

# Development Management Sub Committee

report returning to Committee - Wednesday 29 July 2015

## **Application for Planning Permission in Principle 10/03506/PPP**

**At Land 263 Metres South Of, 104 Newcraighall Road,  
Edinburgh**

**Planning permission in principle for new housing, local mixed use facilities together with open space, access and services, infrastructure, landscape and footpath/cycle provision**

<b>Item number</b>	6.5
<b>Report number</b>	
<b>Wards</b>	A17 - Portobello/Craigmillar

## **Recommendations**

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

## **Background information**

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On 18 January 2012, the Development Management Sub-Committee resolved to grant an application for 176 dwellings on land at Newcraighall East, subject to a legal agreement covering affordable housing, education and transport. The original report can be found in a link at the end of this report.

The applicant is willing to meet these requirements in full, but is seeking to change the proposed arrangements for delivery. It was originally intended to report the changes to the Development Management Sub-Committee on 23 October 2013, but the applicant indicated that there were still some unresolved issues. Consequently, the item was not reported to the committee for a decision at that time.

The Development Management Sub-Committee on 20 November 2013 did consider a report for the neighbouring housing site at Newcraighall North (planning reference 10/03449/PPP).

This site will also contribute towards improved transport and education infrastructure at Newcraighall and a similar approach was agreed.

A detailed application for Newcraighall North by Barratt Homes was granted on 18 July 2014 (planning reference 13/03181/FUL). A legal agreement, based on the same education and transport requirements, has been concluded for this application.

The issues which caused delay have been resolved and the application can now be reported back to committee. This is consistent with the approach to legacy applications recently agreed by Planning Committee on 15 June 2015.

## **Main report**

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The site is greenfield, but is within the Urban Area in the Edinburgh City Local Plan and allocated for housing in the Second Proposed Local Development Plan. The previous report has considered the principle of the development.

The two matters that are being considered further are changes to the transport and education requirements. The 25% affordable housing element remains unchanged.

### **Transport:**

The off-site transport requirements are specified in the consultation response from Transport in the original report. These relate to a new pedestrian crossing on Newcraighall Road, the upgrading of an existing pedestrian crossing, improved traffic calming arrangements, alteration to the kerblines at the main access to accommodate bus turning movements and the relocation and improvement of bus stops.

Transport originally stated that it expected the developers of both this site and the housing site to the north to implement these improvements.

The applicant has indicated that whilst they accept the transport requirements, they do not wish to be responsible for carrying out all the proposed works to adopted roads or to be liable for an, as yet, unspecified scope of works.

They have agreed to undertake the following:

- Design, procure and build the upgrade of the existing toucan crossing on Newcraighall Road;
- Design, procure and build the realignment of the kerblines at Newcraighall road and the access to the site to facilitate the turning movement of buses;
- Contribute £65,000 towards the public transport infrastructure improvements in the vicinity of the development to include traffic calming measures, replacement; and upgrading of bus stop facilities and the promotion of traffic regulation orders.

The design of any transport works will need to be agreed with the Council prior to their commencement. The developers for the Newcraighall North site are also to provide a new toucan crossing on Newcraighall Road in close proximity to the primary school.

Transport has agreed this approach to secure the necessary transport improvements.

## **Education:**

The requirements from Children and Families were for an overall contribution of £830,000 towards the extension of Newcraighall Primary School and associated facilities, including an all-weather playing field. The applicant was also to provide an area of land to enable an extension of the school site. The cost was to be split with the applicant for the Newcraighall North site.

Originally, Children and Families had envisaged that the first phase of any funding arrangements for the primary school would agree the process for the land transfer in advance of building works. Furthermore, Children and Families also expected that where housing development starts in advance on one site, the full costs of the school extension will be required to be borne by that developer and recouped once development starts on the second site. The desire for the first developer to initially pay the full costs is not considered an acceptable approach. Sites can come forward at separate times resulting in an unnecessary risk to the applicant who would be reliant on the actions of another developer.

The applicant is still willing to meet the requirement of £415,000 and to transfer the required land within three months of the commencement date of their development. Payment is to be paid in two equal amounts upon completion of construction of the 100th and 125th open market housing units. The amounts will be index linked from May 2014 at the time of payment. The applicant for the Newcraighall North site is contributing the other half of the education contribution and has already commenced work on site.

Children and Families has confirmed that there has been significant discussion on the proposed legal agreement and that the approach is acceptable. A similar agreement is in place for the Newcraighall North site.

## **Conclusion**

It is recommended that the application is granted subject to a legal agreement as set out above. The other conditions and legal agreement requirements remain as set out in the original report.

## Links

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### **Policies and guidance for this application**

SPPOL, SPHOU3, SPHOU4, SPHOU5, SPHOU8, SPHO10, SPEN02, LPC, CITD1, CITD2, CITD3, CITD4, CITD5, CITD6, CITD8, CITE3, CITE8, CITE9, CITE10, CITE12, CITE15, CITE16, CITE17, CITE18, CITOS1, CITH1, CITH2, CITH3, CITH4, CITH7, CITCO1, CITCO2, CITT1, CITT2, CITT4, CITT5, CITT13, CITI6, NSG, NSP, NSMDV, NSESBB, NSBIO, NSDCAH, NSQULA,

A copy of the original Committee report can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=LDEY0BEW00I00>

Or Council Papers online

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