

# Development Management Sub-Committee

14 January 2015

**Application for planning permission in principle for up to 670 residential unit development supported by ancillary mixed uses, including associated works and landscaping (as amended).**

**Land 345 metres south east of 18 Cammo Walk, Edinburgh**

**Application reference: 14/01776/PPP**

<b>Item number</b>	6.1
<b>Report number</b>	
<b>Executive/routine</b>	
<b>Wards</b>	<b>A01 Almond</b>

## Executive summary

The purpose of this report is to inform the sub-committee that the applicant, the Cramond and Harthill Estate, has lodged an appeal against the non-determination of planning application 14/01776/PPP i.e. against the deemed refusal of planning permission. The application proposes the development of up to 670 residential units and a mix of ancillary uses, including associated works and landscaping, on land to the west of Maybury Road.

The application now falls to be determined by Scottish Ministers; there is no formal decision for the sub-committee to take on this matter. A Reporter will be appointed in due course and arrangements are in hand to inform those that have made representations on the application proposals. At this stage there is no indication from the Directorate for Planning and Environment Appeals (DPEA) as to how it intends to progress the appeal, although the Appellant has indicated that it does not envisage the need for a Hearing or Public Local Inquiry and is content to rest on its written submissions.

A response to the Appellant's grounds of appeal was lodged with the DPEA on 30 December 2014 in order to meet its timescales.

## Links

**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**

# Report

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## Recommendations

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- 1.1 On the basis that appeal proceedings have begun, there is no formal decision for the sub-committee to take on this matter. However, the sub-committee is entitled to express an opinion to the Reporter. It is recommended that in the absence of full accompanying technical information from the applicant to support the application proposals the sub-committee advises the Reporter that it would have been unable to make a decision at the present time.

## Background

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- 2.1 The Council is deemed to have refused planning permission to the application proposals and as such it now falls to the Scottish Ministers to determine the application. It may do so on the basis of written submissions from all parties, including representations from the local community, a Hearing on matters that the Reporter considers to be the determining issues in the assessment of the proposals or a formal public local inquiry.
- 2.2 Second Proposed Local Development Plan (LDP) promotes the removal of the appeal site from the Green Belt and its development for housing purposes (LDP Ref: HSG20). The LDP Written Statement provides a brief commentary of the principles prepared to guide the successful development of the site at page 52 and demonstrates these graphically in a site brief at page 53. The LDP estimates that the site has the potential to accommodate between 500 and 700 dwelling units.
- 2.3 The LDP Action Plan identifies essential transport and educational infrastructure improvements necessary to support the development of the appeal site, and other sites in West Edinburgh, including improvements to key road junctions and public transport facilities and capacity constraints in primary and secondary schools, both non-denominational and denominational, that serve west Edinburgh. Planning application 14/01776/PPP is broadly compliant with the Second Proposed LDP and is considered acceptable in principle.
- 2.4 A link to the Second Proposed LDP and associated Action Plan is provided at the end of this report.

## Main report

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- 3.1 Planning application 14/01766/PPP was lodged with the Council on 7 May 2014. The application proposes the following:
- up to 670 residential units, 25% of which will be 'affordable';
  - a range of residential units – detached, semi-detached, terraced and flatted homes;
  - two linear parks and a country park along the Bughtlin Burn incorporating play areas and open spaces for informal recreation;
  - footpath and cycle links to connect into the local green network, the strategic network of active travel routes and green space links;
  - a civic space to the north-east of the site, with potential for a range of small scale commercial and social facilities;
  - two new road junctions on Maybury Road to provide road access to the site, with a signalised junction to the north and a T-junction to the south;
  - three new pedestrian crossings on Maybury Road; and,
  - improved provision for bus services along Maybury Road by means of increased stops and a bus layover within the site adjacent to the civic space.
- 3.2 The application is supported by masterplan, design, access and environmental statements. A processing agreement was agreed with the applicant with the intention of presenting the application proposals to the sub-committee for its consideration in October 2014. The assessment of the application proposals however necessitated further consideration and clarification of a number of issues, particularly the potential for the site to flood, additions to the landscape and visual impact assessment and aspects of the proposals' design and layout. Revised proposals were submitted by the applicant on 29 October 2014 that included an amended flood risk assessment and masterplan. The amended flood risk assessment highlighted that a greater portion of the site was susceptible to flooding and as such the developable area within the site was less than previously envisaged and that this would have an impact on the level of development that might be achieved. Taken together these factors necessitated a revision to the environmental statement that accompanied the original proposals.
- 3.3 An addendum to the environmental statement that addressed the issues described above was duly prepared by the applicant and its availability advertised and made available for public comment. A full and proper assessment of the amended technical information was ongoing by the Council and its advisors at the time that Cammo and Harthill Estate lodged its appeal with the DPEA. Indeed the period for public comment on the amended proposals concluded the day after the appeal was lodged.
- 3.4 Also under discussion with the applicant was an amendment to the processing agreement that would allow these assessments to be undertaken in consultation with statutory agencies and Council services, fully considered and presented to the sub-committee in February 2015. However the appeal against non-determination of the application was lodged with the DPEA before an amended agreement could be concluded.

3.5 The appeal against the non-determination of the planning application was lodged with the DPEA, and copied to the Council, on 4 December 2014. Copies of all representations received on the application proposals as originally lodged and as amended have been forwarded to the DPEA. A response to the Appellant's grounds of appeal was lodged with the DPEA on 30 December 2014.

## **Financial impact**

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4.1 There is no financial impact on the Council arising from this matter at the present time.

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

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5.1 The planning application has been assessed and progressed to-date in full accordance with statutory requirements and as such the level of risk is considered to be low.

## **Equalities impact**

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6.1 The assessment of the planning application and supporting information was incomplete at the time the Appellant lodged its appeal against its non-determination. It is therefore not possible to state at the present time whether or not the application proposals will have an adverse impact on equalities and/or human rights.

## **Sustainability impact**

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7.1 The assessment of the planning application and supporting information was incomplete at the time the Appellant lodged its appeal against its non-determination. It is therefore not possible to state at the present time whether or not the application proposals comply with the Council's sustainability requirements.

## **Consultation and engagement**

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8.1 The planning application scheme 1 proposals were advertised on 16 May 2014 and attracted over 140 letters of representation, including representations from Cammo Residents Association, North Bughtlin Park Residents Association, The Cockburn Association, Craigleith and Blackhall Community Council, Spokes and two ward councillors, all of whom objected to the application proposals. Objections related to:

- the principle of development being unacceptable in a Green belt location;
- adverse impact of development on landscape, biodiversity and visual amenity;
- adverse environmental impacts, including increased potential for flooding;
- adverse impacts on residential amenity;
- road and pedestrian safety;
- the scale and design of development;
- the adequacy of existing infrastructure to meet needs arising from development e.g. schools, transport, including public transport facilities, health and leisure facilities.

- 8.2 The Scheme 2 proposals were advertised on 7 November 2014. The appellant lodge its appeal on 4 December 2014 a day before the end of the representation period. A similar number of representations were received in response to the amended proposals as that for the scheme as originally proposed. Again, all representations objected to the proposals. Copies of representations to both schemes 1 and 2 have been sent to the DPEA.
- 8.3 Pre-application discussions were undertaken in respect of this application and were the subject of a processing agreement.
- 8.4 At the time of the appeal being lodged with the DPEA discussions were ongoing with the appellant regarding the submission of additional technical information to allow a full and proper assessment of the amended application proposals to be undertaken. Also under discussion was an amendment to the processing agreement that would allow these assessments to be undertaken in consultation with statutory agencies and Council services and presented to the sub-committee in February 2015.

## **Background reading/external references**

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The Proposed LDP and Second Proposed LDP both promote the removal of the appeal site from the Green Belt and its development for housing purposes (LDP Ref: HSG20). Links to the Second Proposed LDP and associated Action Plan are provided below:

- **Edinburgh Local Development Plan: Second Proposed Plan**

*June 2014 and supporting documents*

*Link: [Second Proposed Local Development Plan](#)*

- **Second Proposed Action Plan**

*June 2014*

*Link: [Second Proposed Action Programme](#)*

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## Links

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**Coalition pledges**

**Council outcomes**

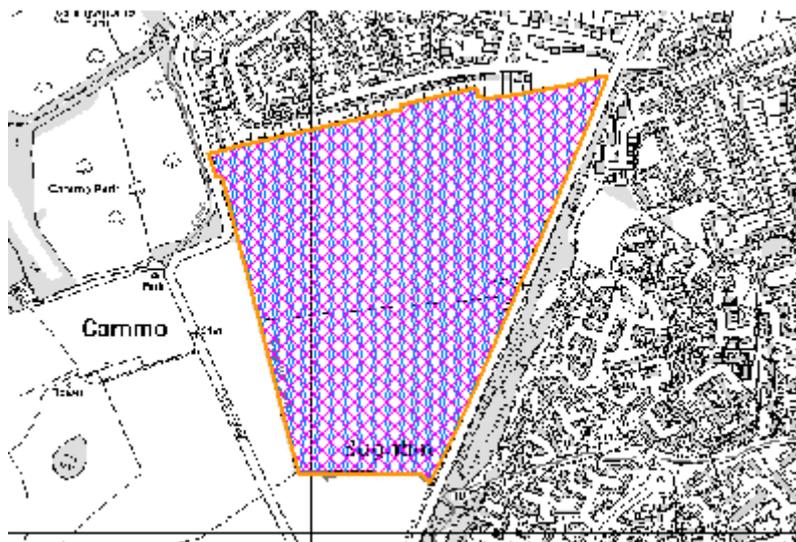
**Single Outcome**

**Agreement**

**Appendices**

## Location Plan

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