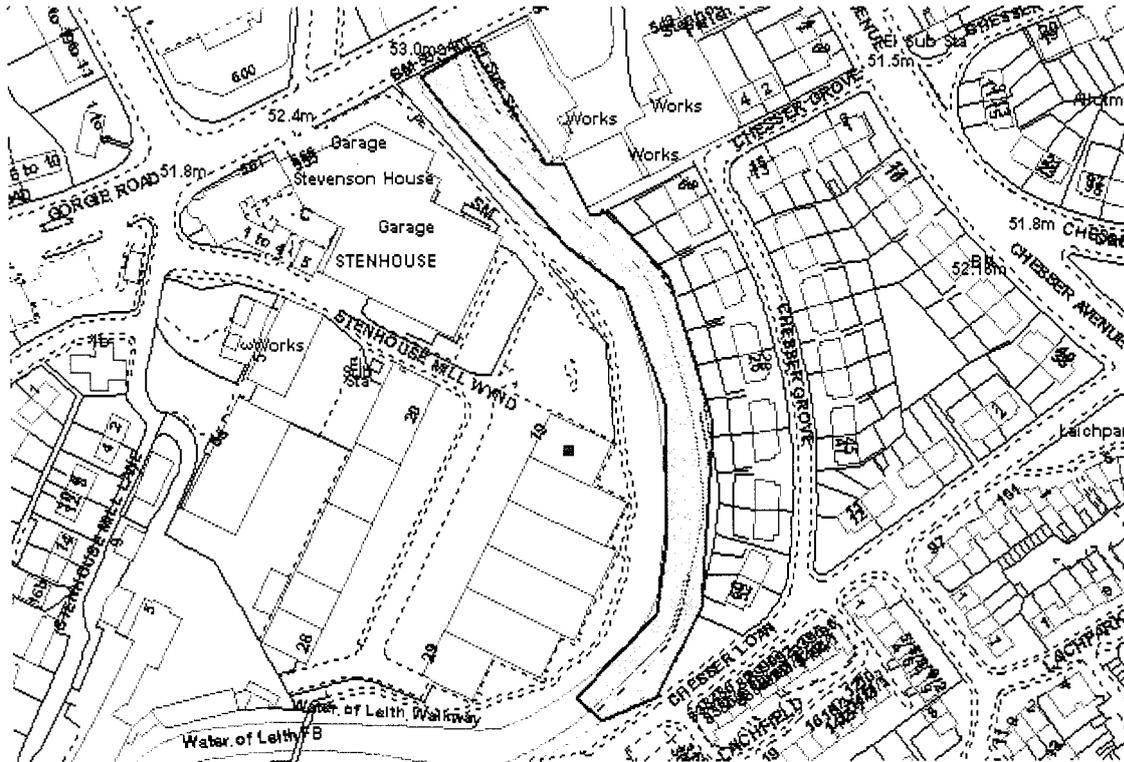
1. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Head of Planning and Strategy, having first been agreed by the City Archaeologist.
2. Before the development commences, a finalised Environmental Action Plan (EAP), based on the table of actions already submitted in table 23.2 of the Environmental Statement, shall be prepared in consultation with the Head of Planning and Strategy, SEPA, and Scottish Natural Heritage, and shall be adhered to throughout the construction and mitigation stages of the development.
3. As part of the Environmental Action Plan (EAP) for the works, the contractor will provide method statements for each site for carrying out specific activities, including; in-river construction, stream diversion, removal of soil and materials from sites, importing of materials into the sites, routes to sites, hours of operation, road closures, road and footpath diversions/closures, and piling and ground improvement operations (with particular regard to protecting residential amenity and the structure of sensitive buildings). These method statements, along with the EAP, will set out in detail the measures proposed to protect the environment during implementation of the works. In addition a Site Emergency Action Plan will be produced, agreed in writing by the Head of Planning and Strategy and disseminated to all site staff, before the development commences.
4. Sample/s of the proposed facing materials and copes for all walls and other structures shall be submitted to and approved in writing by the Head of Planning & Strategy before work commences on site.

End

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Location Plan

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