

# Development Management Sub Committee

**Wednesday 25 June 2014**

**Application for Planning Permission 13/04405/FUL  
At 18 Tennant Street, Edinburgh, EH6 5ND  
Erect residential development of 49 units, comprising of  
3bedroom mews houses, 2bedroom townhouses, and two  
apartment blocks with a mix of one and two bedroom  
apartments.**

<b>Item number</b>	4.18
<b>Report number</b>	
<b>Wards</b>	A13 - Leith

## Summary

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The proposed development is contrary to Policy Emp 4 in the Edinburgh City Local Plan because the site was formerly in employment use and there is no provision for business space within the proposals. However the proposal does accord with policy Emp9 in the Proposed Local Development Plan which only requires business space to be provided on former employment sites larger than one hectare. The departure is considered minor and will not compromise the effective development or regeneration of the wider area. The proposal does not fully meet the requirements of the Steads Place/Jane Street Development Brief. However, given the site restrictions and the quality of the resulting scheme, the layout, design and scale are considered appropriate. A pedestrian link to Pilrig Park will be provided which will improve access to public amenity space within the area. The proposed development will not have an adverse effect on the setting of the Pilrig Conservation Area. The development will not lead to an unacceptable loss of amenity for neighbouring property or to occupiers of the development. The proposal will not result in any traffic or road safety issues.

## Links

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**Policies and guidance for this application**

LPC, CITH1, CITH2, CITH3, CITH4, CITH7, CITCO2, CITD1, CITD2, CITD3, CITD4, CITD5, CITD6, CITE9, CITE17, CITE18, CITOS3, CITEM3, CITT4, CITT5, CITT6, CITT7, CITE6, OTH, NSDCAH, NSGD02, NSMDV, NSP,

# Report

## Recommendations

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

## Background

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### 2.1 Site description

The site is to the west of Tennant Street and east of Pilrig Park. It has an area of 0.78 hectares.

The site is currently cleared of buildings. The levels within the site are varied with the southern boundary approximately five metres above the northern boundary. There is an existing gated vehicular access to the site off Tennant Street.

A large sewer runs through the centre of the site in an east west alignment.

The sites lies just outside the Pilrig Conservation Area. The Conservation Area boundary runs along the west side of the site adjacent to Pilrig Park.

Stanwell Street is a dead end street and lies to the north west of the site adjacent to the Parkside Primary School (The new Gaelic School).

To the north is a vacant site, with two storey residential properties beyond fronting Bonnington Road.

To the south is a recent residential development which has a height of up to six storeys.

Pilrig Park lies directly to the south and west of the site. The boundary to the park edge is elevated from the central part of the site by approximately 2 metres.

There is existing planting within and outside the south and west site boundary including three individual trees.

There are industrial buildings to the east. The Primary school to the northwest is a category C listed building (ref 27027 listed on 29 March 1995).

### 2.2 Site History

2 July 2009 - planning permission was granted in principle for a mixed use development comprising a care home, flatted residential accommodation and small business units. Conditions were added which included that 'no housing shall be occupied until 2,000 sqm of newly built class 4 floorspace has been completed to a marketable standard', the business 'units being restricted to class 4 use only' and 'development should not commence until a scheme for protecting the residential development approved from noise from industrial units in the nearby industrial estate and any potential noise from the proposed industrial units has been submitted to and approved in writing by the Head of Planning' (application reference- 09/00845/OUT).

6 November 2009 - an application for reserved matters was approved for application 09/00845/OUT for a care home. The southern end of the care home site overlaps with the site of this current planning application (application reference- 09/02121/AMC).

27 February 2013 - permission was varied for the extension of timescales of 09/02121/AMC (application reference- 12/00732/FUL).

History of nearby sites:

16 May 2007 - change of use at unit 26 Tennant Street from Class 4 use light Industrial to Business use with 4 rooms for musicians to use as rehearsal rooms. A condition was added to ensure the soundproofing of the premises and the control of all amplified sound, including music and vocals shall be such that no amplified sound is audible within nearby residential or commercial property (application reference- 07/01023/FUL).

## **Main report**

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### **3.1 Description Of The Proposal**

This is a proposal to develop a residential development of 49 units comprising 11 x three bedroomed mews houses, 16 x two bedroomed townhouses and 2 apartment blocks with a mix of 22 x one and two bedroomed apartments. Eleven of the flatted units would be affordable.

The units would be provided in 7 blocks. Blocks 1 and 4 would be 2 storey mews houses; blocks 2, 3 and 5 would be 3 storey townhouses and blocks 6 and 7 would be 4 storey apartments.

A new access would be provided from Stanwell Street to the north west which links to the access road approved as part of the care home planning approval.

23 car parking spaces are proposed for the flats which include two disabled parking spaces. Each terraced house and mews house would have a private parking space.

12 cycle stands are proposed in the ground floor of flatted block 7. 11 are provided in the ground floor of flatted block 6.

A new footpath link is to be provided from the site to the west linking into Pilrig Park. The existing footpath link in Pilrig Park is to be re-routed further south than the existing.

Detached communal bin stores are proposed for the mews and townhouses in two locations in the north west and south of the site. The apartment blocks will each have an internal bin store. A substation will be located in the north west corner.

The roofs of the townhouses and apartments are flat; the mews roofs are pitched. The buildings are of a simple and contemporary design.

Private gardens are proposed for the terraced houses and mews houses. The flatted properties have communal garden areas with ground floor flats having an area of private garden/paving area.

A 1.1 metre high metal railing will delineate the flatted block gardens from the park. Materials proposed are blonder facing brick, reconstituted slates and Trespa cladding in 'quartz grey' to roofs, dark grey UPVC windows, mild steel railing painted black, mild steel balustrade painted black. Shared surface roads and public paths to be in non-porous paving (Marshalls Mistral: silver grey). Private driveways and parking bays will be porous paving (Marshalls Mistral Priora: charcoal and silver grey).

Revised scheme

Materials altered on apartment blocks to incorporate all brick instead of part render.

Detailed design changes including entrance layout revisions to flats, provision of landscape strip instead of gravel to housing units, reduction in height of railings and new windows added to apartment blocks on northern elevations.

A full landscaping scheme proposed for the development has been submitted including railing details to the Pilrig Park boundary.

Supporting Statement

A Design Statement, a Noise Assessment, a Site Analysis Report, a Site Investigation Report, and an Arboriculture Constraints Report and Implications Study have been submitted in support of the planning application.

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

### **3.2 Determining Issues**

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

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?

### **3.3 Assessment**

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

- a) the principle of development is acceptable;
- b) the proposal would effect on the setting of the Pilrig Conservation area;
- c) the proposal is detrimental to the amenity of neighbours and the proposal provides sufficient amenity for the occupiers of the development;
- d) the proposed scale, design and materials are acceptable;
- e) the proposed parking, access and road safety arrangements are acceptable;
- f) the proposal meets sustainability criteria;
- g) the proposal has any equalities or human rights impacts;
- h) the representations raised have been addressed; and
- i) whether other material planning considerations are acceptable.

#### a) Principle of development

The site is within the Urban Area in both the adopted Edinburgh City Local Plan (ECLP) and the proposed Local Development Plan (LDP).

Policy Emp4 of ECLP encourages development for employment purposes in land zoned as 'Urban Areas'. Where a proposal incorporates uses other than business, industry and storage, permission will be granted subject to three criteria.

Criterion a) states that the proposal includes a significant element of new floorspace designed to provide for a range of business users. This application does not include class 4 office space and therefore does not fully comply with this policy.

The site is covered by the Stead's Place/ Jane Street Development Brief.

The Brief splits the development brief area into three sections with this application falling into the defined 'Area B' of the Brief. The main objectives of the Brief include the need to establish a mix of uses, including modern, flexible small business space to meet the needs of north-east Edinburgh. For Area B, the Brief requires around 2000 sq metres of floorspace to compensate for the loss of industrial units along Tennant Street and that 'smaller sites within Area B should make a significant contribution to meeting this floorspace requirement.' However, the units on Tennant Street are unaffected by this proposal and therefore there is no requirement to provide replacement space.

The applicant states that since 2003 the property was openly marketed for sale, primarily as offices. However, there was no interest from commercial developers to refurbish the existing office space or to redevelop the site for new office space. The existing offices were marketed until 2010 when the decision was made to demolish the building. The applicant also states that there is a significant amount of class 4 supply immediately available within the area.

Moreover, policy Emp9 part c) of the proposed LDP which will replace policy Emp4 of ECLP states that business floorspace should be provided for a range of users if a site is larger than 1 hectare. As this site is less than that, the requirement for business floorspace would not apply. There were no representations to the Proposed LDP objecting to the wording of Policy Emp9. Considerable weight can therefore be given to policy Emp9.

In the light of these factors it is not considered necessary to provide business space as part of this proposal.

Criterion b) and c) of ECLP policy Emp4 require development not to prejudice or inhibit activities of any nearby employment use and that the proposals should contribute to the comprehensive regeneration and improvement of the wider area.

The proposed development is unlikely to inhibit the activities of surrounding employment uses. Environmental Assessment has expressed some concern over the effects of the development on existing commercial units on Tennant Street. This is discussed in more detail in part c) of this assessment.

The proposed development will improve and contribute to the wider regeneration of the area by introducing housing on an urban infill site.

The development is contrary to the Development Plan. The Council has an interest in the site, but the development is not a significant departure. Notification to Scottish Ministers would therefore not be required.

#### b) Effect on setting of conservation area

*The Pilrig Conservation Area Character Appraisal identifies the importance of Pilrig Park as a central area of open space and highlights the significance of mature trees. It refers to the predominance of residential use in this area and the contrast between activity on Pilrig Street and Leith Walk, and the general tranquillity in the residential areas.*

The proposed development is not within the Pilrig Conservation Area but the site borders the conservation area to the west. A residential use as proposed would reflect the predominant characteristics mentioned in the character appraisal. Trees worthy of retention would not be affected by the development proposals. The boundary treatment to the park is appropriate. The park level is higher than the site levels in this area resulting in the impact of the height of the development on the setting of the park being reduced. The adjacent buildings on Springfield Street are higher than the flatted blocks proposed.

The development would not have an adverse impact on the setting of the Pilrig Park Conservation Area.

c) Amenity of neighbours and occupiers

The proposal would not result in any adverse effect on amenity to existing property within close proximity to the site. The site is within the Urban Area where there is a mix of existing uses including residential.

There are a number of infringements of the Edinburgh Urban Design Guidance in terms of privacy and overshadowing. Windows in units to the north are six metres from the site boundary. Windows in these elevations would overlook the gable and communal garden area of the undeveloped care home facility. However, the breach is acceptable as windows would face the gable of the building, or affect the edge of a communal garden area.

The gables of houses facing the rear of the Tennant Street business units would be between two and five metres from the site boundary. Two windows in the ground floor of the gable of block 1 are a bathroom and a secondary living room window which would not result in an unacceptable loss of privacy to the rear of the business units. Block 2 has secondary upper floor bedroom windows in the gable which face onto the existing site access onto Tennant Street. There would therefore be no adverse loss of privacy to the existing business units.

The two housing blocks to the east (block 5) and south east (blocks 6 and 7) have windows which are less than 9 metres from the site boundary. These windows overlook amenity space/ pedestrian routes and would not result in any adverse loss of private amenity.

The proposal would not result in any adverse loss of privacy to neighbouring property.

There would be overshadowing onto the edge of Pilrig Park from the two flatted blocks. This would not result in any adverse effect on amenity and the impact of the development is reduced as the affected area of land is at a higher level than the ground level of the flatted blocks. Some overshadowing from the most northern unit in block four would fall onto the Tennant Street business units. This would be acceptable.

In terms of daylighting the proposal is acceptable.

There would be no adverse effect on neighbouring property in terms of privacy, loss of sunlight or overshadowing.

The Noise Assessment submitted with the application concludes that daytime noise levels from the majority of the neighbouring noise sources are predicted to comply with the 'reasonable' standard allowing for residential windows to be open for ventilation. It also states that, in addition, the majority of the neighbouring businesses close in the early evening and as such there is very little night time noise. However, negative noise impact is associated with the music studio at 26 Tennant Street; noise level is predicted to be audible within the closest proposed residential block. There is a condition imposed on the consent for the music studio to control noise so that it is inaudible within nearby residential property.

The applicants propose that affected windows are treated with additional glazing to reduce any impact or noise pollution when windows are closed. Noise will be an issue if windows are open. This is not the preferred option for Environmental Services, but these measures would mitigate against noise problems to an acceptable degree.

There has been an approval for planning permission in principle for a care home, business units and residential uses which include this site. The existing Tennant Street business units act as a buffer to noise from units further to the east; the music studio unit whilst a noise sensitive use, is controlled by a condition to ensure noise is inaudible within any nearby residential property and the applicant proposes measures to reduce noise problems to affected residential properties when windows are closed. Given the above a residential use at the site would be appropriate in this location.

#### d) Scale, layout, design and materials

Design policies seek to draw upon the positive characteristics of the surrounding area to create or reinforce a sense of place. Developments should have a positive impact on their setting, having regard to the positioning of the buildings on site, their height, scale and form, materials, landscape impacts and impacts on views.

The site is identified as 'Area B' within the Stead's Place/ Jane Street Development Brief. The supporting statement for Area B seeks to promote a comprehensive development of the area, incorporating both the existing business premises along Tennant Street and the site of the office block to establish a frontage onto Tennant Street and the extended Pirrie Street.

The Brief envisaged residential accommodation and small business space within the site with a proposed street linking from Pirrie Street to Pilrig Park, and with important frontages onto this new street. A pedestrian/ cycle route was also envisaged connecting to Stanwell Street to the west and Leith Walk to the east.

The Planning Permission in Principle indicated that the design and footprint of the business units would form an appropriate, defined frontage onto Tennant Street. Likewise, the layout of the residential element of the proposal would be designed to ensure the building blocks and the internal road network form a high quality, pedestrian environment, with safe and well designed connections to Pilrig Park.

A new vehicular and pedestrian route is proposed to Stanwell Street from the site in accordance with the Brief.

The site is constrained by a sewer which has a four metre wide construction exclusion zone and this prevents buildings being positioned on the alignment shown in the Brief. The layout proposed allows a physical connection to be made to the park from Pirrie Street/ Jane Street side. The link is not formed by a direct route from Pirrie Street with frontages. However, it provides an attractive and safe pedestrian access to the park from the east. An avenue of trees is proposed along part of the route.

Buildings along this street should create a frontage and be positioned to allow a vista south towards Pilrig Park. The vista from Great Junction Street/ Pirrie Street to Pilrig Park is important as it allows people to see through to the park and raises awareness that the park is there; this would be a significant benefit to the area.

A site analysis has been submitted which shows existing views, the views with the application proposal, and the views with the application proposal and Pirrie Street extended into the Jane Street area, and views from Great Junction Street/ Pirrie Street in accordance with the Development Brief. The analysis shows that views to the Park will be partially blocked by the application proposal and that the views will be further reduced if Pirrie Street is continued at a similar scale. However they also show that the effect on the view from Great Junction Street as a result of the proposed development is marginal and glimpses of trees from Pilrig Park can be seen.

The layout of the new streets and terraced houses are designed to work with the existing topography and levels at the site.

The height of the housing is acceptable. The site is in an area where there is a mix of building heights including two storey housing, and flatted blocks of up to six storeys. The approved care home to the north will be four storeys high.

The design creates an attractive contemporary development with simple façade and roof detail. The design reflects and complements the recently built residential blocks in the area.

The proposed materials are appropriate in an area of mixed brick, stone and render. Accommodation is to an acceptable standard in terms of its size. The proposal is acceptable in terms of its design.

Police Scotland has raised a number of issues in relation to the proposed development. These have been passed onto the developer for attention.

A total of 29% of the total site area will be green space. Individual houses have private gardens and ground floor units of the flatted blocks have defined external space. Twelve of the apartments have external terraces. The common green in the centre of the site has an area of 485 sq metres and is approximately 6% of the total site area. This provides an acceptable level of amenity for occupiers of the development. The proposed landscape plan is acceptable and the railing detail proposed to the Pilrig Park boundary is appropriate being adjacent to the Pilrig Park Conservation Area. The re-routing of the path within Pilrig is to be carried out by the developer. A condition is proposed to ensure the details of this are to an acceptable standard.

The arboriculture report states that trees within or close to the site are of little arboriculture or landscape merit. They will not be adversely affected by the development.

The planning approval for the care home overlaps this application site to the North West. However, if this current proposal is implemented first, the approved layout for the care home would need to be revised to take account of the changes.

Public realm contributions would not be required.

In terms of design, scale, layout, landscaping and materials the proposals are acceptable.

#### e) Parking, access and road safety arrangements

The new access to the site from Stanwell Street is acceptable with the road serving the consented care home and this development proposal. In terms of parking each townhouse and mews house has its own driveway with space for one vehicle. The flats have 100% parking provision with visitor parking. Two of these would be for disabled users.

Cycle parking is provided for the flatted properties to an acceptable standard.

Transport state that under current Council policy a contribution of £86,200 would be required for the tram. The applicants state they have entered into and negotiated a proposed tram contribution of £54,960 for the outline planning application site. This was based on the scheme for a 105 bedroom care home, 2,000 sqmetres of business space and 96 apartments. The subsequent care home planning application had a section 75 Legal Agreement with a contribution of £21,530 for the tram. This would leave a balance of £33,430 for tram contributions.

This current scheme for 49 units (of which 22 will be apartments) is a reduction in terms of numbers from the 96 apartments originally envisaged. The applicant also states that the former office building on this site would have required a greater tram contribution than the proposals for residential development. The site has been vacant for some time and a scheme to develop the site needs to be viable. Given the above, and taking into account the other benefits and contributions provided by the scheme, a reduced contribution for the tram is acceptable in this particular case.

Transport raises no objections to the proposed development and to the reduced tram contribution of £10,000. Transport requires the developers to make a contribution of £2,000 for a Traffic Order and subject to car parking design and footway details.

#### f) Sustainability

The applicant has submitted a sustainability statement in support of the application. The proposal complies with the requirements of the Edinburgh Design Guidance.

#### g) Equalities and Human Rights Impacts

This application was assessed in terms of equalities and human rights. No adverse impacts were identified. An Equality and Rights Impact Assessment Summary is available to view on the Planning and Building Standards Online Services.

#### h) Public comments

### **Material representations**

There are no comments to address.

### **Community Council comments**

No comments were received from the Leith Harbour And Newhaven Community Council.

i) There are any other Material Planning considerations

Affordable Housing

The proposal includes 11 affordable housing units which is 1 unit short of the required 12 units. The applicants have agreed to the payment of a commuted sum for the 12th unit and Housing and Regeneration is agreeable to this approach. This will be secured by a Legal Agreement.

Education

Children & Families require a financial contribution of £78,350 to alleviate accommodation pressures for Bonnington Primary School. This would be secured by a Legal Agreement.

Environmental Impacts

Environmental Assessment recommends that, should planning permission be granted, a condition is added to assess and deal with any contamination at the site. It has considered the application in terms of its impact on air quality. The Great Junction Street Air Quality Management Area is located approximately 2 miles away which has been declared for breaches in national legal standards originating from traffic related pollution.

The development is likely to attract an increase in car parking provision and ultimately traffic movement, having some impact on the Air Quality Management Area. Public transport use is encouraged and car usage should be kept to a minimum to create less pollution and reduce its impact on the Air Quality Management Area. The proposals include a contribution to the tram which, if extended into Leith, will encourage public transport usage within the vicinity of the site. There are existing bus routes which run along Leith Walk to the city centre, and services connecting Bonnington Road with Ocean Terminal. There are also cycle routes within the vicinity of the site.

SEPA has confirmed that the SUDS proposals outlined are acceptable in terms of water quality. Bridges and Structures is satisfied that the applicant has taken all reasonable measures to reduce the risk of surface water flooding. The site is not in an area at risk from flooding from the Water of Leith; there are no known areas of surface water flooding at the site.

City Archaeology recommends a condition is attached to secure and implement a programme of archaeological work in accordance with a written scheme of investigation.

## Conclusion

In conclusion, the proposal is contrary to the development plan because it does not include provision for business space as required by ECLP policy Emp4. However, the equivalent policy in the proposed LDP (policy Emp9) only requires business space to be provided on sites larger than one hectare. This site is only 0.78 hectares and therefore in terms of policy Emp9, business space is not required. There were no objections to the wording of policy Emp9 during the representation stage of the proposed LDP. Considerable weight can therefore be given to policy Emp9 in setting out the Council's current approach to development on former employment sites. As such, this outweighs the presumption in favour of the development plan in this case. There is no adverse impact on the character or appearance of the Pilrig Conservation Area. The proposal is acceptable in this location and is of an appropriate scale and design. The development would not result in any unacceptable impact on the amenity of neighbouring property and would not prejudice the operation of nearby commercial property, or be detrimental to the occupiers of the development. The proposal would not result in any traffic or road safety issues. There are no other material considerations which outweigh this conclusion.

The recommendation is subject to a legal agreement to secure a financial contribution towards works to alleviate accommodation pressures at Broughton Primary School, for transport infrastructure and to ensure minimum requirements for affordable housing are met.

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

### 3.4 Conditions/reasons/informatives

1. i) Prior to the commencement of construction works on site:
  - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - b) Where necessary, a detailed schedule of any required remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

2. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
3. Full details of the path diversion in Pilrig Park including its construction and width, shall be submitted to and approved by the Head of Planning and Building Standards prior to commencement of development. This shall include details of a secure working area, tree protection measures and grass reinstatement. The proposed path diversion shall be completed as the approved details prior to occupation of the first residential property hereby approved.
4. The noise protection measures to the proposed development, as defined in the drawing number E0952 PL 024(A) and the Robin Mackenzie Partnership 'Environmental Noise Assessment' report (Ref R-6598-CL-TWF), dated 10 January 2014 shall be carried out in full to the satisfaction of the Head of Planning and Building Standards prior to the development being occupied.

Glazing units highlighted on drawing E0952 PL 024(A) must have a minimum insulation value of 6/16/4mm double glazing with window ventilators capable of achieving a minimal acoustic rating of D<sub>ne,w</sub> 36 dB.

5. The tree protection measures as shown on drawing 25 (dated October 2013 by ACS Consulting) shall be implemented during the construction period to the satisfaction of the Head of Planning and Building Standards.
6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
7. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

**Reasons:-**

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
2. In order to safeguard the interests of archaeological heritage.
3. To ensure the proposed path diversion is carried out to an acceptable standard.
4. In order to protect the amenity of the occupiers of the development.
5. In order to safeguard protected trees.

6. In order to ensure that the approved landscaping works are properly established on site.
7. In order to enable the planning authority to consider this/these matter/s in detail.

### **Informatives**

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. The applicant shall enter into a suitable legal agreement in respect of the following:
  - i) Education contributions;
  - ii) Affordable housing;
  - iii) Transport contributions.
5. The development shall be carried out in accordance with the measures identified in the approved Sustainability Statement Form. The applicant should submit a Self Declaration Form to the Head of Planning and Strategy on completion and prior to occupation unless otherwise agreed.
6. The incorporation of swift nesting sites/swift bricks into the scheme is recommended.
7. Transport and roads requirements
  1. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent (RCC). Note:
    - a) The RCC is to include the proposed access from Stanwell Street, the link to Tennant Street and footpath improvements;
    - b) The extent of adoptable roads will include access to all residential properties;

- c) Public utility provision should be located so as not to obstruct access by pedestrians, vehicles and emergency service vehicles;
  - d) swept path analysis will be required to demonstrate sufficient space for refuse vehicles etc. to turn;
  - e) a number of detailed design matters will be required to be addressed as part of the RCC.
2. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth).
  3. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (eg loose chippings) being carried on to the road.
  4. Any gate or gates must open inwards onto the property including access to bin stores.
  5. Any hardstanding outside should be porous, to comply with 'Guidance for Householders' (December 2012).
  6. Proposed onstreet spaces within the site will form part of the road network and cannot be allocated to an individual property, nor can they be the subject of sale or rent. The spaces will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on street parking spaces, whether the road has been adopted or not. The developer will be expected to make this clear to prospective owners and tenants.
  7. New road names may be required for this development and they should be asked to discuss this with the Council's Street Naming and Numbering Team at an early opportunity. Street naming is likely to influence the progression of any traffic regulation orders.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

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

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

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

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### 7.1 The sustainability impact has been assessed as follows:

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## Consultation and engagement

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### 8.1 Pre-Application Process

Pre-application discussions took place on this application.

### 8.2 Publicity summary of representations and Community Council comments

The application was advertised on 1st November 2013. No letters of representation have been received.

## Background reading / external references

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

### Statutory Development Plan Provision

Edinburgh City Local Plan

The site is within the Urban Area.

Edinburgh Local Development Plan

The site is within the Urban area. A cycleway/ footpath access is to be safeguarded through the site to Pilrig Park.

Stead's Place/ Jane Street Development Brief (August 2008)

### Date registered

22 October 2013

### Drawing numbers/Scheme

1-3, 4a-19a, 20, 21b-22b, 23, 24a, 25, 26b, 27a, 28,

Scheme 2

## **David R. Leslie**

Acting Head of Planning and Building Standards

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## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Edinburgh City Local Plan.**

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

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

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

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

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

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

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

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

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

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

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

Policy 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 Emp 3 (Business and Industry Areas) protects identified areas for business, industrial and storage development.

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

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

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

Policy Tra 7 (Tram) prevents development which would prejudice tram safeguards or identified tram routes.

Policy Env 6 (Conservation Areas Development ) sets out criteria for assessing development in conservation areas.

### **Other Relevant policy guidance**

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

**Non-Statutory guidelines** 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.

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

# Appendix 1

## Consultations

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### Archaeology comment

*Further to your consultation request I would like to make the following comments and recommendations concerning this application erect residential development of 49 units.*

*As stated in my response to the earlier 2009 applications (09/00845/OUT & 09/02121/AMC) the site overlies the outer fortifications of the 16th century siege fortifications and as such an area that must be regarded as being potentially national archaeological significance, in addition to later post-medieval and industrial remains. Although the results of the October 2009 archaeological evaluation undertaken by Addyman Associates were did not unearth diagnostic remains associated with the 16th siege works, they did nonetheless show that the site is covered with a deep garden soil deposit contain post-medieval pottery and latter 18th/19th century remains.*

*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 (2010) policy 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.*

*Given these results it is still considered likely that significant remains may still survive across the site relating these nationally significant 16th century siege works in addition to later 18th/19th industrial archaeology. As such it is considered that this proposal is regarded as having a potential moderate archaeological impact. Ground-breaking works associated with construction of the new development are likely to disturb significant remains associated with the 19th century industrial development of Leith and perhaps the earlier 1559/60 century Siege of Leith. Accordingly it is recommended that the following condition be attached consent, if granted, to ensure that a programme of archaeological works is undertaken prior to construction in order to excavate, record and analysis any significant archaeological deposits that may be uncovered.*

*'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

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

## **Scottish Water comment**

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

*Water Treatment Works - has limited capacity available for new demand.  
The Developer should discuss their development directly with Scottish Water.*

*Wastewater Network - Our initial investigations have highlighted there may be a requirement for the Developer to carry out works on the local network to ensure there is no loss of service to existing customers. The Developer should discuss the implications directly with Scottish Water.*

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

*Scottish Water is funded to provide capacity at Water and Waste water Treatment Works for domestic demand. Funding will be allocated to carry out work at treatment works to provide growth in line with the Local Authority priorities. Developers should discuss delivery timescales directly with us.*

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

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

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

*It is possible this proposed development may involve building over or obstruct access to existing Scottish Water infrastructure. On receipt of an application Scottish Water will provide advice that will require to be implemented by the developer to protect our existing apparatus.*

## **SEPA comment**

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

## *Advice for the planning authority*

### *1. Surface water drainage*

*1.1 The surface water drainage proposal outlined in the on drawing no. 19736:SK:0027 is acceptable to us in terms of water quality as it provides the required level of treatment for surface water run-off from the residential development. We have not considered the water quantity aspect of this scheme. Comments from Scottish Water, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on any water quantity issues.*

### *2. Air quality*

*2.1 We note that proposal site is within close proximity to Great Junction Street Air Quality Management Area. The local authority is the responsible authority for local air quality management under the Environment Act 1995; however we recommend that this development proposal is assessed alongside other developments that are also likely to contribute to an increase in road traffic. Consideration should therefore be given to the cumulative impact of all development in the local area in this planning submission. Further guidance regarding these issues is provided in NSCA guidance (2006) entitled Development Control: Planning for Air Quality.*

### *3. Contaminated land*

*3.1 Advice on land contamination issues should be sought from the local authority contaminated land specialists because the local authority is the lead authority on these matters under Part IIA of the Environmental Protection Act 1990 except for matters relating to radioactively contaminated land or special sites.*

## **Transport comment**

*We have no objections to the application subject to the following being included as conditions or informatives as appropriate:*

- 1. Consent should not be issued until the applicant has entered into a suitable legal agreement to provide:*
  - a) A contribution of £2,000 for traffic order to designate the disabled persons parking places (to comply with the Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2002 regulations;*
  - b) A contribution to the Edinburgh Tram. Under the current Council policy, a contribution of £86,200 would be due (based on 49No. residential units in Zone 2 approx.350m to tram line). It is understood that a separate agreement has been made on the tram contributions for the wider site and that the applicant proposes to contribute £10,000 in relation to this application;*

2. *All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent (RCC). Note:*
  - a) *The RCC is to include the proposed access from Stanwell Street, the link to Tennant Street and footpath improvements;*
  - b) *The extent of adoptable roads will include access to all residential properties;*
  - c) *Public utility provision should be located so as not to obstruct access by pedestrians, vehicles and emergency service vehicles;*
  - d) *swept path analysis will be required to demonstrate sufficient space for refuse vehicles etc. to turn;*
  - e) *a number of detailed design matters will be required to be addressed as part of the RCC;*
3. *The proposed path diversion is to be completed prior to first occupation of the properties;*
4. *Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);*
5. *A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;*
6. *Any gate or gates must open inwards onto the property including access to bin stores etc.;*
7. *Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012.*

*Note:*

1. *The applicant must be informed that the proposed on-street spaces within the site will form part of the road network and cannot be allocated to an individual property, nor can they be the subject of sale or rent. The spaces will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street parking spaces, whether the road has been adopted or not. The developer will be expected to make this clear to prospective owners and tenants;*
2. *The applicant should be aware that new road names may be required for this development and they should be asked to discuss this with the Council's Street Naming and Numbering Team at an early opportunity. Street naming is likely to influence the progression of any traffic regulation orders.*

## **Children + Families comment**

*This site is located within the catchment areas of:*

- *Broughton Primary School;*
- *St Mary's (Leith) RC Primary School;*
- *Drummond High School; and*
- *Holy Rood RC High School.*

*There is currently spare capacity at Drummond High School and in respect of RC schools where there are capacity issues, priority will be given to baptised Roman Catholics.*

*However Broughton Primary School is currently operating beyond capacity. In line with the Council's developer contributions policy a contribution of £78,350 would be required. The developer contributions will be used to help alleviate accommodation pressure at Broughton Primary School.*

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

*In their supporting statement the applicant has mentioned making a catchment change with the adjacent Leith Primary School but it is not normally the policy of the Council to make small, ad hoc catchment changes given the extensive statutory procedures that have to be followed.*

## **Flood Prevention comment**

*The application should include a flood risk assessment if appropriate and a surface water management plan.*

### *Flood Risk Assessment*

1. *The flood risk assessment should show that the development is not at risk of flooding in a 1:200yr (0.5% AEP) flood from a watercourse. An allowance should be made for climate change.*
2. *Land raising to protect the development will not generally be acceptable within functional flood plains.*

### *Surface Water Management Plan*

*The surface water management plan should deal with flood risk from surface water, ensuring that flood risk elsewhere is not made worse by runoff from the development. The main elements of the surface water management plan should be analysed up to the 1;200yr (0.5%AEP) event with an allowance for climate change and include as follows:*

### *Discharge Point*

- 1. Discharge point(s) for the drainage system must be identified, and the approval in principle from the owner, or Scottish Water in the case of a sewer, for the discharge to that point must be demonstrated.*
- 2. If the drainage system discharges to a watercourse, directly or indirectly, it must be served by SUDS in accordance with the SUDS manual, and SUDS for roads where applicable. The treatment methods must be approved by SEPA. Maximum discharge rates should not exceed 4.5l/s/ha or the 2yr greenfield rate, whichever is the lower. Attenuation volume must be designed for the full capacity of the drainage system.*

### *Flow Paths*

- 1. Surface water should be dealt with by analysing the existing and proposed flow paths and depths for surface water runoff. This should include runoff from outwith the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system.*
- 2. New buildings in the development must not be at risk of flooding as a result of these flow paths and depths*
- 3. Where runoff from the site could increase flood risk elsewhere, the increased runoff from paved surfaces, relative to greenfield runoff, (up to the 1;200yr event) should be attenuated on site.*
- 4. If the development alters existing flow paths in a way which increases flood risk to existing property, additional attenuation or other measures may be required.*

### *SUDS Maintenance*

- 1. Details of the organisation taking on the responsibility of the proposed SUDS (including underground attenuation tanks), the size of SUDS retention ponds along with GIS co-ordinates is required.*

*It is recognised that small, restricted sites may require some relaxation in respect of attenuation volumes on site.*

*Information should be supplied in a report detailing proposed mitigation measures with supporting and appropriate drawings and calculations. Print outs from InfoWorks solely is not considered as a sufficient report.*

*Drainage issues cannot be left as a condition on an FUL or AMC application, since it can have significant impacts on finished floor levels, property locations, location of paths and other hard landscaping aspects. This information is required prior to this department's determination.*

## **Affordable Housing comment**

*Services for Communities have developed a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.*

- The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*
- This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.*

### *2. Affordable Housing Requirement*

*This application is for a total of 49 residential homes and as such the AHP applies. A total of 12 affordable homes of approved affordable housing tenures will be required to be provided on site using the same palette of materials. The development comprises a mix of townhouses and apartments. This department provided advice to the applicant at the pre-application stage on integration and the provision of a representative mix. In order to provide good integration and range of house types, it was requested that at least some of the affordable homes be provided in the form of townhouses.*

*The applicant expressed viability concerns with regard to delivering townhouses and proposed that all the affordable homes be provided as apartments. Subsequently, an open book viability assessment was undertaken by the Council and this evidenced that the provision of townhouses would in fact be unviable. This department therefore accepts the total affordable provision as flats as to deliver townhouses would render the whole development unviable as evidence through an open book assessment.*

*As detailed above the AHP requirement on this site is 12 units. The applicant has committed to provide 11 affordable units. This falls short of the AHP requirement. It has been noted by this department that the site layout comprises two blocks of apartments, each of which includes 11 units and as such it would not be possible to provide the policy requirement of 12 units within one block. This department would suggest that the 12th unit could be provided within the other block but to avoid problems with ongoing management the tenure of this would require to be delivered as one of the AHP low cost home ownership options. Another alternative would be for the applicant to agree to the payment of a commuted sum for the 12th unit.*

*In the absence of the applicant committing to the provision of 12 units as outlined above this department would recommend the proposal for refusal. However, if one of the above mentioned delivery mechanisms can be implemented for the 12th unit, we would welcome the development of these homes.*

*The agreed affordable housing requirement will be secured through a Section 75 Legal Agreement.*

## **Environmental Assessment comment**

*The applicant proposes developing 49 residential units on a gap site. The area has a mix of uses, with Class 4 business units along Tennant Street to the north east, a housing development to the south, Pilrig Park to the west and a vacant area to the north west of the application site which has outline planning permission for a residential care home.*

*The outline planning permission was granted for the introduction of residential use to a larger development site, which included the care home and a number of business units (09/00845/OUT). This was subject to a number of conditions.*

*The adjacent light industrial units along Tennant Street include an electric motors repair workshop, a window manufacturer and a recording studio. Other notable industrial premises located on eastern side of Tennant Street are a biscuit factory and an industrial supplier of site equipment.*

*The rows of Class 4 units on the west side of Tennant Street are single-storey terraced workshops. The proposed distance between the closest proposed building line of the residential development and the rear facades of the Tennant Street workshop is approximately 5-10 m. Environmental Assessment raised concerns regarding potential noise impacts on the proposal site therefore the applicant submitted a noise impact assessment in support of the application.*

*The noise impact assessment has highlight there may noise problems when flour is delivered to the Shortbread House located on the eastern side of Tennant Street causing exceedances of the daytime noise criteria within the proposed residential block 2 rooms closest to Tennant Street.*

*It also identifies that day time noise problems for the upper floors of the proposed block 5 due to them having a direct line of site over the workshops causing an exceedances of the daytime noise criteria within the proposed residential block 2 rooms closest to Tennant Street.*

*The noise impact assessment has highlighted that amplified music and vocal noise break-out from the studios is likely to be audible within the closest proposed dwellings (allowing for windows to be open for ventilation). The noise impact assessment has calculated that any proposed dwelling with a separation from the rear studio facade greater than 20m will be required to comply with relevant noise criteria. The rehearsal studio located at Unit 26 Tennant Street is identified as having the most significant noise impact in relation to the development site.*

*Different methods of mitigation have been suggested to reduce the impacts of the noise breakout from the studios. For example upgraded glazing (closed window) with ventilation, 4m noise barrier and improving the insulation of the studio. None of these methods of mitigation can be supported. Environmental Assessment do not support closed window standards as a method of mitigating industrial noise, planning will not support the inclusion of a 4m high noise barrier due to its visual impact and the studio is outside the application site boundary therefore we cannot impose conditions on the studio.*

*Environmental Assessment is aware that the studio does not operate under use class 4, however, does have a valid condition attached to the change of use permission restricting noise breakout. Planning Enforcement have advised that they could assess the possibility of taking action in the event of a complaint being received from a resident of any of the newly proposed units, although they cannot guarantee that this would prove successful in protecting amenity. It should be noted that the Noise Team have received a noise complaint from a nearby resident regarding music noise breakout from this premises.*

*The residential aspect of the outline consent raised some concern from Environmental Assessment, due to the likelihood of noise from industrial units on Jane Street and the surrounding area, causing problems for future occupants.*

*It was therefore agreed that the outline plans included a buffer of 'business space' to be located between the industrial units and the proposed residential units. This would have addressed the noise issue, however, the report stated that further assessment of the impact the noise will have on the proposed residential must be made. The following condition was recommended;*

*The development shall not commence until a scheme for protecting the residential development hereby approved from noise from industrial units in the nearby industrial estate and any potential noise from the proposed industrial units has been submitted to and approved in writing by the Head of Planning; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning before any part of the development is occupied.*

*Furthermore a condition restricting the use of the rows of Class 4 units on the west side of Tennant Street to use class 4 only was also conditioned. It should be noted that the outline application included these units within its site boundary. For this application they are located outside the application boundary. This condition was necessary in order to protect the amenity of future occupants of the residential properties.*

*It is now apparent that the studio does not operate under a use class 4 and the noise impact assessment states that music noise from the studio will be audible within the closest proposed dwellings. The noise impact assessment also indicates that some of the other industrial uses will slightly exceed the recommended noise criterion. Taking all the information into consideration Environmental Assessment will not be able to support this application due to the poor level of residential amenity afforded to the proposed development. However if the application is granted Environmental Assessment recommend that upgraded acoustic glazing with acoustic passive ventilation is installed in accordance with the submitted noise impact assessment to ensure that a degree of acoustic protection is available.*

*Environmental Assessment has considered the application in terms of the impact it may have on air quality. The Great Junction Street Air Quality Management Area is located approximately 2 miles away which has been declared for breaches in national legal standards originating from traffic related pollution. It is anticipated the development will attract an increase in car parking provision and ultimately traffic movement, having some impact on the Air Quality Management Area.*

*It is recommended that the car parking levels are kept to a minimum. This would encourage public transport use, ensure less vehicle movement and in essence create less pollution. Environmental Assessment would not support an application that proposes a biomass installation.*

*Historically the site has had a number of industrial and commercial uses according to mapping information and records held by this Department. Therefore a condition to address potential land contamination is also recommended if consent is granted.*

*Therefore Environmental Assessment recommends the application is refused however if consent is granted we recommend the following conditions are attached;*

*The following conditions are recommended as pertaining to entire development site;*

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

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

*Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Planning Authority.*

*The following noise protection measures to the proposed development, as defined in the drawing number E0952 PL 024(A) dated 27 May 2014 and the Robin Mackenzie Partnership 'Environmental Noise Assessment' report (Ref R-6598-CL-TWF), dated 10 January 2014:*

*Glazing units highlighted on drawing E0952 PL 024(A) must have a minimum insulation value of 6/16/4mm double glazing with window ventilators capable of achieving a minimal acoustic rating of D<sub>new</sub> 36 dB.*

*shall be carried out in full and completed prior to the development being occupied.*

## **Police Scotland**

*It is advised that the development seeks Secured by Design accreditation.*

*This development will attract parents parking to collect/drop or visit Bun-sgoil Taobh na Pairce, which has the potential conflict.*

*Recommendations: -*

*\* It is noted that there is vehicle access from Stanwell Street, apparent vehicle access to Tennant Street. There will be a recognised pedestrian access from Pilrig Park. A further path will go around the western/southern side of the site.*

*The pedestrian route from Pilrig Park has no boundary fence line to create a 'private' area for residents only at the adjacent block. The boundary line should be a 1.8 metre fence line, if visibility is required then a weld mesh fence would be required to ensure that path users are seen.*

*The proposed 1.1 metre boundary fence along the path on the western/southern side of the site, should also be a 1.8 metre fence line, preferably weld mesh, so that path users can be seen to enhance their personal safety.*

*There should be no site access from this path at the bin store on the south west side of the site, as the bin store can be used as a 'hauf' and become a focus of anti-social behaviour. Doors for the store should face the roadway.*

*\* Block 6 & 7 should have 1.8 metre boundary fences around them to create an area that is for the users of the block only – the proposed boundary fence height of 1.1 metres would allow easy access of unwanted persons into the area.*

*\* Any low level planting should be kept below a metre, which would include any planter, trees should be crowned above 2.2/2.4 metres.*

*It has to be noted that low level planting can be used to create 'stand off' from buildings etc. Bin and the substation would benefit from this.*

*\* Fence and gates should all be at the same height, to prevent climbing points.*

*\* The housing blocks should have a 1.8 metre fence enclosing each block area, the boundary fence between each property should be graduated from 1.8 to 0.45 metre post and rail.*

*\* The communal space between Block 2 & 3 should have 1.8 metre boundary fence, preferably with external planting and no gates on the Tennant Street side – access for residents and service provision can be via the proposed double gates at the other end of the communal area. Ideally this should be an accessed controlled robust gate – preferably metal to deal with multiple users and hopefully reduce maintenance.*

*\* All bin stores are accessed from the street side of the property or stand alone, with no access doors into the development, which is good practice.*

*\* Consideration should be given to orientating the sub-station doors to face into the development, would at least give them limited natural surveillance from Block 7.*

*\* The cycle stores, ideally should have one single leaf entrance door (PAS 24 or 44mm solid core door with a mortise lock to BS3621:2007) with cycle stands, not cycle racks as a cycle rack simply supports the cycle it does not give a facility to lock it correctly to. Although secured by design states a PAS 24 or 44mm solid core door with a mortise lock, due to the prospective number of users a card/fob system would be advisable so that use of the facility can be monitored if required. The facility in block 6 is to be commended as the facility is accessed through the common stair.*

*Consideration should be given for the bin store and cycle store location to be re configured, that way access to the cycle store can also have the additional barrier of the common entrance door. The bin store doors should face onto the street.*

*Only residents with cycles should be given access to the cycle stores, this should be a request overseen by the factor or landlord.*

*\* Good illumination will be an important aspect of the development.*

*\* For residential properties the standards for door sets and windows is PAS24:2012 (or equivalent) doors and windows fitted with laminate glass at ground floor and any accessible windows.*

*\* Post Delivery to flats should either be by means of a mail box which allows delivery of mail from outside the premises and collected by residents inside or an 'airlock' created with an outer door with an access control button and an inner door with no access control button and mail delivery boxes can be located between the two doors.*

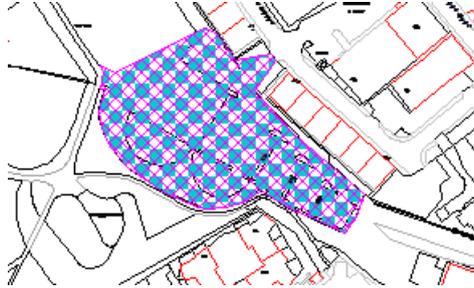
*\* Ideally meter reading should be done by service providers electronically (remotely) or from outside the stair so that access is not required into the premises.*

*\* A 13 amp non switched fused spur, suitable for an alarm system, must be installed. If the full alarm system is installed it shall comply with one of the following standards:*

- BS EN 50131 & PD6662 (wired system)*
- BS 6799 (wire free system)*

## Location Plan

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**END**