

Development Management Sub Committee

Wednesday 17 December 2014

Application for Planning Permission in Principle 14/03416/PPP

At Development Site At, Niddrie Mains Road, Edinburgh
Mixed use development inc. retail (class 1); financial,
professional + other services (class 2); food + drink (class
3); business + employment (class 4); residential institutions
(class 8); residential (class 9); assembly + leisure (class 11);
sui generis flatted development + other associated works
including car parking, public realm, access arrangements +
works in general

Item number	4.9
Report number	
Wards	A17 - Portobello/Craigmillar

Summary

The proposal complies with the development plan and will enable the regeneration of Craigmillar to continue. The proposed mixed uses are appropriate for a local centre and the positioning of such uses at the western end of Niddrie Mains Road will contribute to this area being a focal point in the community.

Links

[Policies and guidance for this application](#)

LPC, CITD1, CITD2, CITD3, CITD4, CITE3, CITE8, CITE12, CITE17, CITE18, CITOS3, CITH1, CITH2, CITH3, CITH7, CITCO1, CITCO2, CITR4, CITT4, CITT5, CITI6, NSG, NSGCDF, NSGD02, NSMDV, NSP,

Report

Application for Planning Permission in Principle 14/03416/PPP

**At Development Site At, Niddrie Mains Road, Edinburgh
Mixed use development inc. retail (class 1); financial,
professional + other services (class 2); food + drink (class
3); business + employment (class 4); residential institutions
(class 8); residential (class 9); assembly + leisure (class 11);
sui generis flatted development + other associated works
including car parking, public realm, access arrangements +
works in general**

Recommendations

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

Background

2.1 Site description

The application site is in Craigmillar on the north side of Niddrie Mains Road, just east of Duddingston crossroads. Most of the site extends from Wauchope Terrace in the east to Harewood Drive in the west and Harewood Road in the north. It also includes a piece of land to the north of Harewood Road up to the railway embankment, behind the former Craigmillar Primary School building, and land to the west of the East Neighbourhood Centre. A stretch of land, currently part of the pavement/public street, along the front of the East Neighbourhood Centre is included in the application site.

This part of Craigmillar is a mixed use area and contains a concentration of retail uses near Niddrie Mains Road. Among the mix of uses are community facilities, such as The White House, the East Neighbourhood Centre, Craigmillar Medical Centre, and Richmond Church. The wider surrounding area is mainly housing and there are sports facilities nearby at the Jack Kane Centre and large areas of open space such as Hunter's Hall Park.

Niddrie Mains Road is a main thoroughfare linking Edinburgh with Musselburgh and has a high frequency bus route.

2.2 Site History

15 January 2009 - Minded to Grant subject to a legal agreement for erection of mixed use development including, residential (houses + apartments), residential care homes (class 8), business (class 4), retail (class 1), food store (class 1) (including cafe), petrol filling station, classes 2 and 3, Community High School (including public library, cafe and sports/ leisure facility), train station, with associated landscaping, infrastructure and car parking for development site at Niddrie Mains Road Edinburgh. Note: addendum to Committee 25 October 2012 to amend legal agreement (planning application 08/02553/OUT);

7 October 2010 - Permission granted for Council neighbourhood office and public library at Niddrie Mains Road Edinburgh (planning application 10/01938/FUL);

10 December 2010 - Minded to Grant subject to a legal agreement for new town square public realm, including realignment of Harewood Drive and 'shared-space' principles as previously set out in the Craigmillar town centre application of June 2008 at Niddrie Mains Road (Former St Francis RC School Site) (planning application 10/02425/FUL); and

26 October 2011- permission varied for planning permission 10/01938/FUL (planning application 10/01938/VARY).

Main report

3.1 Description Of The Proposal

The proposal is for planning permission in principle for a mixed use development including retail, professional and other services, offices, food and drink premises, business and employment uses, residential institutions, residential, flats and assembly and leisure uses. Associated works including car parking, public realm, access arrangements and works in general are also proposed.

A supermarket, retail premises and a restaurant will front Niddrie Mains Road. The supermarket car parking will be to the rear with some parking in front of the other retail unit(s). There is the potential for industrial or business uses to the rear of the site.

Housing will be built in the current gap site to the east of the East Neighbourhood Centre and will be a mix of flats and colony style dwellings. They will be three and four storeys high. It is intended that these will include family sized units.

Pedestrian and cycle routes will be provided through the site. Linear green space will be created in the housing area and the subsequent applications will include proposals for the public realm.

The site for a high school is within the vicinity but the school will come in as a separate application as it is outwith the site boundary.

3.2 Determining Issues

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the development is acceptable;
- b) the scale, layout and design are appropriate;
- c) the access, parking and transport arrangements are acceptable;
- d) there is any impact on infrastructure;
- e) the development is sustainable;
- f) there is no detrimental impact on the amenity of neighbours;
- g) there are any other material considerations;
- h) there are any equalities or human rights; and
- i) the public comments have been addressed.

a) Principle of Development

Most of the site is identified in the Edinburgh City Local Plan as being in a housing site, HSG 17, which includes a school and an indicative shopping proposal. The school and some of the housing within the HSG17 site have been built. The western part of the application site is within a Local Centre, Craigmillar, and its previous use was retail. The application site benefits from the same definitions, i.e. housing and local centre, in the Second Proposed Local Development Plan.

In the Craigmillar Urban Design Framework the application site was identified as a development block and formed part of the wider regeneration project's aspirations and proposals for Craigmillar, Niddrie and Greendykes.

A previous planning application (08/02553/OUT) seeking permission for a mixed use development on a larger site area at this location was granted on 21 January 2009 subject to a legal agreement. The legal agreement has not yet been concluded. This is a material planning consideration for the current application.

The site is surrounded by a mix of uses including retail, cafes/takeaways, business, a bank, post office, offices, community facilities and residential. The proposal is for a similar range of uses which will enhance the variety of facilities available in the centre. The principle of the location of the uses complements the existing location of mixed uses and is acceptable.

The proposed predominant use on the site will be residential which accords with the predominance of housing throughout this part of Craigmillar.

The principle of the proposed development is acceptable.

b) Layout, scale and design

Layout

The proposed non-residential uses will be concentrated near current shops and facilities, such as the library and medical centre. The proposed foodstore and retail units will sit on each side of the East Neighbourhood Centre and strengthen this part of Niddrie Mains Road making it more of a traditional shopping street layout and focal point.

The proposals are not detailed but indicate the proposed layout and hierarchy of roads. Niddrie Mains Road will remain a principal route and Wauchope Terrace will be a key route leading to the residential uses further into the application site.

The proposed residential dwellings on the east of the site will sit comfortably with the adjacent residential uses. The vacant site to the east of the application site is identified for housing and the proposed layout will enable a co-ordinated approach to the redevelopment of the remaining vacant sites along Niddrie Mains Road. This approach will give an active frontage along Niddrie Mains Road.

Housing on the northern part of the application site will be compatible with the use of housing already constructed in this part of Niddrie Mains.

The proposal excludes the secondary school although the space and position of it has been taken into account in the development of the current proposal. It will sit between the East Neighbourhood Centre and the proposed retail and restaurant. The school proposal will be considered in a separate planning application at a later date. Its location will add another element to this area, being a focus in the community.

Scale and design

The foodstore and retail buildings are proposed to be the equivalent to two residential storeys in height and the restaurant will be 1 or 2 storeys high. The residential buildings fronting Niddrie Mains Road will be 3 or 4 storeys high, which accords with the Revised Craigmillar Urban Design Framework. The residential buildings proposed to front Wauchope Terrace are also proposed to be 3 - 4 storeys. The residential buildings to the rear of the site will be 2 or 3 storeys. This will provide a gentle reduction in building heights from the front of the application site, which abuts Niddrie Mains Road, to lower heights at the back.

There is a range of building heights along Niddrie Mains Road and in the immediate surrounding area. The proposed heights reflect the guidance in the Revised Craigmillar Urban Design Framework and the relationship between building heights and the proposed road hierarchy. It is recommended that the building heights be a reserved matter.

The Edinburgh Design Panel strongly supported the design approach and the use of design codes. Design Principles contained in the Design Statement set out the proposed "design input" and the associated "design guidance" for each of the individual components, e.g. the town centre and its civic space, residential and its materials and retail and its building heights. The Panel supported the design approach of Niddrie Mains Road being retained as the centre of the new town centre with new civic spaces as part of this street. The Panel also encouraged colony housing and this is indicated in the drawings submitted.

Landscaping is important to give the proposals a soft landscape and cohesive structure across the site. Given the prominent location of the proposed development, high quality and co-ordinated landscaping is required. Therefore, a condition is recommended requesting a fully detailed landscape plan including SUDS features for the site.

The general layout indicated in the drawings is acceptable in principle. However, the detailed design and layout, including landscape and building heights, are recommended to be reserved.

c) Access, parking and transport

Access to the residential area will be taken from Wauchope Terrace. The proposed foodstore, parade of retail units and the restaurant will be accessed by dedicated roads directly from Niddrie Mains Road. The car park for the foodstore will be to the rear enabling a frontage to be provided on Niddrie Mains Road for the store. Parking is proposed to the front of the parade of retail units. Generally, car parks are not found to the front of retail units in traditional shopping street layouts and the Revised Craigmillar Urban Design Framework aspires to create a traditional high street, a "heart" for Craigmillar, along this part of Niddrie Mains Road.

The proposed public realm and landscaping of the car park will be reserved and will be expected to provide a high quality and appropriate setting for the car park.

Transport Planning has no objection to the application subject to conditions or informatives relating to public access, developer contributions for transport infrastructure, Quality Audits, street names and parking provision.

The pedestrian/cycle link between Niddrie Mains Road and Harewood Road is essential to retain this historical connection.

Edinburgh Design Panel was of the opinion that the approach to parking generally results in an appropriate urban structure on Niddrie Mains Road. It felt, however, that the car parking to the east of the proposed retail units results in a loss of perimeter block structure and felt it should be reconsidered.

The indicative layout provides a retail parade similar in scale to that found nearby in Niddrie Mains Road and concentrates parking near the cluster of local facilities. The Panel was of the opinion that the design of this area will be critical to the overall success of the street and the new civic/public spaces. The detailed design will be assessed in any subsequent AMC or detail planning application. The front parking area is a small element of the proposal. In this context, the parking area is acceptable.

The indicative layout is acceptable. The detailed street layout, such as the car parks/parking, will be reserved.

d) Infrastructure

Schools (Children and Families)

The new high school will be assessed in a separate planning application. The current application recognises that a school will be located next to the East Neighbourhood Centre and opposite the proposed retail units. The plans demonstrate that the proposed redevelopment of the site can accommodate the new school.

A new approach to developer contributions is being introduced through the Second Proposed Edinburgh Local Development Plan, the accompanying Second Proposed Action Programme and non-statutory guidance on Developer Contributions and Affordable Housing. This approach requires housing proposals coming forward within the identified Castlebrae Contribution Zone to make an appropriate contribution to potential education actions. Work is ongoing in relation to identifying the preferred actions and associated costs. The outcome of this work is not yet available.

The applicant, Parc, is in ongoing discussions with Children and Families regarding the provision of the new secondary school.

Delivery of the new secondary school is the joint responsibility of Children and Families and Parc. Parc, as part of its role to promote regeneration in Craigmillar, will contribute to the school and provide enabling works, such as infrastructure provision. Parc has reserved 4.2ha of land for the school and in Parc's Development Appraisal for the Town Centre (Business Plan) approximately £2million has been identified for the infrastructure expenditure for the school. The agreement between Parc and Children and Families to deliver the school is being pursued separately from the current planning application. Therefore, in these special circumstances a developer contribution will not be sought for the secondary school.

Flooding and Drainage

Flood Prevention has advised that the further information submitted is considered appropriate for the application to be approved. An informative is recommended regarding the detailed design of the proposed drainage system.

SEPA

SEPA has recommended that a condition relating to the SUDS scheme be attached to any planning permission.

A SUDS strategy and details of the SUDS are required to demonstrate that the site can be drained sustainably and that the SUDS relate well to the proposed surface water management and drainage. SUDS needs to be interlinked between the various plots and, therefore, cannot be a reserved matter. SEPA has advised that the applicant has demonstrated that there is adequate space within the site for a Sustainable Urban Drainage System (SUDS) but there are no details on how this will be achieved. Therefore, a condition is recommended requiring details of the SUDS scheme.

e) Sustainability

This is a Planning Permission in Principle application and does not require to be assessed in terms of the sustainability of buildings. However, sustainability (S1) form will be required to be submitted with any AMC or detailed planning application.

f) Amenity of Neighbours

Some of the proposed uses may have an impact on the amenity of both existing neighbours and future neighbours. However, there is insufficient detail to enable this to be assessed in the PPP application. Therefore, details of the precise uses and supporting information, such as a noise impact assessment, will be required for the subsequent AMC or full detailed planning applications.

g) Other Material Considerations

Archaeology

The City's Archaeologist has advised that most of the site was occupied by post war housing. The western part of the site, next to the East Neighbourhood Office, was the site of Raeburn Brewery (1901 - 1960) and recent archaeological evidence in the form of the remains of bell pits has shown that the industrial coal mines of the 19th and 20th centuries were built at the centre of a much wider area of mining activity stretching across Newcraighall, Brunstane, Niddrie and Edmonstone and going back to the 16th/17th centuries if not much earlier.

Although the site has been affected by modern development there is a low-moderate potential for the survival of significant archaeological remains associated with the brewery and to a lesser extent the potentially early coal mining activities. Ground-breaking works associated with construction could disturb significant remains. Therefore, it is recommended that a programme of archaeological work is undertaken prior to development with any significant remains uncovered and fully excavated and recorded.

Economic Development

An Economic Impact Appraisal has been submitted with the application. It indicates that 368 jobs can be supported by the retail and leisure uses. The proposed development could be expected to support approximately 724 person years of direct employment. Person years of employment is essentially one job for one person over one year. The Gross Value Added (from job creation) from the proposed development is expected to be approximately £10m.

Economic Development has advised that the methodology used in the Economic Impact Appraisal is sound. The majority of the benefits will be localised to Craigmillar area and will represent a major regeneration boost, building on the progress already made, namely new housing, a library and neighbourhood office and restoration of The White House.

Economic Development is supportive of any construction related apprenticeship opportunities arising from the development if consented.

Heritage and Setting of Listed Building

The heritage of the area forms an important part of the character of Craigmillar and, therefore, a design proposal for the regeneration of the town centre which references heritage is welcomed and would help to reinforce the identity of the place.

The Edinburgh Urban Design Panel was of the view that, where possible, views to the 1930s buildings should be retained. This would include views to the Castlebrae Business Centre and the former Craigmillar Primary School.

Castlebrae High School, now Castlebrae Business Centre, is an Art Deco building dating from 1935. The building is important locally to the community and it can be glimpsed from Niddrie Mains Road through gaps between buildings and fencing. The pedestrian/cycle route between Niddrie Mains Road and Harewood Road will still enable such glimpses and views of Castlebrae Business Centre from Niddrie Mains Road. Retaining the views and glimpses of the former Craigmillar Primary School would be expected to be demonstrated in any subsequent AMC or detailed planning application.

Whilst not listed, the former Craigmillar Primary School, located to the north of the main part of the application site is an important local historical building. Modern housing envelopes the school with the central part still being able to be viewed from the street. It can also be seen from Niddrie Mains Road. Any detailed planning application will be expected to respect the role this building plays in the history of the community and its current status as being visible from the main thoroughfare.

Community Safety/Security

The subsequent detailed applications seeking approval of reserved matters will need to ensure that the designs and layouts proposed would result in a safe community. Therefore, the impact on security and safety must be considered in any AMC or detailed planning application.

Edinburgh Design Panel have raised concerns regarding the security of the car park to the rear of the superstore and suggested remediation, such as CCTV. Some of the activities proposed could generate more activity, thus improving security.

Affordable Housing

Strategy and Investment has advised that 25% of the proposed residential units be affordable. It welcomed the proposal to provide tenure blind housing units.

25% affordable housing must be delivered in all proposals, to comply with local plan policy. Notwithstanding the higher levels of affordable housing already delivered in other parts of the local plan housing site (HSG7), it is important to provide 25% affordable housing so that no one geographical location is over-dominated with a specific tenure. Therefore, it is necessary to meet CEC requirements.

It is recommended that a legal agreement be concluded to ensure that the Affordable Housing element of the proposed development is secured.

Network Rail

Network Rail has advised that it has no objection to the application. It has requested that matters relating to drainage, barriers, planting and construction works be attached as a condition or as an advisory note (informative).

Environmental Assessment

The site previously had a number of operations which may have caused the land to become contaminated. Therefore, a condition is recommended to ensure that the land is made suitable for the end uses proposed. Given the range of uses proposed and the proximity of these to residential uses and the close proximity to rail and road transport noise sources Environmental Assessment will require a Noise Impact Assessment to address these impacts when more detailed plans are available. The Assessment must include any detailed measures designed to protect residential amenity. Therefore, the provision of noise information will be a reserved matter.

Ventilation details will be required at AMC or detailed planning application.

Floodlighting will also be assessed and considered in the appropriate AMC or detailed planning application to ensure there is no light pollution.

Environmental Assessment has advised that the Air Quality Impact Assessment has demonstrated that traffic impacts will be insignificant. However, it advised that mitigation measures will be required during construction phase. This is not something Planning can control and, therefore, an informative is recommended to inform the applicant of this request.

The site is well served in terms of public transport, walking and cycling connections. The applicant is encouraged to investigate the integration of car club spaces and electric charging points for electric vehicles. Environmental Assessment request that a condition or informative is attached to any consent regarding air quality in the construction phase. Since this is not a material planning consideration, this request will be attached as an informative.

The Coal Authority

The application site falls within a defined Development Low Risk Area. Therefore, an informative is recommended containing The Coal Authority's Standing Advice.

h) Equalities and Human Rights

The proposals will provide job opportunities during the construction phase and once businesses are established. Affordable Housing will be provided and this will enable those who are unable to secure a mortgage or acquire a sufficient mortgage deposit to gain access to a new home.

There are no expected human rights issues.

The Equalities and Human Rights Impacts will be considered further in the subsequent AMC or detailed planning applications.

i) Public Comments

No public comments have been received. Craigmillar Community Council has been consulted but has not commented on the application.

Conclusion

The proposal complies with the development plan and will enable the regeneration of Craigmillar to continue. The proposed mixed uses are appropriate for a local centre and the positioning of such uses at the western end of Niddrie Mains Road will contribute to this area being a focal point in the community.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. i) No development shall take place until:
 - 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 Council as 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 Council as 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. No work shall commence on each phase of the site until details of the undernoted matters have been submitted to and approved in writing by the Planning Authority; the submissions shall be in the form of a detailed layout of that phase (including landscaping and car parking) and shall include detailed plans, sections and elevations of the buildings and all other structures.

Approval of Matters:

- a) design and layout, which will include:
 - (i). design and external appearance of all buildings, open space, urban realm and other structures;
 - (ii). height, massing and siting including analysis of views;
 - (iii). boundary treatments (overall site and individual plots);
 - (iv). car and cycle parking;
 - (v). road layouts, alignment and access arrangements, including any amendments to adopted roads and footways;
 - (vi). footpaths and cycle routes;
- b) full details of sustainability measures in accordance with Edinburgh Design Guidance;
- c) surface water management plan and SUDS;
- d) waste management and recycling facilities;
- e) noise attenuation measures for properties next to the railway and Niddrie Mains Road, including scheme for protecting residential dwelling units from noise from the road/rail and commercial noise (existing and proposed);
- f) full details of the Class 3, Class 8 and Class 11 uses including location, the proposed use, noise impact assessment, noise mitigation measures and ventilation specification;
- g) existing and finished site and floor levels in relation to Ordnance Datum;
- h) external lighting, including footpath, street lighting and any floodlighting, arrangements for the development; and
- i). landscaping, which shall include:
 - (i). detailed landscaping plan,
 - (ii). a schedule of all plants/trees to comprise species, size, proposed number and density,
 - (iii). inclusion of hard landscaping details,
 - (iv). landscape management plan including schedule for implementation and maintenance of planting scheme;
 - (v). tree protection measures; and
 - (vi). details of phasing of these works.

4. Each application for approval of matters specified in condition 1 shall be accompanied by a phasing plan for the development of the site. The phasing plan shall identify the car parking, individual blocks with associate landscaping, open space, and surface water management plan to come forward as part of the development and show how these matters relate to the wider development.
5. Prior to commencement of any works on site, full details of the finalised SUDS scheme shall be submitted for the written approval of the Council as planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme.
6. Prior to the commencement of any development, a detailed landscape plan outlining the final design of all hard and soft landscaping within that phase including planting species, location and quantity; tree protection measures and a maintenance schedule shall be submitted to and agreed in writing by the Head of Planning. Thereafter the agreed scheme shall be implemented in accordance with the agreed phasing plan.

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. In order to enable the planning authority to consider this/these matter/s in detail.
4. In order to enable the planning authority to consider this/these matter/s in detail.
5. To ensure adequate protection of the water environment from surface water run-off.
6. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

Informatives

It should be noted that:

1. The applicant will be required to enter into a suitable legal agreement to:
 - a. construct or to contribute the cost of:
 - i). upgrading the Duddingston Road West/Niddrie Mains Road junction;
 - ii). introducing signals at the junction of Greendykes Road/Niddrie Mains Road;
 - iii). introducing signals at the junction of Craigmillar Castle Avenue/Niddrie Mains Road;
 - iv). providing bus stops and associated equipment on Niddrie Mains Road;
 - v). improving the layout and materials on Niddrie Mains Road; and

- vi). relocate the existing closure on Peffer Road.

The applicant should note that detailed designs, layouts and specifications will be required to be submitted for detailed approval;

- b. contribute the costs of progressing orders to stop up or redetermine sections of road, introduce waiting and loading restrictions, control disabled parking spaces, introduce taxi ranks, as required for the development.
- 2. Permission should not be issued until the applicant has entered into a suitable legal agreement to ensure that affordable housing is provided in accordance with Council policy.
- 3. a) Application for the approval of matters specified in conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.

b) The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.
- 4. 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.
- 5. 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.
- 6. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848, www.coal.decc.gov.uk or www.groundstability.com.
- 7. Quality Audits, as set out in Designing Streets, to be submitted as part of any detailed planning application.
- 8. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, access, cycle tracks, verges and service strips to be agreed prior to the submission of any detailed application, including diversion or closure of existing routes.

The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout design and specification.

9. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity. Street naming is likely to influence the progression of traffic orders.
10. Parking provision should be consistent with the Council's Parking Standards.
11. Please refer to SEPA's consultation response. Further advice can be found at www.sepa.org.uk/planning.aspx or at SEPA Edinburgh, Clearwater House, Heriot Watt Research Park North, Riccarton, EH14 4AP.
12. Refer to Network Rail's consultation response, available on the Council's website www.edinburgh.gov.uk. Further advice can be sought from Network Rail Asset Protection Engineer Buchanan House, 58 Port Dundas Road Glasgow, G4 0LQ or Tel: 0141 555 4087 or E-mail - AssetProtectionScotland@networkrail.co.uk.
13. Detailed site plans of where the electric vehicle charging outlets and ducting shall be submitted to the satisfaction of the Head of Planning. The applicant should make provisions for electric vehicle (EV) charging throughout the development. Refer to detailed advice in Environment Ia Assessment's consultation response (available on the Council's web site www.edinburgh.gov.uk/planning).
14. When available the applicant shall provide details of all the boilers to Environmental Assessment to ensure compliance with the Clean Air Act 1993
15. Construction to be carried out in accordance with Environmental Assessment's consultation response (available at www.edinburgh.gov.uk/planning).
16. Detailed design of the proposed drainage system and surface water management plan must be provided to CEC and undertaken with regards to CEC guidance and all statutory guidance from other sources for each of the proposed development areas within the wider PPP boundary.

Financial impact

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

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

No representations have been received.

Background reading/external references

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

**Statutory Development
Plan Provision**

The application site forms part of the regeneration area for the Craigmillar area as set out in the Revised Craigmillar Urban Design Framework. In both the adopted Edinburgh City Local Plan and the Second Proposed Local Development Plan part of the application site is identified as being for housing and being in a local centre. An indicative shopping proposal is shown on the proposals maps. An area for Business and Industry, a Tram Safeguard and a railway safeguard are also identified in the local plan and proposed local development plan.

Date registered 25 August 2014

Drawing numbers/Scheme 01 - 05,

Scheme 1

David R. Leslie

Acting Head of Planning and Building Standards

Contact: Jackie McInnes, Planning officer

E-mail:jackie.mcinnnes@edinburgh.gov.uk Tel:0131 469 3731

Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

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 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

Policy Env 12 (Trees) sets out tree protection requirements for new development.

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

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

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

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

Policy Com1 (Community Facilities) sets requirements for the provision of community facilities associated with large scale residential development, and the protection of existing community facilities.

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

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

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 Inf 6 (Water & Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'The Craigmillar Urban Design Framework' sets out a vision and principles for development of the Craigmillar area.

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

Application for Planning Permission in Principle 14/03416/PPP

**At Development Site At, Niddrie Mains Road, Edinburgh
Mixed use development inc. retail (class 1); financial,
professional + other services (class 2); food + drink (class
3); business + employment (class 4); residential institutions
(class 8); residential (class 9); assembly + leisure (class 11);
sui generis flatted development + other associated works
including car parking, public realm, access arrangements +
works in general**

Consultations

Edinburgh Urban Design Panel

The Panel welcomes the opportunity to view the proposals at this early stage. The Panel were very supportive of the design process and masterplan to date. The Panel encouraged the use of design codes to ensure that all of the design aspirations embedded within the masterplan are delivered.

Main Report

1 Introduction

1.1 This report relates to a masterplan proposal for the regeneration of Craigmillar Town Centre.

1.2 This is the first time that this masterplan proposal has been reviewed by the Panel.

1.3 It was noted that Karen Anderson is Chair of Architecture + Design Scotland. However the Panel considered that there was no conflict of interest with respect to Johnny Cadell commenting as part of the Panel in relation to this proposal.

1.4 This report should be read in conjunction with the pre meeting papers which provide an overview, context, concept, plans, sections and 3D visualisations of the scheme.

1.5 This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the panel forming a differing view about the proposals at a later stage.

2 Planning Policy / history

2.1 Craigmillar is a part of a major regeneration area for the city. This ongoing work has so far included the delivery of new housing, library and Council offices, primary schools, restoration of the listed White House and public realm works.

2.2 In 2009 an application for a range of uses (reference 08/02553/OUT) was granted consent subject to a legal agreement being made. A decision has not yet been issued. The uses included: houses and apartments, residential care homes, business, retail,

food store, petrol filling station, community high school, library, train station and associated landscaping, infrastructure and car park. The masterplan illustrated with that application is indicative. This is the application to which the current masterplan proposed relates. Because of the recession, it has not been possible to yet deliver the development envisaged by that application. A key aim of this masterplan is to create a design that can be realistically developed over the coming years.

Edinburgh Urban Design Panel Report "Craigmillar Town Centre" 26 March 14 by the Edinburgh Urban Design Panel. These were built under a separate "stand alone" planning permission. Edinburgh Urban Design Panel Report - Craigmillar Town Centre -26 March 14

6 Residential Areas

6.1 The Panel encouraged further development of a colony housing typology within the masterplan and it was noted that this typology is in the area at Peffer Place.

7 Transport

7.1 The loss of the two storey car park from the previous masterplan was welcomed by the Panel.

7.2 The new masterplan proposes three tailored car parking solutions depending which uses they are serving. This approach could result in the loss of the urban structure in some areas. The Panel suggested that the approach to parking generally results in an appropriate urban structure on Niddrie Mains Road. However the parking area to the east of the retail unit, which takes the form of parking between buildings, results in a loss of perimeter block structure and should be reconsidered.

7.3 The school will generate car movements and these require to be fully considered as part of the masterplan.

8 Safe Spaces

8.1 Designing active overlooked spaces is critical to creating safe and pleasant spaces. The Panel suggested that an understanding of both day and night time activities could help in addressing the security and potential crime issues in this area.

8.2 Where this is not possible for example the car park area to the rear of the food store other devices for example cctv should be considered. Also, activity from the petrol station particularly from a 24 hour station would help to create activity and safer spaces.

8.3 The proposed carpark to the rear of the foodstore was of particular concern with respect to the potential for antisocial behaviour. Although in urban design terms this is the most logical location for the carparking to ensure activity to the main street some members of the Panel remained concerned with respect to public safety.

9 Recommendations

9.1 In developing the design, the Panel supports the following aspects of it and therefore advocates that these should remain in the proposals:

-The Panel supported the design idea of Niddrie Mains Road being retained as the centre of the new town centre with new civic spaces as part of this street

- The school designed at the heart of the masterplan.

-A strong urban structure with frontages and activity.

- The development of design coding as part of the masterplan. 9.2 In developing the proposals the Panel suggests the following matters should be addressed:

- The heritage of the area should be considered in the design of the masterplan.

- The design of the public realm/spaces associated with both the food store and retail required further design work to reduce the visual impact of carparking and car dominance.

Archaeology comment

The current occupies the northern half of the present day town centre of Craigmillar formally predominantly occupied by post war housing. The western extension of the site, located adjacent to the western side of the current CEC offices, was the site of the Raeburn Brewery (1901-1960). The area also occurs to the west of the important Newcraighall Colliery. Recent archaeological evidence in the form of the remains of bell pits has shown that the Industrial coal mines of the 19th and 20th centuries were built at centre of a much wider area of mining activity stretching across Newcraighall, Brunstane, Niddrie and Edmonstone and going back to the 16th/17th centuries if not much earlier.

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 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.

The site has clearly been affected by modern development nevertheless there is a low-moderate potential for the survival of significant archaeological remains associated with Brewery and to a lesser extent the potentially early coal mining activities (e.g. post-medieval bell pits). Ground-breaking works associated with construction of the new development could therefore disturb significant remains. Accordingly it is recommended that a programme of archaeological work is undertaken prior to development with any significant remains uncovered fully excavated and recorded.

The first phase of this programme of archaeological investigation will be the undertaking of an archaeological evaluation (max 10%) of the western extension site, the site associated with the Raeburn Brewery. The results of this work will inform what level of further archaeological excavation, recording and analysis and including Public engagement/open-days would be required to be carried out prior and/or during development and if applicable where preservation may be required.

Outwith the site of the former brewery it is considered that the potential for archaeological remains is low. That said given recent results nearby the site may contain evidence for pre-industrial coal mines in the form of bell pits and wells associated with adjacent historic breweries. Accordingly it is recommended that development within this area is archaeologically monitored.

These recommended works have as yet to be undertaken and accordingly it is recommended that that the following condition is attached to this consent to ensure that a programme of archaeological works is undertaken prior to construction.

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

publication, public engagement) 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.

The Coal Authority comment

The Coal Authority Response: Material Consideration

We can confirm that the above planning application has been sent to us incorrectly for consultation. The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Environmental Assessment comment

Impacts on Local Air Quality

Environmental Assessment had concerns regarding the potential impacts this development may have on local air quality. This was due to the increase in numbers of car parking spaces and the potential introduction of several large combined heat and power (CHP) units with chimneys. The applicant has submitted a air quality impact assessment in support of the application. It has demonstrated that traffic impacts will be insignificant however mitigation measures will be required during the construction phase to ensure dust is controlled. Environmental Assessment encourages the applicant to keep parking numbers to a minimum and make provisions for electric vehicle (EV) charging throughout the development. Environmental Assessment also advises the applicant that all CHP units must comply with the Clean Air Act 1993 and that Environmental Assessment will not support the use of biomass.

The site is well serviced in terms of public transport, walking and cycling connections. The applicant should be encouraged to investigate the integration of car club spaces and electric charging points for electric vehicles.

It is highlighted in Edinburgh's Local Transport Strategy 2014-2019 that the Council seeks to support increased use of low emission vehicles and support the extension of the network of EV charging points.

The City of Edinburgh Parking Standards for Development Management also now encourages the use of EVs. It states that the Council is likely to introduce a requirement for EV charging infrastructure which depends on how charging technology evolves this includes:

- o Dedicated parking spaces with charging facilities.*
- o Ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.*

Developers should now consider the potential for EV charging as they develop their proposals. Based on currently available technology Environmental Assessment recommends that at least two Electric vehicle charging outlet should be of the following standard:

70 or 50kW (32 Amp) DC with 43kW (32 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

It should be noted that support is available to developers to adopt EV's through the Energy Saving Trust's Sustainable Transport Advice Service and Interest Free Low Carbon Loans.

Grants are also available for the installation of EV charge points for workplaces, with 100% funding currently available for installations up to £10,000. More information can be found at

<http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding>

The applicant must commit to installing EV charging points and provide details of where they will be located. Environmental Assessment require the applicant to submit further details including plans and site drawings which highlight where the EV charging points will be located.

Therefore Environmental Assessment do not object to this application in regards to local air quality subject to the following being included as a condition or legal agreement.

Due to the close proximity of sensitive receptors to the site mitigation measures will be required to control dust during the construction phase. The Air Quality Impact Assessment has assessed this and the applicant has suggested a number of satisfactory mitigation measures which will protect neighbouring amenity. Environmental Assessment recommends these mitigation measures are included in the informatives.

Contaminated Land

The site previously had a number of operations which may have caused the land to become contaminated. Therefore this Department will recommend a condition which ensures that the land is made suitable for the end uses proposed.

Noise

The proposal includes the introduction of an unspecified Class 11 and Class 3 premises. Additionally, a Class 4 business use which may be permitted to change to use class 6 depending on its size is proposed. Some uses within, Class 11 premises are not necessarily compatible within predominantly residential areas. Such premises will require to be adequately conditioned and appropriately located to be able to operate within a residential area without impact upon residential amenity. Such premises will require a noise impact assessment recommending detailed measures designed to protect localised residential amenity. Therefore, Environmental Assessment will only support unspecified, Class 11 premises within this application if the applicant provides information at the AMC stage which proves that localised amenity will be protected. In this regard, the siting of such premises is recommended to be reserved for further details to be provided at the AMC stage. This would allow an adequate assessment of the siting of such premises to ensure that residential amenity will not be detrimentally affected by the premises which can cause noise and disturbance. Environmental Assessment also recommends that a noise impact assessment be provided in support of the Class 1, 2, 3 & 4 and premises to demonstrate that residential amenity will be protected. The noise impact assessments will be recommended by way of a condition.

Additionally, some premises may include external eating and drinking areas. The siting of such areas should be reserved for details to be provided at the approval of matters in conditions stage.

As the proposal will bring residential properties in close proximity to rail and road transport noise sources Environmental Assessment will require a noise impact assessment to address these impacts when more detailed plans are available.

Odour

The application proposes Class 3 premises, class 11 premises which may include food operations. Ventilation is likely to be required to adequately deal with kitchen effluvia from these premises and ensure that they reach an appropriate height. Therefore, the siting of such premises will require to be fully assessed at the AMC stage to ensure that odours from food operations do not impact upon localised residential amenity. Ventilation details will be required upfront with any detailed application.

Floodlighting

Floodlighting is likely to be required therefore, the locating of such floodlights will require to be fully assessed at the AMC stage to ensure that light pollution from their operations do not impact upon localised residential amenity. Floodlighting details will be required upfront with any detailed application. Although not part of this application the applicant should be advised that it is likely an application for a new school sports fields may include floodlighting.

Therefore Environmental Assessment has no objections to this application subject to the following conditions:

Site in General

Air Quality

1. *Detailed site plans of where the electric vehicle charging outlets and ducting shall be submitted to the satisfaction of the Head of Planning.*

Contaminated Land

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

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

(b) *Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.*

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

1. *No development shall take place until a scheme for protecting the residential development hereby approved and existing from noise from the road/rail and commercial noise (existing and proposed) 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.*

2. *Class 1 retail hours of operation will require to be agreed at the Approval of Matters in Conditions (AMC) stage.*

3. *Class 3/Class 8/ Class 11 (Food & Drink/ residential institutions / Non Residential Institutions/ Assembly and Leisure) detailed plans of where the commercial ventilation ducts will be installed shall be submitted to the satisfaction of the Head of Planning*

4. *Class 3 /Class 11 (Food & Drink/ Assembly and Leisure) Hours of operation will require to be agreed at the Approval of Matters in Conditions (AMC) stage.*

5. *Hours of operation and location of any external seating area will require to be agreed at the Approval of Matters in Conditions (AMC) stage.*

6. *Class 4 use - No permitted change to use to Class 6 will be allowed.*

7. *Class 11 - The siting of the premises should be reserved and agreed at the approval of matters in conditions application stage.*

8. *Prior to occupation of the Class 11 premises, the Head of Planning shall be provided with a written statement detailing the proposed use and the potential of that use to cause noise disturbance to occupiers of nearby residential properties. The Head of Planning shall then identify in writing whether a full noise impact assessment will be required to ensure nearby residential amenity is protected. Any noise assessment should, if required, specify mitigation measures designed to protect the nearby residential amenity and the premises must not be occupied prior to any proposed mitigation measures being agreed with the Head of Planning and implemented.*

9. *A scheme for protecting the nearby residential accommodation from illumination and/or glare shall be submitted and approved in writing by the Council's Planning Authority. The scheme shall show that the design, installation and operation of the floodlighting system shall be such that no floodlighting bulb or floodlighting bulb reflecting surface shall be visible within any residential premises. All works which form part of the approved scheme shall be completed prior to the flood lighting system coming into use.*

10.

Informatives

1. *The electric vehicle charge points required should be installed in accordance with Transport Scotland's 'Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles' (2013). In particular the charge points should include a 70 or 50kW (32 Amp) DC with 43kW (32 Amp) AC unit. The DC charge should be delivered via both JEVS G105 and 62196-3 sockets and the AC supply by a 62196-2 socket. The outlet must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.*

2. *When available the applicant shall provide details of all the boilers to Environmental Assessment to ensure compliance with the Clean Air Act 1993*

3. *All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.*

4. *The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.*

5. *Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.*

6. *Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.*

7. All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.

8. Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.

9. This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.

10. No bonfires shall be permitted.

SEPA comment

We ask that the planning condition in section 1 be attached to any approved consent. If this is not applied, please consider this representation as an objection. Please also note the advice provided below.

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, which may take account of factors not considered at the planning application stage.

Advice for the Planning Authority

1. Surface Water

1.1 We note the Supporting Drainage Strategy (August 2014) which has been submitted in support of the application. The strategy recognises the requirement of surface water treatment prior to discharging to the water environment, however no specific details of the strategy are provided.

1.2 The applicant has demonstrated however that there is adequate space within the site for a Sustainable Drainage System (SUDS) but it has not been confirmed in detail how this will be achieved. We therefore request that a condition is attached to any approved consent requiring full details of the finalised surface water management scheme. If this is not attached, please consider this representation as an objection. To assist, the following wording is suggested:

o Prior to the commencement of any works, full details of the finalised SUDS scheme shall be submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme.

o Reason: to ensure adequate protection of the water environment from surface water run-off.

1.3 Site specific additional advice for the applicant is detailed below under Section 2. Please note, we have not considered the water quantity aspect of the proposal. Comments from Scottish Water, where appropriate, the Local Authority Roads

Department and the Local Authority Flood Prevention Unit should be sought on the SUDS strategy in terms of water quantity/flooding and adoption issues.

Detailed Advice for the Applicant

2. Surface Water

2.1 We have requested that a planning condition is attached to any approved consent requiring the submission of a site specific surface water drainage scheme. For this type of development, two levels of surface water treatment will be required for all areas of hard- standing. The only exception to this will be roof water run-off which will only require one level of treatment.

2.2 We would specifically highlight that as the Niddrie Burn has recently been de-culverted and reinstated to a more natural channel form, SEPA would expect any new surface water outfalls to be designed in accordance with the guidance document "Good Practice Guide to Intakes and Outfalls" available on our website. In particular, SEPA would have concerns about the potential morphological impact of an over-engineered outfall structure.

2.3 If the majority of surface water flows are indeed to be discharged to the Niddrie Burn, there may be a requirement for the applicant to apply for formal discharge authorisation under the terms of CAR. I note the 335 proposed residential units, but can see no mention of the total number of car parking spaces to be made available on the development. The applicant should familiarise themselves with the requirements of CAR in Section 3 of the CAR Practical Guide available on our website.

2.4 Some areas (e.g. delivery areas at the restaurant / retail / food-store) may not be suitable for connection to a SUDS scheme. The applicant should confirm at the detailed design stage that the drainage proposal will comply with GBR's 10 and 11 of CAR.

2.5 The SUDS treatment train should be followed which uses a logical sequence of facilities in series allowing run-off to pass through several different SUDS before reaching the receiving water body. Well designed this can form part of a wider green network, contribute to the amenity of the site and promote biodiversity.

2.6 Further guidance on the design of SUDS systems and appropriate levels of treatment can be found in CIRIA's C697 manual entitled The SUDS Manual. Advice can also be found in the SEPA Guidance Note Planning advice on sustainable drainage systems (SUDS). Please refer to the SUDS section of our website for details of regulatory requirements.

Affordable Housing comment

1. Introduction

I refer to the consultation request from the Planning Department about this planning application.

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

o 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.

o This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.

2. Affordable Housing Requirement

This application is for consent in principle to build a mixed use development including residential units. It is estimated that around 335 homes will be built as part of this development. As such the AHP will apply.

The applicant has stated that the homes will be tenure blind and will include different tenures which will be integrated across the development and this is welcomed by this department. The applicant further states that the exact housing mix and tenure type for each phase of the residential development will be identified when each individual site is brought forward for detailed planning consent. Whilst this approach is acceptable for a planning permission in principle application such as this, no commitment has been made regarding the number of approved affordable tenures which will be provided. It is accepted that details on exact numbers, siting, housing mix and tenure type will be established at detailed planning stage, however in order to support this application, this department requires a commitment to the provision of a minimum of 25% approved affordable housing tenures in line with the AHP.

We understand that the applicant is in discussions with this department's 21st Century Homes team with a view to delivering affordable housing on this site. However, should agreement not be reached with for the delivery of homes through 21st Century Homes , we would request that the applicant enter into dialogue with the Council's Investment team to discuss the delivery of the 25% AHP requirement.

The application site forms part of the Craigmillar Urban Design Framework (CUDF) (revised 2013). It is accepted by this department that the applicant has previously provided affordable housing tenures within the CUDF area equating to above the minimum 25% AHP requirement, however, the Edinburgh City Local Plan of which the AHP forms part, requires that all applications for new homes provide 25% affordable housing. It is therefore the expectation of this department that 25% affordable housing be provided within the site which is the subject of this application.

3. Summary

The applicant has set its intentions for the residential component to be tenure blind and close to public transport links. This is welcomed by this department. However, in order for this department to support this application, we require that the applicant commit to the provision of 25% approved affordable housing tenures.

This department would request that the applicant provide a commitment to entering into a Section 75 Legal Agreement to secure the on-site delivery of a minimum of 25% homes of approved affordable tenures. As stated above should current discussions with the 21st Century Homes team not progress we would request that the applicant enter into dialogue with the AHP team to agree the type/tenure, siting and numbers for the delivery of the AHP element on this site.

Network Rail comment

Whilst Network Rail has no objections in principle to the proposal, due to its close proximity to the operational railway, we would request that the following matters are taken into account, and if necessary and appropriate included as conditions or advisory notes, if granting the application:

Uncontrolled drainage towards the railway may have a direct impact on the reliability and frequency of the rail transport in your area.

o All surface or foul water arising from the development must be collected and diverted away from Network Rail Property. (Any Sustainable Urban Drainage Scheme should not be sited within 10 metres of railway infrastructure and should be designed with long term maintenance plans which meet the needs of the development).

The railway can be a dangerous environment. Suitable barriers must be put in place by the applicant to prevent unauthorised and unsafe access to the railway.

o If not already in place, the applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. We recommend a 1.8 metre high 'rivetless palisade' or 'expanded mesh' fence. Network Rail's existing boundary measure must not be removed without prior permission.

The proximity and type of planting proposed are important when considering a landscaping scheme. Leaf fall in particular can greatly impact upon the reliability of the railway in certain seasons. Network Rail can provide details of planting recommendations for neighbours.

o Where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary.

Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

o Details of all changes in ground levels, laying of foundations and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be

booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters.

Economic Development comment

The application is for a proposed mixed use development including retail (class 1); financial, professional and other services (class 2); food + drink (class 3); business + employment (class 4); residential institutions (class 8); residential (class 9); assembly + leisure (class 11); flatted development and other associated works .

The planning application is supported by a masterplan which illustrates the application proposals and planning permission in principle is being sought only for the uses and development shown within the red line boundary. A wider area of land is also noted for context showing potential future additional and associated development.

The current application comprises the following:

- o Foodstore (4,000 sq.m)*
- o Town square/civic space*
- o Public realm and landscaping*
- o Retail and mixed use units (4,588 sq.m)*
- o Restaurant (1,000 sq.m)*
- o Housing (335 units)*

The foodstore, proposed to be located on the site of the former B&Q store on Niddrie Mains Road, is intended to act as an "anchor" for new development. The proposed retail development could potentially comprise a large single use "anchor" occupier, medium sized units and smaller high street scale units though the final configuration has not yet been fixed. The applicants note there is demand for the proposed uses but obtaining planning permission in principle would provide greater certainty to progress more detailed proposals.

An Economic Impact Appraisal has been submitted with the application. In summary this appraisal indicates:

- o 368 jobs can be supported by the retail and leisure uses*
- o associated initial Gross Value Added (GVA) (from job creation) is expected to be approximately £10m*
- o GVA from construction value is approximately £36m*
- o overall construction value (development, infrastructure and associated works) calculated to be approximately £50m; and*
- o The proposed development could be expected to support approximately 724 person years of direct employment (calculated at the value noted in the preceding bullet point).*

As noted in the submitted planning statement the impacts represent gross impacts and do not take into consideration other factors such as leakage and relocation/displacement.

We consider that the methodology used in the Economic Impact Appraisal is sound. With reference to the nature of the impacts the majority of the benefits will be localised to the Craigmillar area and will represent a major regeneration boost, building on the significant progress already made namely new housing, the modern neighbourhood office and library, the restoration of the White House and other developments within the immediate surrounding area. At a city wide level the net gains will be lesser due to the aforementioned reference to displacement. It is expected that there will be a high level of displacement with regards to the foodstore and restaurant uses. For the high street retail and retail warehouse uses, displacement would depend on the degree to which these were new additions to Edinburgh's offering as opposed to replicating the existing offer elsewhere in the city (including the existing units on the south side of Niddrie Mains Road). Arguably the level of displacement could be mitigated to a small extent by an increasing population (currently approx 1% per year) but this will not be significant.

Economic Development is supportive of any construction related apprenticeship opportunities arising from the development if consented.

Transport Planning comment

- 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. The extent of adoptable roads, including footways, footpaths, access, cycle tracks, verges and service strips to be agreed prior to the submission of any detailed application, including diversion or closure of existing routes. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout design and specification;*
- 2. Quality Audits, as set out in Designing Streets, to be submitted as part of any detailed planning application;*
- 3. The applicant will be required to enter into a suitable legal agreement to:*
 - a. construct or contribute the cost of:*
 - i. upgrading the Duddingston Road West / Niddrie Mains Road junction;*
 - ii. introducing signals at the junction of Greendykes Road / Niddrie Mains Road;*
 - iii. introducing signals at the junction of Craigmillar Castle Avenue / Niddrie Mains Road;*
 - iv. providing bus stops and associated equipment on Niddrie Mains Road;*
 - v. improving the layout and materials on Niddrie Mains Road;*
 - vi. relocate the existing closure on Peffer Road;*

The applicant should note that detailed designs, layouts and specifications will be required to be submitted for detailed approval;

 - b. contribute the costs of progressing orders to stop up or redetermine sections of road, introduce waiting and loading restrictions, control disabled parking spaces, introduce taxi ranks, as required for the development;*
 - c. submit a draft travel plan prior to first occupation and a final travel plan within 12 months of that date;*
- 4. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity. Street naming is likely to influence the progression of traffic orders;*
- 5. Parking provision should be consistent with the Council's Parking Standards.*

Note: Niddrie Mains Road is a major traffic route and therefore vertical traffic calming features will not be accepted. Any design or modifications will be required to take account of HGVs and buses.

Flood Prevention comment

Please see queries/issues noted below regarding the above planning application. Responses provided are based on the following documents:

PARC Craigmillar, Craigmillar Town Centre, Drainage Strategy, Issue 2, 22nd August 2014

As the application is for planning permission in principle the CEC Flood Planning require some overview information regarding the drainage strategy for the site as presented under numbered points 1 to 7 below. It is acknowledged that some information is included in Drainage Strategy Document though further information and updates to that presented are required. The following information should be supplied in a succinct drainage strategy document:

1. Examination of current and historic drainage patterns within or adjacent to the site, including manmade features such as agricultural drainage and culverted watercourses.

o It is acknowledged that SEPA flood maps have been checked to show that the proposed development site lies outwith the fluvial flood extent. The proposed development site is generally protected from the Braid Burn by the railway embankment at the north of the site, where the flood outline extends across Duddingston Golf Course.

2. Confirmation from the water authority of sufficient capacity within the sewer network to accommodate waste and surface water drainage from the development of a statement from the water authority of sewerage system constraints.

o It is acknowledged that discussions have been held with Scottish Water with regards to phasing the connection of the drainage system, where the first three phases connect to the combined sewer, but when phase 4 is finished the drainage system will be reconfigured to ensure all surface water will drain to the SUDS pond and on to the Niddrie Burn to the east. Email communication is included in the supplied Drainage Strategy document, Appendix D, shows a PDE will be submitted for temporary connection to the combined sewer network. The developer should ensure that agreement for the temporary connection is supplied along with the application.

3. An indication of the types of SUDS or other drainage systems to be used.

o Plans show a SUDS pond will be utilised before discharge to Braid Burn. It is proposed to have attenuation within each of the drainage catchments within the development, but there is not an indication of where these will be located. Please confirm what SUDS detention is to be included in each of the drainage catchments.

4. *Pre and post development runoff calculations to provide an indication of surface water drainage requirements, treatment and storage solutions. This should be based on the 1 in 200 year plus climate change rainfall event, including a maximum discharge from SUDS storage limited to 4.5 l/s/ha, or the 2 year Greenfield runoff rate from the impermeable areas within the site boundary only. It is understood that a final design for the full proposed development is unlikely to be available at this time and therefore CEC will look for a reasonable, conservative estimate of impermeable area to ensure a conservative discharge from the system is used to determine the required storage. CEC require that the 1 in 200 year plus climate change event is attenuated.*

o It is noted that detention volumes have been calculate for each drainage catchment as presented in drawing named Surface and Foul Water Layout, 0501, with detention volumes based on the 1 in 200 year event and a discharge rate of 4.5 l/s/ha. There are various references in communication presented in the Drainage Strategy that detention of the 200 year event at a rate of 4.5 l/s/ha which has been discussed and agreed with Alvin Barber in a meeting on 20th January 2009.

5. *Estimates of land required for SUDS and storage solutions and their locations based on detention volumes as calculated based on comments above.*

o As noted only the phase 4 SUDS pond is included on drawings. Also no calculations have been provided to show the volumes stated are as calculated. Please provide indicative locations of all SUDS storage and associated drawings to show land take for detention areas. The purpose of this exercise is to ensure there is sufficient space within each drainage catchment to house the required SUDS storage.

6. *Consideration of surface water runoff and assessment of flood flow routes for events that exceed the capacity of the constructed drainage system. Exceedence flows should be towards detention basins. Emergency flood routes through the site should inform the final layout of the proposed development.*

7. *Location and proximity of receiving storage solutions and watercourses must be confirmed.*

Conditions

In addition to the information provided above, the following conditions should be attached to the development, and discharged through submission of appropriate detailed information, during the process of application for full planning permission.

o Detailed design of the proposed drainage system must be provided to CEC undertaken with regard to CEC guidance and all statutory guidance from other sources. The submission will be reviewed by CEC Flood Planning and must be considered satisfactory before the application is recommended for approval.

In advance of full applications being submitted for the proposed development area CEC Flood Planning would welcome meeting with the drainage designers to discuss the proposed drainage system in advance of submission to the planning department in order to aid the planning process by reducing the number of iterations of the proposed system before approval and sign off.

Flood Prevention updated comment 3/12/14

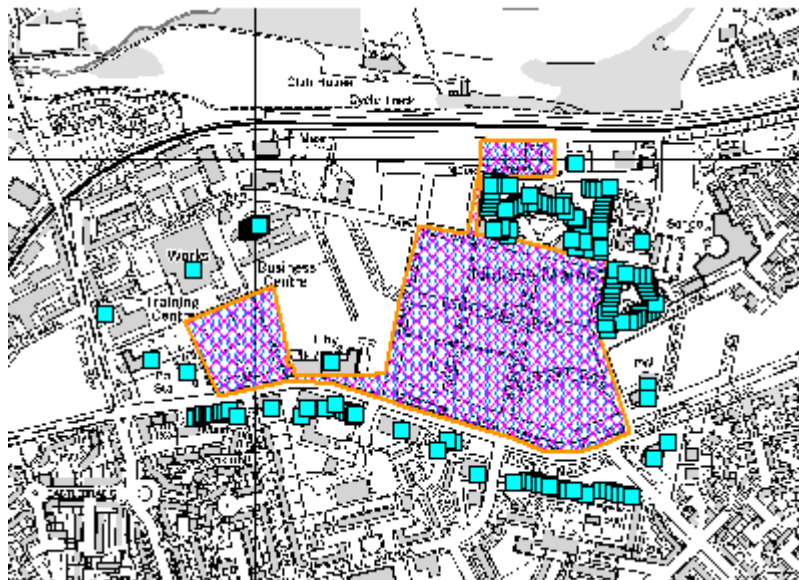
Please see queries/issues noted below regarding the recent submission of additional information above planning application.

It is acknowledged that proposed development area will be developed in separate packages by different developers and therefore the SUDS features to be installed within each area can not be confirmed at this time.

All other pertinent information that can be provided at this time has been reviewed by CEC Flood Prevention and is considered appropriate for the application to be approved.

I would appreciate if an informative can be added to the application stating that detailed design of the proposed drainage system must be provided to CEC and undertaken with regards to CEC guidance and all statutory guidance from other sources for each of the proposed development areas within the wider PPP boundary. The discharge rates for each area must adhere to those stated in the drawing titled Surface and Foul Water Layout, drawing number 0501, issue 12. The submission for each area will be reviewed by CEC Flood Planning and must be considered satisfactory before the application is recommended for approval.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420

END