

Development Management Sub Committee

Wednesday 25 February 2015

**Application for Planning Permission 14/03940/FUL
At Site 157 Metres West Of 25, Brunswick Road, Edinburgh
Proposed residential development with associated
commercial space.**

Item number	6.1
Report number	
Wards	A12 - Leith Walk

Summary

The proposal complies with the development plan and the proposed residential use and the small commercial space is acceptable. The design, scale and layout are appropriate for the site. The development would not prejudice residential amenity and transport implications are acceptable. The proposal is acceptable in all other respects subject to a suitable legal agreement and conditions. There are no other material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LPC, CITD1, CITD3, CITD4, CITD5, CITD6, CITE3, CITE9, CITE12, CITE18, CITH1, CITH2, CITH3, CITH4, CITH7, CITEM4, CITT3, CITT4, CITT5, CITT6, NSG, NSGD02, NSDCAH, NSESBA, NSESBB, NSP,

Report

Application for Planning Permission 14/03940/FUL At Site 157 Metres West Of 25, Brunswick Road, Edinburgh Proposed residential development with associated commercial space.

Recommendations

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

Background

2.1 Site description

The site is approximately 1.64 hectares in size and is a long triangular shape. Brunswick Road runs along the southern perimeter of the site with Allanfield to the east and north.

The site is currently accessed from the east at Allanfield and from the west at Brunswick Road.

The site is mainly surrounded by established residential development with flatted properties to the north at Allanfield and a mixture of two to four storey housing to the south on Brunswick Road. The B listed Leith Walk Primary School is to the southwest of the development (ref 43685, listed 12 December 1974). Further east is the more recent residential development which rises up to six storeys.

The site formerly accommodated the Royal Mail Sorting Office which has now been demolished. The site, although relatively flat itself, sits below Brunswick Road ranging from 1m at the east and west of the site to 4.5m - 5m near the centre. There is an existing wall and existing landscaping adjacent to Brunswick Road.

2.2 Site History

20 August 2002 - permission granted for the formation of a disabled access ramp from the fire exit door on the south elevation (planning reference 02/02575/FUL).

31 May 2011 - an application for the change of use of parking areas to public car park (temporary for 3 months) was withdrawn (planning reference 10/02407/FUL).

4 July 2013 - an application for flatted residential development of 241 units and three commercial units refused. The subsequent appeal was dismissed on 31 January 2014 (planning reference 12/04041/FUL).

Main report

3.1 Description Of The Proposal

The proposal is for 175 flats and 192 sqm of commercial (class 4) space. The development is split into 3 blocks with landscaped garden areas in between. The blocks are orientated to provide frontage onto Brunswick Road.

Block A is located at the western part of the site and consists of 43 flats split into 16 one bed and 27 two bed units, all affordable. Commercial space is provided on the ground floor. The building is laid out in a shallow L-shape and is six storeys in height.

Block B is the central block and consists of 86 flats split into 9 one bed, 55 two bed and 22 three bed units. This steps down from Block A and is a mixture of four and five storeys high. The ends and the middle of the proposed block contain the additional storey. These elements are set back and consist of a glass pavilion. It is set out in an elongated C-shape.

Block C is located at the eastern end of the site and consists of 46 flats split into 23 two bed and 23 three bed units. This continues the height of Block B, again with additional floors on the corners. This is set out in an L-shape, mirroring the eastern edge of Block B.

Due to the difference in height and the existing retaining wall that supports Brunswick Road, the buildings sit approximately five metres back from the street. A series of pedestrian bridges are proposed to connect the streets and the buildings.

The design of the buildings is consistent across the site in terms of scale, materials and form.

The primary material is a blond facing brick. There are a number of recessed balconies, finished in a dark grey high-pressure laminate board. Ordered grey uPVC windows are used throughout the proposed development. Glass curtain walling is proposed for the roof pavilions. Zinc metal work is proposed for the balustrades.

Pedestrian access is taken from the aforementioned bridges on Brunswick Road, which are at first floor level for some of the blocks. Ground floor level access is also available from the north of the blocks.

Vehicular access is from the existing point at Allanfield at the eastern part of the site. This leads into a car parking area, which features 156 spaces. There are 144 spaces for general housing (this includes 12 accessible parking bays) and 12 spaces for the affordable units (this includes two accessible parking bays).

Bicycle stores have been provided at the entrance level within each stairwell. Two tier bike racks are proposed to increase storage capacity. A minimum of one bike space per apartment has been provided.

Refuse areas have been integrated into the development with one communal bin store provided in Block A and two stores within Blocks B and C.

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 residential development is acceptable on this site;
- b) the design, scale and layout is appropriate to the site;
- c) adequate open space has been provided within the scheme and there is an acceptable level of amenity;
- d) the housing mix is appropriate and an adequate level of affordable housing has been provided;
- e) there are any transport and parking issues;
- f) any other material considerations;
- g) any impacts on equalities or human rights are acceptable; and
- h) comments raised have been addressed.

a) Principle

The site is within the urban area, as shown on the Edinburgh City Local Plan (ECLP) Proposals Map. ECLP Policy Hou 1 Housing Development states that housing will be permitted on suitable sites within the urban area. The site is previously developed, not allocated for a specific use and is suitable for housing.

As a site that was last in employment use, ECLP Policy Emp 4 Employment Sites and Premises applies. This policy seeks to ensure that proposals for the redevelopment of such sites contribute to the city's stock of flexible small business premises. The proposal provides 192 sqm of commercial space suitable for class 4 use at the west end of the site.

The principle of housing and the inclusion of the commercial space are acceptable at this location.

b) Design and Layout

Arising from its historic use as a railway goods yard and subsequent surrounding developments, the site is a relatively awkward shape. It has an unusual topography with the street level of Brunswick Road at its centre being considerably higher than the site itself. This results in a challenging site from an urban design perspective.

Design and Layout:

ECLP design policies Des 1 Design Quality and Context and Des 3 Development Design set a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area with the need for a high quality of design which is appropriate in terms of height, scale and form, layout, and materials.

Within the general area, there are a wide range of building styles and materials with traditional tenements and terraced housing to the south, two and three storey brick houses at Elgin Road and along the eastern end of Brunswick Road, modern rendered flats to the east of the site and brick buildings to the north at Allanfield. These developments have also taken differing approaches to layout and form.

In considering a previous proposal on the site, the Edinburgh Urban Design Panel encouraged a bolder approach to integrate the development to the street. The Panel suggested that the change in levels along Brunswick Road could be considered as an opportunity not a problem.

The proposal creates blocks of development to form a strong edge to Brunswick Road with the use of pedestrian bridges connecting the buildings to the streets, similar to the New Town template.

The proposed blocks are similar in height to the nearby tenements and the more recently built apartment blocks adjacent to the site. The height of the development utilises the level differences and also steps down at certain points to account for the adjacent developments. The use of a top floor glass pavilions and set backs further aid in reducing the impact from the street.

The proposed elevational treatment along Brunswick Road creates a unified and consistent architectural approach across the site. This consists of uniform windows with a number of panel setbacks. This is then continued across the site in terms of scale, materials and form. Gaps between the blocks are formed by open spaces which aid in breaking up the elevations and linking through to the site.

Block A at the western end of the site is six storeys in height and integrates the commercial space at the ground floor level. The Dicksonfield development to the north west is five storeys high plus roof and the adjacent listed primary school is also a substantial building. The height of the proposed block provides a thinner, more vertical building at this point to mark the corner of the site and face towards Leith Walk.

The listed school building is in the midst of existing tenements to the east and the south with newer flatted blocks to the east and the north.

The proposed development is outward looking and aids in creating a new streetscape along Brunswick Road. The proposal is of sufficient design quality that it would not detrimentally affect the appearance or character of the listed building or its setting.

A simple palette of materials is proposed with a blond brick proposed as the primary material. This will help to harmonise the development with the nearby traditional tenement buildings, whilst the use of grey panels will add interest to the development and provide some verticality. Grey uPVC windows are proposed and the applicant has provided information to demonstrate their sustainability credentials.

Views:

Private views from neighbouring properties are not a material planning consideration. The issue of amenity is considered below. The site is publicly visible from Calton Hill. The use of light coloured render on the adjacent site stands out against the surrounding buildings. Brick will more subtly blend the development in with the surroundings and not impact on the view.

A lead grey single ply membrane roofing material is proposed alongside the curtain walling elements. The use of details such as lift overruns and parapets help to articulate the roofscape. A view from Calton Hill has been provided and shows that the development will have limited impact from this vantage point.

Density:

Representations have both raised support and concern over a lower density than that proposed in a previous application. The previous application proposed 241 units which provided a density of 147 dwellings per hectare. This proposal provides 175 units and 107 dwellings per hectare.

Edinburgh Design Guidance provides examples of densities throughout the city showing that a range of densities can be achieved throughout the city from both traditional tenements to modern developments. For example, Marchmont tenements are shown as having a density of 99 dwellings per hectare.

The site is in an accessible location, close to the city centre where high density development should be supported. Criticisms of a previous application, the approach to providing frontage onto Brunswick Road and the requirement for open space and car parking suggest the proposed density is appropriate for the site.

In summary, the proposal is of a modern design that takes cues from the surrounding area, whilst creating a street frontage onto Brunswick Road. The materials proposed are appropriate for the site and a condition is recommended in relation to material samples.

c) Open Space and Amenity

Open space and landscaping

Landscaping details, including a tree survey, have been provided. These show the arrangement of both the private and public areas of open space.

ECLP Policy Hou 3 Private Open Space states out that for flatted developments that there should be 10 sqm of open space provision per flat except where private space is provided. A minimum of 20% of the site should be open space.

Thirty six of the flats have access to a private garden resulting in a requirement for 1390 sqm of open space. It should also be noted that the majority of the flats also have balconies.

Approximately 3,300 sqm of open space is proposed within the development equating to 20% of the site area (1.64 ha).

A number of character areas have been proposed. The main areas of open space are provided by a small park area at the northern part of the site adjacent to Allanfield. This is proposed to be a functional, low maintenance flexible area of space, which will also allow for informal play. There will be some overshadowing of this space, but its location at the north of the site is a result of forming frontage onto Brunswick Road and a response to previous criticisms of an earlier application locating buildings too close to the Allanfield properties.

Open space is also provided between the proposed blocks. The eastern space provides a key pedestrian route into the site. Elsewhere, there are planted areas within the site and also a drying green adjacent to Block A.

A total of 44 trees are recorded within the site, along the Brunswick Road boundary. These trees have been planted as part of the landscaping for the previous post office depot. Most trees are in good to fair condition across the site. However, they have been categorised as low retention value as they are relatively young in age, small and have a limited future life expectation on the site.

The loss of the trees is compatible with the comprehensive redevelopment of the site, which will establish a new street frontage and complementary landscape structure of semi-mature tree planting (approximately 75) set within green and paved spaces of differing characters. Consequently, the loss of the trees and the intended mitigation through replacement planting within the development conforms with ECLP Policy Env 12 Trees.

Overall, the landscape drawing shows a well considered scheme with a strong landscape concept and selection of proposed hard and soft landscape materials suited to their intended purpose. A condition is recommended to ensure that the landscaping is implemented.

Privacy and daylighting:

The main focus of the building is towards creating a frontage onto Brunswick Road. Due to the retaining wall, the blocks are generally five metres back from the street. The Edinburgh Design Guidance indicates that the pattern of development in an area will help to define appropriate distances between buildings and consequentially privacy distances. Therefore, achieving reasonable amenity needs to be balanced against achieving good townscape.

In terms of privacy to the adjacent buildings on Brunswick Road, this varies between 18 to 30 metres. The furthest distance is adjacent to the primary school and the closest is at the kink in Brunswick Road where the terraced houses are located.

These separation distances provided are considered acceptable in the context of the site and the proposed layout.

At the northern aspect of the site, Blocks B and C are pulled away from the boundary with the properties on Allanfield and drop to four storeys. The shortest distance between the proposed blocks and Allanfield is 23 metres. This is onto the blank gable ends of the Allanfield blocks.

The orientation of Block A means that there is no direct overlooking onto the properties at Dicksonfield. The closest element is 19 metres apart, but this overlooks onto the gable end of the nearest block to the north, where the windows in the Dicksonfield block are for a stair core and store room. The Reporter in considering an earlier (appealed) proposal was critical of the proximity of the development to Allanfield and the impact this would have on the outlook of existing residents. This application does not propose development close to the northern boundary.

The privacy distances provided in the development are acceptable.

The amount of daylight reaching an external wall is measured by the Vertical Sky Component (VSC). Walden diagrams have been provided showing the amount of daylight reaching the nearest existing windows.

Three points had been selected, two on Brunswick Road and one at Dicksonfield. As stated above, the nearest window at Dicksonfield is a store/ stair core where daylight is not protected. The two points along Brunswick Road are above the recommended 27%.

Concerns have been raised in relation to the adequacy of daylighting into the proposed basement flats along the Brunswick Road frontage. Diagrams have been provided, in line with the methods set out in the Edinburgh Design Guidance, demonstrating that the basement flats meet the requirements of the no skyline method by providing direct skylight at least half way into the rooms.

Adequate daylighting is provided to the existing and proposed residential units.

Noise:

Commercial space (Class 4 Business) is proposed in the western end of the site. Normal operations associated with Class 4 premises should be able to operate in a residential area without detriment to residential amenity.

A noise impact assessment has been provided. Environmental Assessment has considered the proposal and has recommended a condition in relation to noise be placed on any consent to ensure that the proposed noise mitigation measures are implemented.

d) Affordable Housing and Housing Mix

Affordable Housing:

ECLP Policy Hou 7 Affordable Housing states that 25% of the total amount of units proposed should be affordable.

Forty-three of the units are affordable, which complies with this policy. These are all to be located in Block A at the western end of the site, within close proximity to main bus corridors and local amenities along Leith Walk.

The Strategy and Investment Team (Affordable Housing) has commented on the application. It notes that the applicant has already engaged with the Registered Social Landlord (RSL), Port of Leith Housing Association with regard to delivering these homes on-site as mid-market rent and that it welcomes this approach.

The affordable housing is to be secured through a suitable legal agreement.

Housing Mix:

ECLP Policy Hou 2 Housing Mix seeks the provision of a mix of house types and sizes where practical to meet a range of housing needs, whilst having regard to the character of the surrounding area.

The supporting text to the policy indicates that for schemes of 12 or more units at least 20% of the units should consist of larger units of three or more bedrooms.

Forty-five of the 175 units proposed have three bedrooms. This equates to 26%. Block A consists of 16 one bed flats and 27 two bed flats. The Port of Leith Housing Association has identified a lack of demand from tenants for three bedroom flats. Strategy and Investment accepts the provision of one and two bedroom apartments on this part of the site.

In overall terms, the proposal complies with this policy.

In summary, the housing mix and the affordable housing provision accords with policy. A legal agreement will be required in relation to the affordable housing.

e) Transport

Access:

Vehicular access to the site is to be taken from the existing eastern point at Allanfield. The previous Royal Mail use had a second further access point at the west of the site from Brunswick Road. It has been indicated that the Royal Mail utilised a one way system with traffic entering at Allanfield and exiting onto Brunswick Road.

There have been objections, including one from the Allanfield Residents Association, to the proposed access point from Allanfield on safety and congestion grounds with a request for a singular access point to be created from Brunswick Road instead.

The Allanfield Residents Association states that they may remove their objection if physical calming measures and yellow lines in the vicinity of the Allanfield access are provided. Such measures do not form part of this planning application. A set of speed cushions are already in place along Allanfield between Brunswick Road and the application site entrance.

A Transport Assessment has been provided setting out the approach to transport issues. This predicts travel demand to assess the potential impact on the surrounding road network. This indicates that the junctions will continue to operate within capacity with minimum additional delay as a result of the development.

The applicant has also considered the access to the site in the design statement. This indicates that there will be a reduction in traffic, including commercial vehicles, when compared to the previous use of the site. It states that it is inappropriate to create an access point opposite the primary school and removal of the secondary Brunswick Road access will also remove the potential for vehicles to use the site as a shortcut.

Transport has considered the proposal and has no objection to the application subject to contributions of £275,000 towards the Tram and £87,500 towards the Leith Programme. Both projects relate to Leith Walk and will incorporate public realm improvements. It is therefore considered unreasonable to require this proposal to make a separate contribution to each. It is proposed that the Leith Programme contribution is incorporated into the Tram Contribution and a total of £275,000 is sought. This was the approach taken for the previous application (12/04041/FUL) and there is no justification to change this.

The proposed access arrangements are acceptable

Accessibility and permeability:

The site is in close proximity (within 400m as per Scottish Planning Policy) to the amenities and bus stops on Leith Walk and Easter Road. The transport assessment notes that there are approximately 50 buses per hour from Leith Walk and ten per hour from Easter Road at peak times. The site is also within walking distance to the east end of the city centre.

A shared surface approach is proposed in the site to discourage car dominance. Pedestrian links are proposed at the west end of the site with a route through the rear of the development, through the green space between Blocks B and C and also at the eastern entrance to the site from Allanfield. There is bridge access to the blocks from Brunswick Road which involves steps, though level access is available from the rear of the properties.

The site is in a central location offering good opportunities for cycling within the city and McDonald Road is currently a local cycle link. This proposal does not extend the link along Brunswick Road but this has not been raised by Transport as an issue. Brunswick Road also contains pedestrian footpaths on both sides, has traffic calming and a speed limit of 20mph.

Parking:

The parking is dispersed throughout the development and split into smaller pockets, broken up by landscaping. The development proposes 156 spaces in total and Transport has advised that this complies with current Council Parking Standards. Transport has requested that a contribution of £18,000 towards a car club is secured through a legal agreement.

Bicycle stores have been provided at the entrance level within each stairwell. A minimum of one bike space per apartment has been provided.

A travel plan has been proposed by the applicant. This will provide details of public transport in the area and will aid in embedding public transport habits from when occupation of the development first takes place. The travel plan will be secured through a legal agreement.

There is also the requirement for a £2,000 towards any changes to the controlled parking order and also a contribution of £2,000 if the applicant wishes the disabled bays to be enforced under the relevant regulations.

The level of parking proposed meets the Council's standards.

Refuse:

Waste has been calculated against the standards set out in the Edinburgh Design Guidance. A communal bin store has been provided in Block A, two stores within Block B and two stores in Block C. Vehicle tracking has also been undertaken to demonstrate that there is adequate space for a refuse vehicle

Air quality:

The site is adjacent to the central Air Quality Management Area (AQMA) which was extended in 2013 to include Easter Road.

An Air Quality Impact Assessment (AQIA) has been submitted which considers the potential impact the development will have on air quality. This concludes that the impact of the proposed development is predicated to be negligible.

Environmental Assessment notes that the applicant puts forward that mitigation measures in the form of a travel plan and the use of low NOx boilers could further reduce any impact. The travel plan is to be secured through a legal agreement and an informative is recommended in relation to the boilers.

Environmental Assessment also recommends that a condition is placed on any consent to ensure that a dust management plan is provided to minimise the impact of the construction stage. However, as this is a construction stage matter, it cannot be conditioned and an informative is therefore recommended instead. Likewise, an informative is also suggested in relation to electric vehicle charging points.

The proposal is acceptable in terms of air quality impacts.

f) Other Material Considerations

Sustainability:

The applicant has submitted a sustainability statement in support of the application. Rather than propose any low or zero carbon equipment, the applicant has indicated that a 30% carbon reduction will be achieved through thermal improvements and air tightening.

The proposal is a major development and has been assessed against Part B of the standards. The points achieved against the essential criteria are set out in the table below:

Essential Criteria	Available	Achieved
Section 1: Energy Needs	20	20
Section 2: Water conservation	10	10
Section 3: Surface water run off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	30
Total points	80	80

The proposal meets the essential criteria. In addition, the applicant has provided a commitment to further sustainability measures as set out in the desirable elements sections. Additional measures include the use of sustainable timber, passive design (south facing) and supporting the city car club.

Drainage:

The site does not lie within the extent of the SEPA fluvial or pluvial flood maps and SEPA has no objection to the proposal.

A drainage plan and associated information has been provided to show how surface water is to be dealt with. Permeable paving is proposed within the parking areas and an underground attenuation tank is proposed in the northern area. Flood Prevention has considered the application and originally requested some further information and clarification, such as the provision of overland flow path drawings. This has subsequently been provided and Flood Prevention is satisfied with the drainage measures.

Contaminated Land:

A site investigation report has been submitted and this is still being considered by Environmental Assessment. A condition is therefore recommended in relation to site contamination and remediation measures to ensure that the development of the site will not pose a threat to human health or the wider environment.

Archaeology:

The City Archaeologist has advised that the site has been identified as having archaeological potential. It is on the site of a Victorian railway goods-yard dating to the second half of the 19th century.

Previous archaeology work has revealed that the main Victorian railway buildings survive in relatively good condition (i.e. upright iron partitions were noted as surviving in one of the trenches).

The proposed development will have ground breaking works with the potential to disturb the earlier identified railway yard. Consequently, a condition is recommended to ensure that a programme of archaeological work is undertaken prior to construction.

Subject to the use of a planning condition, there are no overriding concerns in relation to archaeology.

Education:

Policy Com 2 in the Edinburgh City Local Plan indicates that new housing development which would lead to an additional demand for school places that cannot be met in schools serving the development will be expected to make a financial contribution to meet the cost of providing the necessary additional places.

The Second Proposed Local Development Plan, accompanying Proposed Action Programme the Developer Contributions and Affordable Housing Guideline (February 2014) set out a new approach to developer contributions focussing on identified actions.

The application site is not identified as a housing proposal in the Second Proposed Plan and it does not lie within a Contribution Zone. A new policy is being prepared to cover education contributions for development on sites outwith Contribution Zones. In the meantime, the Guidance states "the net impact on infrastructure capacity will be assessed. If it is necessary to mitigate that impact by providing additional capacity above and beyond the actions identified within the Action Programme, the Council will consider whether a legal agreement can be used to mitigate those impacts. These identified infrastructure requirements may be added to the actions in the Action Programme. The Council will always ensure that contributions are proportionate to the impacts arising from any new development and used to mitigate those impacts."

Children and Families has indicated that contributions are required towards increasing capacity at non-denominational primary and secondary schools in the vicinity of the site. The non-denominational catchment schools for the application site are Drummond High and Leith Walk Primary. Using the assumed pupil generation rates set out in the Edinburgh Local Development Plan Revised Education Appraisal (June 2014), Children and Families has advised that the development will generate five high school pupils and 11 primary school pupils.

In response to a previous application on the site for 241 flats (planning reference 12/04041/FUL), Children & Families indicated that no developer contributions were required.

This was because there was sufficient capacity at Leith Walk Primary and Drummond High School. The applicant had assumed that the education contributions requirement would be the same for the current proposal, particularly for a lower number of units.

Information held by Planning indicates that in 2013/2014 Drummond High School was at 69% capacity and its feeder primary schools were at 117% capacity (Broughton Primary), 66 % capacity (Leith Walk Primary) and 75% capacity (Abbeyhill Primary). The reason for the change in Children & Families response can be found in a report on Rising School Rolls to the Education, Children and Families Committee on 9 December 2014. This indicates that there will be insufficient capacity in primary and secondary schools across the City within eight years.

The Developer Contributions Guidance requires the Council to ensure that contributions are proportionate to the impacts arising and used to mitigate those impacts. At present it has not been possible for a new contribution zone with appropriate actions to be developed for the area in which this development site is located. In the absence of a contribution zone, it is proposed to use the figures in the Council's previous developer contributions policy to identify "a proportionate contribution." In October 2009, these were £411 per flat for non-denominational primary and £357 per flat for non-denominational secondary. This would equate to a total education contribution of £134,400 (at 2009 prices) for the proposed 175 flats. These figures will be index linked when payment is made but, for information purposes, equates to a total of £162,925 at 1st quarter 2015 values.

This level of education contribution has been discussed and agreed with the applicant. It is recommended that this be secured through a legal agreement which will include a requirement for the Council to identify and implement relevant actions to increase non-denominational capacity at Drummond High School and one or more of its feeder primary schools within a set time limit.

If there is a funding shortfall in providing additional non-denominational primary capacity in this area, it is the Council's responsibility to investigate other means of addressing this. This may have financial implications for future Council budgets.

g) Equalities

The application was assessed in terms of equalities and human rights. Access to some of the blocks from Brunswick Road will be by a stepped access bridge. However, level access is available from the north of the building and lifts are provided within the development.

An Equality and Human Rights Assessment is available to view on the Planning and Building Standards Online Service.

h) Public Comments

Principle

- General support for the site being developed - noted.

Design

- Elevations will be overbearing on Brunswick Road and do not complement existing development - this is considered in assessment 3.3b).
- Support the clean, modern design of the buildings and the creation of frontage onto Bruntsfield Road - this is considered in assessment 3.3b).
- Support the use of brick - this is considered in assessment 3.3b).

Height

- Height of development will dwarf flats on Brunswick Road - this is considered in assessment 3.3b).
- Brunswick Road frontage element should be reduced in height by one storey, taking into account previous use of the site, height of existing buildings opposite are generally two or three storeys and the change in levels - this is considered in assessment 3.3b).
- Height will create an overbearing canyon effect - this is considered in assessment 3.3b).

Daylighting

- Some of the proposed apartments will face onto a high retaining wall at the corner of Brunswick Road resulting in poor daylighting standards - this is considered in assessment 3.3c).

Density

- Density of housing is moderated somewhat over the previous scheme - this is considered in assessment 3.3b).
- The proposed low density will put pressure on green belt sites - this is considered in assessment 3.3b).

Open Space

- There is a lack of open space in the development and the northern area will be blocked by the proposed six storeys - this is considered in assessment 3.3c).
- The provision of car parking spaces will reduce the green space to effectively being a big car park - this is considered in assessment 3.3c).

Transport

- Not convinced by conclusions in the Transport Assessment regarding road traffic impacts - this is considered in assessment 3.3e).
- Development will result in traffic problems at busy times - this is considered in assessment 3.3e).
- Existing access off Allanfield already serves 400 units and further 180 units cannot be supported from a single access - this is considered in assessment 3.3e).

- Access is solely from the existing Allanfield access and a retrograde step from previous application that also had access from Brunswick Road - this is considered in assessment 3.3e).
- Proposed single access from Allanfield will cause road safety issues where there has already been actual and near accident history, the road layout is already unusual and parking along Allanfield causes vehicle problems - this is considered in assessment 3.3e).
- Vehicle access should be from a single point part way along Brunswick Road - this is considered in assessment 3.3e).
- Existing access from Dicksonsfield should also be used and a further one from Brunswick Road also created - this is considered in assessment 3.3e).
- Unclear what physical calming measures and yellow lines in the vicinity of the Allanfield access would be. Any such works should be secure by a condition - this is considered in assessment 3.3e).
- Permeability of the site has improved - this is considered in assessment 3.3e).
- Brunswick Road forms part of an important cycling link (Route 10) continuing from McDonald Road. The increased motor traffic from this development will create more hazards for cyclists, and pedestrians including children from the adjacent primary school - this is considered in assessment 3.3e).
- Development will increase congestion on nearby arteries such as Easter Road and Leith Walk - this is considered in assessment 3.3e).
- The travel plan, sustainability and traffic impact ought to be revisited - this is considered in assessment 3.3e).

Non-material

- Loss of views from existing flats.
- Potential price of proposed flats.

Conclusion

In conclusion, the proposal complies with the development plan. The principle of residential use at this location is acceptable and the proposal includes commercial space. The design, scale and layout are appropriate for the site. The development would not prejudice residential amenity and transport implications are acceptable. The proposal is acceptable in all other respects subject to a suitable legal agreement and conditions.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the commencement of the construction of the superstructure or above ground works, sample panels, to be no less than 1.5m x 1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for written approval by the Planning Authority.

2. No development or demolition shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, reporting and analysis, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
3. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
4. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
5. Use of the commercial units shall be restricted to Class 4 of the Town and Country Planning Act Use Classes Order (Scotland) only and for no other purpose without the written consent of the Planning Authority.
6. The development shall be completed in accordance with the requirements specified in Noise Impact Assessment, Section 6 of report prepared by Wardell Armstrong, Report No. 001 Job No. ED11470 and dated December 2014.

Reasons:-

1. In order to ensure the adequacy of external building materials.
2. In order to safeguard the interests of archaeological heritage.
3. In order to ensure that the approved landscaping works are properly established on site.
4. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
5. To define the terms of the consent.
6. In order to protect the amenity of the occupiers of the development.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. For the duration of development, between the commencement of development on the site until its completion, a notice shall be: displayed in a prominent place at or in the vicinity of the site of the development; readily visible to the public; and printed on durable material.
5. The development shall be completed in accordance with the requirements specified in the Air Quality Assessment, Mitigating Measures, Section 7 of report prepared by Wardell Armstrong, Report No. 002 Job No. ED11470 and dated November 2014.

This should include matters relating to a dust mitigation plan (required to be to be submitted to, and approved by the Local Authority prior to commencement of works on the site) and low NOx boilers.

6. Any installation of electric vehicle charge points should be undertaken 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.
7. When available the applicant shall provide details of all the boilers to the Environmental Assessment team, City of Edinburgh Council to ensure compliance with the Clean Air Act 1993.
8. Within the extended CPZ, Zones N1 to N5 and S1 to S4, new residential properties are limited to one resident's permit per property.
9. Construction phase access should be discussed with the local area manager in due course as the eastern and western end junctions of Brunswick Road are constrained.

10. Legal Agreement

The applicant will be required to enter into a suitable legal agreement in respect of the following:

Transport

- Tram contribution - £275,000;
- Car Club contribution -£18,000;
- The cost of promoting and implementing any necessary amendments to the controlled parking order - £2,000;
- The cost of introducing an order, if required, to control the proposed disabled parking spaces - £2,000; and
- A travel plan (draft and final).

Affordable Housing

Education

- £134,400 at 2009 prices (to be index linked on payment).

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:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

In accordance with the Planning etc (Scotland) Act 2006, a Proposal of Application Notice was submitted and registered on 19.06.2014 (planning reference 14/02529/PAN). Copies of the notice were also issued to:

- Leith Central Community Council
- Leith Neighbourhood Partnership
- Malcolm Chisholm MSP
- Mark Lazarowicz MP
- All Local Ward Councillors

A public exhibition was held in McDonald Road Library on Thursday 15 July 2014, staffed from 14:30 - 19:30 hours and also on Saturday the 23 August 2014, staffed from 11:00 - 14:00 hours.

Full details can be found in the Pre-Application Consultation report, which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards online service.

A pre-application report on the proposals was presented to the Development Management Sub-Committee on 27 August 2014. Committee noted the key issues and additionally raised the following points:

- The level of family housing to be incorporated in the development.
- Play areas and open recreational space incorporated into the development and its interaction with the level of proposed car parking space.
- Density of the development.
- The level of car parking needed to be provided considering the level of public transport available in the surrounding area.
- To advise the applicant of the need for a creative design for the site having reference to the decision taken on the previous application for the site.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 10 October 2014 and attracted six letters of representation, including one from the Allanfield Residents Association. The following matters have been raised:

Principle

- General support for the site being developed.

Design

- Elevations will be overbearing on Brunswick Road and do not complement existing development.
- Support the clean, modern design of the buildings and the creation of frontage onto Bruntsfield Road.
- Support the use of brick

Height

- Height of development will dwarf flats on Brunswick Road.

- Brunswick Road frontage element should be reduced in height by one storey, taking into account previous use of the site, height of existing buildings opposite are generally two or three storeys and the change in levels.
- Height will create an overbearing canyon effect.

Daylighting

- Some of the proposed apartments will face onto a high retaining wall at the corner of Brunswick Road resulting in poor daylighting standards.

Density

- Density of housing is moderated somewhat over the previous scheme.
- The proposed low density will put pressure on green belt sites.

Open Space

- There is a lack of open space in the development and the northern area will be blocked by the proposed six storeys.
- The provision of car parking spaces will reduce the green space to effectively being a big car park.

Transport

- Not convinced by conclusions in the Transport Assessment regarding road traffic impacts.
- Development will result in traffic problems at busy times.
- Existing access off Allanfield already serves 400 units and further 180 units cannot be supported from a single access.
- Access is solely from the existing Allanfield access and a retrograde step from previous application that also had access from Brunswick Road.
- Proposed single access from Allanfield will cause road safety issues where there has already been actual and near accident history, the road layout is already unusual and parking along Allanfield causes vehicle problems.
- Vehicle access should be from a single point part way along Brunswick Road.
- Existing access from Dicksonsfield should also be used and a further one from Brunswick Road also created.
- Unclear what physical calming measures and yellow lines in the vicinity of the Allanfield access would be. Any such works should be secure by a condition.
- Permeability of the site has improved.
- Brunswick Road forms part of an important cycling link (Route 10) continuing from McDonald Road. The increased motor traffic from this development will create more hazards for cyclists, and pedestrians including children from the adjacent primary school.
- Development will increase congestion on nearby arteries such as Easter Road and Leith Walk.
- The travel plan, sustainability and traffic impact ought to be revisited.

Non-material

- Loss of views from existing flats.
- Potential price of proposed flats.

Community Council:

No comment received.

An assessment of the representations can be found in the main report in the Assessment section.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development
Plan Provision**

This site is located within the Urban Area in the Edinburgh City Local Plan and the Second Proposed Local Development Plan.

Date registered

29 September 2014

Drawing numbers/Scheme

01A,02A,03,04A,05A,06,07A,08A,09,10A,
11B-16B,17A-19A,20-24,

Scheme 1

David R. Leslie

Acting Head of Planning and Building Standards

Contact: Kenneth Bowes, Planning officer

E-mail:kenneth.bowes@edinburgh.gov.uk Tel:0131 529 6724

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 3 (Development Design) sets criteria for assessing development design.

Policy Des 4 (Layout Design) sets criteria for assessing layout design.

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

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

Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

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

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

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

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

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

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

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

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

Policy Emp 4 (Employment Sites and Premises) sets out criteria for development proposals affecting business & industry sites and premises.

Policy Tra 3m (Tram Contributions) requires contributions from developers towards the cost of tram works where the proposed tram network will help address the transport impacts of a development.

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

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

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

Relevant Non-Statutory Guidelines

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings and landscape, in Edinburgh.

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

NSESBA - Non-statutory guidelines Part A of 'The Edinburgh Standards for Sustainable Building' requires new development in Edinburgh to reduce their carbon emissions in line with the current Building Regulations

NSESBB Non-statutory guidelines Part B of 'The Edinburgh Standards for Sustainable Building' sets principles to assess the sustainability of major planning applications in Edinburgh

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

Appendix 1

Application for Planning Permission 14/03940/FUL At Site 157 Metres West Of 25, Brunswick Road, Edinburgh Proposed residential development with associated commercial space.

Consultations

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.

The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.

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

2. Affordable Housing Requirement

As this application is proposing a development which could accommodate up to 175 residential units, the AHP will apply; 25% of the units will be required to be of approved affordable housing tenures as set out within the AHP. As such a minimum of 43 homes of an affordable tenure will be required to be provided on-site.

The applicant has stated their commitment to provide at least a 25% affordable housing on-site and has already engaged with the Registered Social Landlord (RSL), Port of Leith Housing Association with regard to delivering these homes on-site as mid market rent. This is welcomed by this department.

With regard to the proposed mix and provision of a representative mix, this development will include one, two and three bedroom apartments. Port of Leith Housing Association has identified a lack of demand from tenants for three bedroom flats (above ground floor level). The applicant subsequently altered their plans for the affordable element of the development to deliver a mix of one and two bedroom flatted apartments for. As such this department accepts the provision of one and two bedroom apartments on this site.

The proposal includes plans for three commercial units within the ground floor of the block proposed for the affordable housing. The applicant has indicated that should these units remain un-sold, they may be in a position to provide affordable homes on the ground floor. Should this opportunity arise, we would support the further provision of affordable homes.

As agreed with this department the affordable homes will be located within close proximity to main bus corridors and local amenities along Leith Walk.

This department is supportive of this application provided that the affordable housing follows the principles of blind tenure construction.

We would require that the applicant enter into a S.75 agreement on the above terms to provide the affordable housing element before commencement of the project.

Archaeology comment

The site was identified as of archaeological potential, being the site of an early 19th farm and also a Victorian railway goods-yard dating to the second half of the 19th century. Accordingly the site was evaluated by AOC Archaeology in late 2012 as part of earlier planning proposals. This work demonstrated that varying degrees of archaeological survival occurred across the site. No trace of the 19th century farm was recovered indicating that it had been effectively destroyed by modern development. However trenches in the central area revealed that the main Victorian railway buildings survive in relatively good condition (i.e. upright iron partitions were noted as surviving in trench 2).

Accordingly this site has been identified as an area of archaeological significance relating to the 19th and early 20th century railway industry. This application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh City Local Plan (2010) policy ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Having assessed the probable impact of this proposed development and the results of AOC's 2012 evaluation, it is considered that on current information this proposal is regarded as having a low-moderate though significant archaeological impact. Ground-breaking works associated with construction of the new development will significantly disturb the remains associated with the 19th century and early 20th century railway yard identified in 2012. Accordingly it is recommended that a programme of archaeological work is undertaken to fully excavate, record and analyse these significant industrial archaeological remains.

It is therefore recommended that the following condition be attached 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 the implementation of a programme of archaeological work (excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work would 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.

SEPA Comment - dated 27 October 2014

Thank you for your consultation letter which SEPA received on 7 October 2014.

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

Advice for the Planning Authority

1. Surface Water Drainage

1.1 The Design and Access statement details that surface water from the development will discharge to the combined sewer. However, prior to that there will be an element of treatment via permeable surfacing in parking areas.

1.2 Our preference would be to treat all surface water by sustainable drainage systems (SUDS) and discharge to the water environment. SUDS help to protect water quality, reduce potential for flood risk and release capacity in the public sewerage network. Discharges to combined sewers should be avoided to free up capacity for waste water discharges.

1.3 Scottish Water should be consulted to ensure that they are willing to accept the surface water from the proposed development into the combined sewer. Scottish Water only accepts surface water into a combined system in exceptional circumstances. We would expect Scottish Water and the applicant to ensure that all reasonable efforts are made to remove surface water from the combined sewer.

1.4 Comments from Scottish Water, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought in terms of water quantity/flooding and adoption issues.

Detailed Advice for the Applicant

2. Surface Water Drainage

2.1 We encourage surface water runoff from all developments to be treated by sustainable drainage systems (SUDS) in line with Scottish Planning Policy (Consultative Draft Paragraph 160), PAN 61 Planning and Sustainable Urban Drainage Systems and PAN 79 Water and Drainage. Further guidance on SUDS can be found in the SUDS section of our website.

Regulatory Advice for the Applicant

3. Regulatory Requirements

3.1 Details of regulatory requirements and good practice advice for the applicant can be found on our website at www.sepa.org.uk/planning.aspx. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in your local SEPA office (tel: 0131 449 7296).

Transport comment

Transport has no objections to the application subject to the following being included as conditions or informatives as appropriate:

1. *Front door access to all properties must be provided within at most 30m of an adoptable road (including footways). All such 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. Note: structural approval may be required for the Brunswick Road frontage;*
2. *Consent should not be issued until the applicant has entered into a suitable legal agreement to provide:*
 - a. *A financial contribution to the Edinburgh Tram of £275,0000 in line with the approved Tram Line Developer Contributions report (based on 175 residential units in Zone 1);*
 - b. *A financial contribution of £18,000 for car club (in accordance with LTS policies LU2, -Cars 4 and Cars 5);*
 - c. *A financial contribution of £87,500 for the improvement of transport infrastructure as part of "The Leith Programme" (to accommodate movement needs associated with the development in the vicinity - in accordance with LTS policies LU1-LU4, PT3);*
 - d. *A financial contribution of £2,000 to cover the cost of promoting and implementing any necessary amendments to the controlled parking Order;*
 - e. *A financial contribution of £2,000 to cover the costs of introducing an order, if required, to control the proposed disabled parking spaces. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Transport if he wishes the bays to be enforced under this legislation. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2002 regulations or British Standard 8300:2009 as approved by the Head of Transport;*
 - f. *A draft travel plan prior to first occupation and a final travel plan within 12 months of that date. The travel plan to be produced, updated and maintained;*
3. *Within the extended CPZ, Zones N1 to N5 and S1 to S4, new residential properties are limited to one resident's permit per property. An appropriate informative should be added to the approval.*

Note:

- The development proposes 132 private units with 43 affordable housing units. The development proposes to provide 156 spaces which complies with current Council parking standards;*
- Construction phase access should be discussed with the local area manager in due course as the eastern and western end junctions of Brunswick Road are constrained.*

Flood Prevention comment dated 13 November 2014

Flood Risk

The proposed development does not lie within the extent of the SEPA fluvial or pluvial flood maps. It is noted however that several areas of surface water flooding are shown on the SEPA pluvial flood map around the perimeter of the proposed development and therefore a robust surface water management plan is required that flood risk is not exacerbated in these areas.

Drainage Strategy

It is acknowledged that a brief summary of the surface water strategy at the site is provided in the part 4 of the design statement provided.

CEC Flood Prevention acknowledge that the discharge rate from the proposed development will be limited to the 2 year Greenfield runoff rate, though confirmation of calculations to derive this and also confirmation of approval from Scottish Water that this is an acceptable discharge must be provided.

CEC Flood Prevention guidance is more stringent than that stated in the design statement. The 200 year plus climate change allowance event must be attenuated within the site boundary. This must be demonstrated via a MicroDrainage model which shows the drainage system has sufficient capacity to convey surface water to any attenuation structures. This should include the full site area. The calculations should be accompanied by a drainage plan showing all pipes, manholes and attenuation features of the network.

The latest SEPA guidance states that a climate change allowance of 20% is most appropriate to apply to peak rainfall intensities.

Detailed pre and post development flow path arrows are required for the entirety of the site and must be supported by detailed topographic data. Flow paths must confirm overland flow routes in an event which exceeds the system design event or in the event of system blockage.

Flood Prevention further comment dated 6 January 2014

All the required information for this application has now been received and is considered appropriate by CEC Flood Prevention and therefore we have no further comment on the application.

Environmental Assessment comment dated 6 January 2014

The application site is the former Post Office delivery office on Brunswick Road, which links main routes from the city centre north-easterly - Leith Walk and Easter Road. There are predominately residential uses located around the site and Leith Walk Primary School to the south west.

The development proposals are residential in nature and comprise of 132 private units with 43 affordable housing units. There is also however 192m² of commercial space to be provided.

Environmental Assessment has considered the application in terms of the impact it may have on residential amenity of existing and proposed residents and whether there may be health impacts.

Air Quality

The proposed development is located in close proximity to the Central Air Quality Management Area (AQMA). At the closest point, the AQMA boundary lies approximately 70m to the west (i.e. Leith Walk) and approximately 230m to the east (i.e. Easter Road).

The Central AQMA was declared in 2000 due to exceedences of national statutory objectives for the pollutant Nitrogen Dioxide, predominately associated with road traffic. The AQMA included the section at the west end of Brunswick Road. In 2013 the Area was extended to include Easter Road at the east end of Brunswick Road.

Traffic related pollution can be exacerbated in locations that have been identified as street canyons and with congested junctions. Street canyons are narrow streets where the height of the buildings on both sides of the road is greater than the road width which can affect the pattern of air pollution dispersion and hence lead to elevated air pollutant concentrations. The developer was asked to take this into account in assessment of the proposals.

The presence of an AQMA should not halt all development, but where development is permitted, the planning system should ensure that any impacts are minimised as far as is practicable. Where developments are proposed outside of but adjacent to an AQMA and where pollutant concentrations are predicted to be below the objectives/limit values, it remains important that appropriate mitigation is included in the scheme design and that, as far as is practicable, developments should be air quality neutral.

The applicant undertook an air quality impact assessment in support of the application. The assessment uses traffic data obtained for the Transport Assessment but unfortunately this data does not consider committed development, such as the Leith Walk Improvement and the St James quarter development which could ultimately underestimate matters.

The report concludes that the impact of the operation of the proposed development is predicted to be 'negligible/not significant'. It also states that it may be possible to further reduce the impact with the implementation of various mitigation strategies, such as the implementation of a green travel plan and low NO_x boilers to be installed at the proposed dwellings. We would strongly recommend that these are incorporated into the development considering the potential for underestimation and hence a condition to this effect is recommended.

A condition is also recommended in respect to the assessment's reference to a dust mitigation plan, which is required to control impact from the construction phase of the development. This should set out practical measures that should be incorporated as part of a best working practice scheme and take into account the recommendations

included within the Institute of Air Quality Management (IAQM). It should be submitted to the Local Authority for prior approval before commencement of works onsite.

Early discussions with the developer under provisions of CEC's Parking Standards for Development Control, whereby developers are encouraged to incorporate electric vehicle (EV) charging into schemes (or at least the provision for charging) did not result in EV charging associated with the development. That said, we recommend an informative on any consent given detailing the specification for electric vehicle charging infrastructure, should it become a future plan.

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

The Parking Standards state that the Council is likely to introduce a requirement for EV charging infrastructure which depends on how charging technology evolves this includes:

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

These Standards also allow for reduced parking spaces where matters such as air quality are an issue. Again, it would have been encouraging for the developer to consider a reduced number of spaces, to ensure a more sustainable development in terms of air quality, particularly as the site is located in close proximity to excellent public transport links. An informative is recommended to advise formally of this matter.

Noise

The noise impact of the development on existing and proposed residential uses was also considered as a part of the application - a Noise Impact Assessment was submitted.

The commercial aspect of the development is to be provided under Class 4 of the Use Class Order (1997), which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell etc.

The Noise Impact Assessment identified mechanical noise to be the main noise source with the potential to adversely impact residents from the commercial use. The assessment was undertaken in respect to British Standard BS4142 (Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas) rather than the Council's normal requirements of Noise Rating 25 (NR25) which aims to ensure controls/limits on each of the noise frequencies (where low levels frequencies tend to be problematic than higher types). The report concludes that 'further calculations can be submitted at the detailed stage'. It is recommended that a condition be included with any permission given, to ensure these calculations are submitted and approved by the Local Authority in respect to NR25, prior to the occupation of the development.

In addressing road traffic noise, the assessment concludes by stipulating a specific and detailed design of window glazing and means of ventilation, to certain facades -

including those 'facades near to and having direct line of sight to Brunswick Road'. Again a condition is recommended to this effect.

Contaminated Land

Due to the complex industrial nature of historic uses on the site, a condition is needed to ensure that the site is fully investigated for any land contamination and where necessary, appropriate remediation is undertaken.

In conclusion Environmental Assessment recommends support of the application subject to the following conditions & informatives;

Conditions

1. The development shall be completed in accordance with the requirements specified in Noise Impact Assessment, Section 6 of report prepared by Wardell Armstrong, Report No. 001 Job No. ED11470 and dated December 2014.

NB. This includes matters relating to window and ventilation specification for facades of residential properties near to and near to and having direct line of site to Brunswick Road and mechanical service equipment limits, which required further calculations and details to be submitted to, and approved by the Local Authority to ensure compliance with the Council's NR25 standard, prior to occupation of the development.

2. The development shall be completed in accordance with the requirements specified in the Air Quality Assessment, Mitigating Measures, Section 7 of report prepared by Wardell Armstrong, Report No. 002 Job No. ED11470 and dated November 2014.

NB. This includes matters relating to a dust mitigation plan (required to be to be submitted to, and approved by the Local Authority prior to commencement of works on the site), green travel plans and low NOx boilers

3. Prior to the commencement of construction works on site:

A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the 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

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.

Informatives;

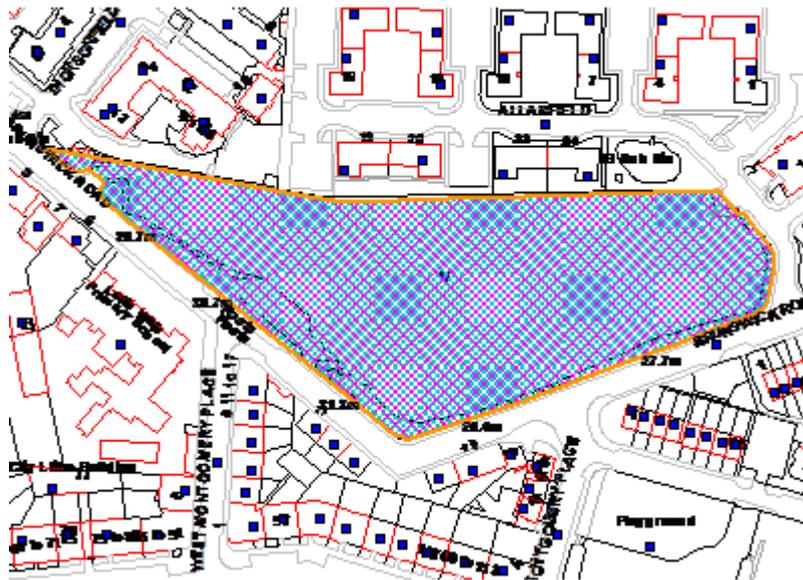
1. Any installation of electric vehicle charge points should be undertaken in accordance with Transport Scotland's 'Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles' (2013). In particular the charge points should

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. Section 4(5) of the City of Edinburgh Council's Parking Standards for Development Control states car parking provision below the normal minimum of the Standards may be permitted for sites where lower parking provision is deemed essential for reasons of air quality.

3. When available the applicant shall provide details of all the boilers to the Environmental Assessment team, City of Edinburgh Council to ensure compliance with the Clean Air Act 1993.

Location Plan



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