

Development Management Sub Committee

Wednesday 12 August 2015

Application for Approval of Matters Specified in Conditions 14/05305/AMC

At 65 West Harbour Road, Edinburgh, EH5 1PW

Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes.(Scheme 3)

Item number	7.2
Report number	
Wards	A04 - Forth

Summary

The application in its current form should be refused. This application seeks approval of a revised masterplan for Granton Harbour which will update the one approved in January 2014 (reference 13/04320/AMC). Many parts of the master plan are the same as currently approved. Some proposed changes will result in improvements to the approved masterplan, for example an increase in housing numbers, more clearly defined street frontage along West Harbour Road at the western end of the site and the inclusion of a community boat yard.

However, the siting of the proposed retail/leisure/commercial centre in the south eastern part of the site is unacceptable. It is contrary to Edinburgh City Local Plan policy Ret 4 as the scale and type of retailing is not consistent with the role and function of the proposed local centre at Granton Harbour and the proposed retail/leisure/commercial centre could potentially have a significant adverse impact on the city centre or other town centres.

The siting of the buildings, and design and configuration of public spaces, roads and footpaths in and adjacent to the proposed centre are unacceptable in design and placemaking terms. The proposals are not based on a comprehensive and integrated approach which draws upon the positive characteristics of the site's waterfront location to create a sense of place. The height, scale and form of development will have a detrimental impact on the wider townscape, and the layout of car parking spaces and pedestrian/cycle routes will not encourage walking and cycling. In addition, insufficient information has been provided to fully assess the design and configuration of public and private open spaces, access road layouts, footpaths and cycle routes. The proposal is contrary to policies Ret 6, Des1, Des 3a), Des 3c), Des 3f), and Des 3h), Des 4a) and Des 4c) of the Edinburgh City Local Plan, and Second Proposed LDP policy Del4.

The proposal does not demonstrate that an acceptable level of affordable housing can be delivered on the site contrary to ECLP policy Hou 7.

Other material considerations have been taken into account, including Scottish Planning Policy, the Second Proposed Local Development Plan, Edinburgh Design Guidance, Waterfront Granton Masterplan and submitted representations. These either support the development plan position or do not outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LPC, CITWA1, CITD1, CITD2, CITD3, CITD4, CITE3, CITE9, CITE13, CITE14, CITE17, CITE18, CITOS3, CITD9, CITH2, CITH3, CITH4, CITR4, CITH7, CITD6, CITEM5, CITEM4, CITR6, CITT13, CITH2, CITD5, LDPP, OTH, NSGD02, NSMDV, NSP, NSOSS,

Report

Application for Approval of Matters Specified in Conditions 14/05305/AMC

At 65 West Harbour Road, Edinburgh, EH5 1PW

Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes.(Scheme 3)

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The site comprises approximately 33 hectares of land to the north of West Harbour Road, Granton Square and Lower Granton Road and is known as Granton Harbour.

There are a number of industrial units on the site. Part of the site is already developed with residential properties fronting Granton Square (plot 2), and within the site to the north of the existing industrial area (plots 3, 4 and 28). The remainder of the site is largely cleared of buildings.

There is an existing canal feature to the north west of the site. The harbour has two basins: the western harbour has been partly infilled and the eastern harbour is used as yacht moorings and is protected by the Eastern Breakwater.

The western harbour is protected from the Firth of Forth by the Western Breakwater/ Esparto Wharf. This was constructed between 1842 and 1863 and is category B listed (reference number: 30219, listed on 28 November 1989).

The eastern harbour (and Eastern Breakwater) do not form part of the application site. This area is tidal and lies within a designated Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA).

The two harbours are separated by the Middle Pier, a category A listed structure (reference number: 30216, listed on 28 November 1989). The pier contains a stone warehouse (formerly a gunpowder store) that is listed category B (reference number: 30217 listed on 28 November 1989), and Harbour Light, also listed category B (reference number: 30218, listed on 28 November 1989).

Local yacht clubs operate from buildings and boat yards on the Middle Pier.

The application site is not within or adjacent to a conservation area. The site is not a scheduled archaeological site, but is of importance in industrial archaeological terms for the Middle Pier, Western Breakwater, any remnants of World War 2 naval defences, and any surviving railway lines.

It should be noted that the 'Go Outdoors' store annotated on plot 11 is not within the application site boundary.

The surrounding area

The Eastern breakwater is not part of the application site. It is category B listed (reference number: 30220, listed on 28 November 1989). The sea wall and embankment to the east of mid pier are category C listed (reference number: 45651, listed on 16 September 1998).

The site fronts onto Granton Square which creates a formal space at the entrance to the harbour. West Harbour Road is located to the west of the square and contains a number of buildings, many of them listed, related to uses connected with the harbour, including the lighthouse lantern cupola at 22 West Harbour Road (listed category C(S) reference number: 29925, listed on 20 February 1985).

2.2 Site History

20 June 2003 - Outline planning permission granted for the Granton Harbour Village, mixed use development comprising residential units, hotel and serviced apartments, shops and retail/services, restaurants/cafes, public houses, general business, leisure facilities and marina. This permission includes a legal agreement to secure contributions towards education and transportation infrastructure, 15% affordable housing, restrictions on future tenancies within Granton Industrial Estate and the long term maintenance and upkeep of the Western Breakwater (01/00802/OUT).

20 October 2003 - Permission granted for 91 flats at Plot 2 (02/03635/FUL).

29 April 2004 - Permission granted to construct new partial quay wall and landfill along south edge of new harbour (04/00191/REM).

11 June 2004 - Permission granted for the construction of new canals infrastructure (04/00415/REM).

28 July 2004 - Permission granted for the construction of new road, verge, footpath and cycleway infrastructure (04/00696/REM).

1 July 2005 - Permission granted for 295 flats at Plots 4 and 7A (03/01922/FUL).

21 July 2005 - Approval of reserved matters for 131 flats at Plot 3 (04/01662/REM).

5 October 2005 - Approval of reserved matters for 30 townhouses and 6 mews houses at Plot 29 Granton Harbour (04/04630/REM).

21 October 2005 - Permission granted for new roads and related infrastructure at Plots 29 & 30 Granton Harbour (05/00500/FUL).

1 March 2006 - Approval of reserved matters for 73 flats at Plot 30 (05/00228/REM).

18 March 2006 - Approval of reserved matters for 120 flats at Plot 28 (04/03604/REM).

31 May 2006 - Approval of reserved matters for 264 flats at Plots 26 and 27 (04/01661/REM).

12 December 2006 - Listed Building Consent granted for demolition of former transit shed (06/04029/LBC).

14 March 2009 - Approval of reserved matters to discharge the following reserved matters as attached to outline permission 01/00802/OUT (under condition 2): siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes; existing and finished ground levels in relation to ordnance datum (06/03636/REM).

27 March 2009 - Permission was granted for strengthening works to upper concrete wall forming part of the Western Breakwater (05/01604/FUL).

10 November 2010 - Permission was granted for upgrading Lochinvar Drive; forming a new square (Heron Square), converting, upgrading and extending the Gunpowder Store into a restaurant/bar (08/00098/REM).

30 August 2013 - Previous application to discharge matters specified in conditions as attached to outline permission 01/00802/OUT (under condition 2): siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes; existing and finished ground levels in relation to ordnance datum was withdrawn at the request of the applicant (13/01013/AMC).

31 January 2014 - Application approved for matters specified in condition 2 as attached to outline permission 01/00802/OUT: covering siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes. This was subject to a number of conditions including the requirement for a revised flood risk assessment and surface water management plan, no construction of new berths within the marina until the implementation of the Western Breakwater, landscape detailed design to be submitted for plot 12, detailed design of the proposed 4 metre wide cycle track on West Harbour Road/Lower Granton Road, restriction on the height of plot 35, and submission of detailed design of plot 12, reserved matters not including matters in connection with Middle Pier, storey heights being maximum heights, consent being for a maximum number of residential units with each plot having housing number and height being determined at detailed design individually, and residential amenity space not being included. An informative was also added which stated that the new breakwater section to protect the marina would require separate consent from the Council under the Coast Protection Act 1949 (13/04320/AMC).

History of other sites:

1 Waterfront Avenue (Morrisons Store):

31 October 2006 - Planning permission was granted for retail development Class 1, ground floor unit premises for Class 1, 2 and/or 3 with office use Class 2 and /or 4 above. Office use Class 4, bar/restaurant, student housing, petrol filling station, car parking, means of access and associated landscaping works (as amended) (04/02410/FUL).

A condition on this consent required that:

- a) The total net (trading) floorspace of the supermarket shall be restricted to 3,757 sq m as per plan 02072(A)01C;
- b) No additional internal floorspace or mezzanine shall be created unless authorised by a grant of planning permission; and
- c) The proportion of floorspace devoted to comparison goods in the supermarket shall be no more than 25% of net floor area.

For the purposes of this condition the net floorspace includes those areas to which customers have access, apart from the foyer area, checkouts, toilets, cafe and customer service desk. The term 'comparison goods' extends to all goods apart from food, drink, tobacco, newspapers, magazines, matches, soaps and cleaning materials.

Main report

3.1 Description Of The Proposal

The purpose of the current application is to discharge a selected number of reserved matters, which were attached to the outline planning permission under condition 2, and include:

- Siting and height of development;
- Design and configuration of public and open spaces;
- Access and road layouts; and
- Footpaths and cycle routes.

The same matters were approved in 2009 under planning application 06/03636/REM (with the exception of existing and finished ground levels in relation to ordnance survey datum), and in 2014 under planning application 13/04320/AMC. If approved, this application will provide a revised masterplan to guide the redevelopment of Granton Harbour. Whilst the applicant is the main landowner at Granton Harbour, the application also covers sites in the ownership of others.

The first approved masterplan in 2009 was based on the following general principles: a dense urban form with a distinct identity; a varied complex of streets and spaces that are safe and easy to use; the efficient use of land; and a design that will allow for a future change of use and demand. It was based on an indicative residential capacity of 3396 units.

The subsequent approval in 2014, revised the 2009 Masterplan. It maintained the same general design principles, but sought to re organise the commercial component and reduced the overall residential capacity to 1980 units.

The current application seeks to revise the Masterplan further. The revised Masterplan maintains the same overall structure.

The application drawing shows that the proposed buildings on Middle Pier are indicative only and are not part of this application. Listed building consent is therefore not required at this time. The number of car parking spaces has been indicated in the submitted details; however car parking numbers is not being applied for under this application submission.

The Planning Statement refers to the site's potential role as the terminal for tenders bringing cruise ship passengers ashore. The applicant states that the number of berths proposed in the marina depends on boat size and that using a mid-size boat with a length of 10-12 metres, the marina could accommodate up to 400 boats. More detail is indicated of pontoons, berths and launching areas. The applicant states that separate approval will be sought for these. The Planning Statement refers to developing interest in providing a 'fastlink' ferry service between Granton and Fife, and that the new layout allows for this potential additional terminus to be accommodated.

The applicant states that the hotel, the commercial and retail zone, and the marina are anticipated to create over 700 jobs.

PHASING

Limited information on phasing has been provided. A phasing diagram has been submitted which shows the site in 3 phases. The first phase will now include the hotel proposal on plot 35.

PROPOSED REVISIONS IN COMPARISON TO THE PREVIOUSLY CONSENTED MASTERPLAN

NUMBER OF RESIDENTIAL UNITS AND AFFORDABLE HOUSING PROVISION

The revised masterplan reduces the site area identified for housing but by increasing the density and house types; it increases the total number of residential units from 1,980 to 2,000.

Affordable housing is shown in six areas on eight plots; these are plots 3 and 4, 7A, 19A, 26, 27, 28 and 30. The total number of affordable housing proposed is 300 of the total number of residential properties which equates to 15%, as required by the legal agreement attached to the outline permission.

The application makes the following changes compared with the January 2014 approval:

The total number of units: now 2000, up from 1980.

- houses: now 207, down from 483;
- family flats: now 845, up from 304; and
- other flats: now 948, down from 1193.

This has resulted in the following key changes on the masterplan layout.

- retail/leisure/commercial uses have replaced the previously approved residential development on plots 14, 15, 16 and 17;
- the 41 residential units on plot 8B are replaced with a community boatyard;
- the southern block of flats on plot 7B has been replaced with family houses;
- some residential terraces along West Harbour Road and Ross Kestrel Crescent have been replaced by family flats of 3, 4 and 5 storeys; and
- affordable housing proposed on different plots than shown on the existing masterplan.

RETAIL, LEISURE, COMMERCIAL AND BUSINESS USES

There is no significant change to the overall amount of these uses, although commercial uses have increased to 5,000 sqm from 3,560 sqm. The main change relates to the siting of the uses which this application is seeking approval for.

The previous planning consent included retailing at various locations throughout the site. A local centre was approved in Hesperus Square at the heart of the development. Further retailing and leisure space was to be provided at the north end of the site next to the new marina and at the south next to West Harbour Road. Provision for retail units under flats at the entrance to Granton Square was also made.

The current proposal is for a total of 8,920 sqm of retail (class 1) floor area. The majority of this (8,620 sqm) is proposed on plots 16 and 17. The remaining 300 sqm is proposed on plot 8a. The majority of units on plots 16 and 17 are shown as small units (250 sqm) accessed by covered walkways. One unit will be larger with a floor area no greater than 1500 sqm. The existing 'Go Outdoors' building on plot 11 will be retained.

4,225 sqm of leisure floorspace is proposed. Of this total, 470 sqm is proposed on plots 8a and 8b. The remaining leisure floorspace (3,755 sqm) is proposed on plots 12, 14, 15, 15A, 16 and 17.

Commercial space/ business units account for 5,557 sqm located on plots 8a, 8b and 9a (total 1,270 sqm), plots 16 and 17 (1,816 sqm), and plot 35 (1,488 sqm) (hotel site), 426 sqm at the Gunpowder store, and at the multi storey car park proposed on plot 14 (557 sqm).

The previously approved residential development on plots 14, 15, 16 and 17 have been replaced with a retail/leisure/commercial centre. It includes a retail outlet village, best of Scottish food indoor market and restaurants.

Retail uses have been removed from the ground-floors of flats.

The effect of these changes is to create a large retail/leisure/commercial hub concentrated in the south east corner of the site.

MARINA and HOTEL

To the north of the site, a new marina which could accommodate up to 400 berths, is proposed in West Granton Harbour. A moist dock and dry dock are proposed off this to the west leading to the community boat yard proposed at plot 8B adjacent to the marina office.

To the west of the marina on plot 35 is a proposed hotel with 120 bed hotel and residences. The gunpowder store remains as a port-related commercial use.

The main changes from the previous consent involve the removal of retail and leisure uses and the siting of boatyards, boat storage and parking along Middle Pier, and the provision of a community boatyard, including a dry stacking area at plot 8B. Greater detail is provided on the pontoons, berths and launching areas but these are not identified as matters which this application is seeking approval for.

CAR PARKING PROVISION AND OPEN SPACE PROVISION

The number of car parking spaces across the entire site is proposed to increase to 3403 which includes a multi storey car park. The previous approval incorporated 1471 car parking spaces. It should be noted that 'car parking' is not included as a reserved matter to be approved as part of this AMC application. However, it is not possible to consider the siting and height of development without having regard to the level of car parking proposed.

The total open space figure on the revised Masterplan is 60,744 sqm (including the promenade and hard landscaping). This compares with 59,753 sqm from the previous approval.

HEIGHT OF DEVELOPMENT

This application is seeking approval of the height of the proposed development. A massing site plan has been submitted as part of this application. This shows the following changes:

- Plot 4 - corner increased from 10 to 11 storeys;
- Plot 10a - height reduced from 3 and 4 storeys to 2 storey;
- Plot 12 and 16 - increase single storey to 2 and 3 storey;
- Plot 13 - change in heights to provide more 2, 4 and 5 storey with increase in building height to 5 storey along West Harbour Road;
- Plot 14, 15 and 15A - 6 storey reduced to 2 and 3 storey. Increase from 3 to 5 storey on site of multi storey car park;
- Plot 17 - reduction in height on corner of West Harbour Road and Lochinvar Drive from 3, 4, 5, and 6 storey to 1, 2, and 3 storey;
- Plot 19a, 22, 23a and 23b - increase in height along West Harbour Road from 3 storey to 2, 3, 4, and 5 storey;
- Plot 19a, 19b, 20b and 23b - Hesperus Broadway increased from 3 to 5 storey; Hesperus Crossway reduced from 3 to 2 storey; area around circular green space increased from 4 storey to 4, 5, 6 and 7 storey; and
- Plot 35 - 4, 5, and 6 storey in height.

ACCESS, ROAD LAYOUTS, FOOTPATHS AND CYCLE ROUTES

The main changes in terms of road layout from the previous approval include alterations in the south east corner of the site where retail/commercial/leisure is proposed instead of residential. There are also changes to the road layout along Middle Pier and Heron Square. A cycle route and walkway is proposed from Lower Granton Road, along Lochinvar Drive, and through the site along Hesperus Crossway, linking back to West Granton Road through proposed Ross Kestrel Park. A link is also proposed from the park northwards along North Breakwater Road. This differs from the previous approval which showed a cycle/ footpath link running along the outer/ coastal edges of the site in accordance with the ECLP.

The proposed development has been amended during the course of the application. The main changes are as follows:

SCHEME 2

- Increase in total number of affordable units to 300 and re location of Affordable Housing provision;
- Increase in car parking numbers to a total of 3403 spaces;
- Provision of commercial units on north side of proposed multi-storey car park on plot 14;
- More detail shown for layout of proposed leisure/ retail area in south east area of site; and
- Increase in total commercial/business to 5557 sqm.

SCHEME 3

Scheme 3 shows:

- An increase in residential properties to 2000;
- The number of flats increases to 948, and the number of family flats has reduced to 845;
- The number of bed spaces in the proposed hotel at plot 35 has reduced to 120; and
- The massing diagram shows some changes to heights proposed including the buildings surrounding the circular open space at plots 19a, 19b, 20b, and 23b revised to 4 and 5 storey. Plot 35 is reduced from 6 and 7 storey to 4, 5, and 6 storey.

SUPPORTING STATEMENTS

The following documents have been submitted in support of the application

Planning Statement- this describes the main revised masterplan proposals including more detail on the retail and commercial area, comparison with the 2003 Outline planning consent, assessment against the Edinburgh City Local Plan and the emerging Local Development Plan, deliverability of the scheme and community consultation information.

Design Supporting Statement- this includes photographs and typical house/flat internal layouts, an outline of facilities and specification in list format of the proposed marina, an outline of facilities provided and specification of the proposed hotel with photographs and sketches of internal rooms, and facilities provided for the retail and leisure proposal in list format. The application is not seeking to approve the design of development and no information is provided on elevations, materials etc.

A Supporting Transport and Movement Framework- this outlines traffic calming principles, describes use of 'Designing Streets' in the design, outlines road hierarchy and framework, describes pedestrian movement and access proposals, cycle routes and cycle parking, examines the provision of public transport services including the tram, car parking provision, development traffic, and external impact including a comparison of previous approvals on the site.

The applicant was requested to undertake a Retail Impact Assessment. Instead a retail position statement has been submitted which explains why the applicant felt a full Retail Impact Assessment was not necessary.

Consultation Statement- Outlines consultation event and summarises responses.

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

3.2 Determining Issues

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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) Principle of Development

The principle of the redevelopment of Granton Harbour for a mixed use development has been established through the granting of Outline planning permission in 2003. The Outline permission allows for a mix of uses comprising residential units, hotel and serviced apartments, shops and retail/ services, restaurants/ cafes, public houses, general business, leisure facilities, and a marina. The current application proposal complies in principle with the range of uses allowed for under the outline permission.

The conditions of the outline planning permission set the maximum threshold for the quantum of the various uses with the site. The main limitations are:

- residential units shall not exceed 3,396 units;
- commercial/ business space shall not exceed 23,190 sqm;
- public amenity and leisure uses shall not exceed 7,650 sqm; and
- each retail unit shall not exceed 250 sqm with the exception of one that shall not exceed 1,500 sqm.

Whilst these thresholds are not exceeded by the current proposals, the retail/commercial/leisure uses raise concern in terms of the scale and type of development proposed. This is discussed in detail below.

The adopted local plan covering this site is the Edinburgh City Local Plan. There are a number of policies within this which are relevant in terms of the principle of the development. Policy Wa 1 (Waterfront Areas of Change) sets criteria for assessing development in the Granton and Leith Waterfront Areas of Change.

The revised masterplan accords generally with ECLP policy Wa1. However, for the reasons set out below some elements are unacceptable.

Retail, Leisure, Commercial uses and hotel

The aim of the retail conditions on the outline planning permission is to deliver a local shopping centre to meet the convenience shopping needs of new and future residents. Unit sizes were restricted to define the role of shopping at Granton and protect the viability and vitality of other centres in the area.

In terms of retail uses proposed, policy ECLP Ret 4 (Local Centres) and proposal S5 are relevant.

The current approved Master Plan proposes 9,230 sqm retail in eight locations across the site, 4,225 sqm leisure in three locations and 3,560 sqm commercial in four locations. The largest concentration is on Plot 12 which has 5,140 sqm total floorspace (2,390 sqm retail and 2,750 sqm leisure).

The proposed retail/leisure/commercial centre will comprise 14,191 sqm new floorspace (8,620 sqm retail, 3,755 sqm leisure and 1816 sqm commercial) concentrated in one location at the south eastern corner of the site. The proposed centre also includes 11,000 sqm of existing retail floorspace currently occupied by 'Go Outdoors'. The applicant states that the uses under the term 'commercial' refers to those granted under the original Outline planning permission; this was 'general business/office use. It is important to note that units in class 2 (Financial, Professional and Other Services) of the Uses Classes (Scotland) Order can change to class 1 (retail) without requiring planning permission. As a result, the retail floorspace in the new centre could increase up to 10,436 sqm.

The application shows an indicative layout of the new centre comprising around 60 retail/leisure/commercial units mainly based around a number of covered walkways. It includes an area of surface car parking and a five storey car park with ground floor commercial units on the corner of Lochinvar Drive and Hesperus Crossway.

ECLP Proposal S5 proposes a new local centre at Granton Harbour as part of the wider regeneration of the area. The definition of a local centre is for "a shopping centre, usually of 10 units or greater, serving a local shopping function." Para 8.23 of the Edinburgh City Local Plan highlights the role of local centres "to maintain a basic level of shopping services within walking distances of all homes".

The proposal originates in the Granton Waterfront Master Plan (Llewelyn - Davies 2000). The Master Plan proposed two local centres to provide shopping facilities and local amenities for existing and new residents, one at Forthquarter (based around Morrisons) and one at Granton Harbour. The Master Plan indicated that the local centre at Granton Harbour should also contain and interface with waterside leisure and entertainment uses.

The applicant is of the view the new centre proposed in this application is a local centre. They make reference to the size of the other local centre at Granton Waterfront (Waterfront Broadway) and the definition of local centre set out in the Edinburgh City Local Plan. The applicant has submitted a diagram which shows comparison between the current local centre proposal and the previous approved scheme. This indicates an increase in retail/commercial/business and leisure use from the previous approval of 17,015 sqm to 18,702 sqm; an overall increase of 1,687sqm. They state that there are few changes from the previous scheme, and that it is fully compliant with the Development Plan in that the size and character of the local centre is justified by comparison to that approved at the other Granton S5 site at West Granton Road/Waterfront Broadway. The planning permission for the local centre at Waterfront Broadway (ref no. 04/02410/FUL) was approved subject to a condition restricting the total net (trading) floorspace of the supermarket to 3,757 sqm, with no additional internal floorspace or mezzanine being created unless authorised by a grant of planning permission, and the proportion of floorspace devoted to comparison goods in the supermarket being no more than 25% of net floor area.

The information provided in the Design Statement refers to a retail and leisure complex offering the best of Scotland produce and goods. No justification has been provided to indicate how a development of this type and scale is "serving a local shopping function".

The retail/leisure/commercial centre proposed in this application is not consistent with Proposal S5 in the Edinburgh City Plan or Proposal S2 of the Second Proposed LDP because what is proposed does not meet the definition of a Local Centre. Based on the information provided, the proposal appears to be aimed at creating a shopping/leisure destination serving a much wider catchment than local residents. The proposal for a multi storey car park and significant increase in car parking spaces (from 1471 in the previous application to 3403) supports this conclusion. In addition, Proposal S2 of Second Proposed LDP expects the 'convenience shopping needs of new and future residents to be met by implementing the proposed Local Centre (Proposal S2) in the form of commercial units under flatted development, including a small supermarket (1,500 sqm).' The proposal fails to meet this expectation.

In addition, the applicant has been asked to submit a retail impact assessment (RIA) to prove that the proposal will not be a threat to the vitality and viability of other centres. However, this has not been provided. A 'Retail Planning: Position Statement' has been submitted which concludes that as the application is an AMC proposal, and only needs to relate to conditions attached to the original Outline planning consent. Their view is that as no conditions requiring a RIA were imposed and the proposal conforms with conditions attached to the Outline Planning permission there is no requirement for an RIA.

The applicant states there is no requirement on the Outline planning consent for units to be scattered throughout the site, and that providing individual units throughout the site is not feasible; and attempts to provide retail units under residential units in the Waterfront previously have failed.

Para 8.9 of the Edinburgh City Local Plan indicates that a retail impact assessment will be required for developments of 2,500 sqm and above. Whilst the proposed individual unit sizes are restricted to less than 1,500 sqm and 250 sqm, the proposed total retail floorspace in the new centre is 8,620 sqm. It is the impact of this amount and format of floorspace concentrated in a new retail/leisure/commercial centre that needs to be assessed. Whilst it would have been helpful if the outline permission had envisaged this scenario, had considered a Retail Impact Assessment at that time and had included more detailed conditions in relation to the retail floorspace, this application seeks approval of the siting of the development; the retail impact of siting the floorspace in a centre of the scale and form proposed should be considered.

The retail/leisure centre is contrary to ECLP Policy Ret 4 because what is proposed is not compatible, in terms of scale and type, with the character and function of the centre. It is not known whether the proposal will have an adverse impact on the city centre or any other town centre as a retail impact assessment has not been provided.

The emerging Second Proposed Local Development Plan (LDP) is a material consideration in the determination of this application. LDP policies Ret 4 and Ret 6 are relevant for the same reasons as ECLP policies Ret4 and Ret6. In addition, Table 11 includes development principles for Proposal EW2c Granton Harbour. Proposals will be expected to 'meet the convenience shopping needs of new and future residents by implementing the proposed Local Centre (Proposal S2) in the form of commercial units under flatted development, including a small supermarket (1,500 sqm) and 'include tourism and waterfront leisure and entertainment uses.

The proposed retail/leisure/commercial centre does not accord with the development principles of proposal S2 relating to the role and format of the local centre. The applicant has submitted representations objecting to these aspects of the Proposed LDP.

With regards to the leisure uses proposed, policy Ret 6 of the Edinburgh City Local Plan is relevant. The leisure elements of the proposal accord with ECLP policy Ret 6 in that Granton Waterfront is identified as an appropriate location for such uses. However based on the information provided by the applicant the proposal is not integrated satisfactorily into its surroundings with attractive frontages to a high quality design that safeguards existing character. The proposal does not meet the requirements of clause a) of ECLP policy Ret 6.

The proposed hotel development accords with ECLP policy Emp 5 and Second Proposed LDP policy Emp 10. The new marina is an important element of the proposals in terms of placemaking. It is an opportunity to create a place where people will want to live and visit. This aspect of the scheme is consistent with ECLP policy Ret 6 which promotes Granton Waterfront as a key location for leisure and visitor attractions.

Scottish Planning Policy

Para 33 of Scottish Planning Policy states that where relevant policies in a development plan are out-of-date or where a development plan is more than five years old, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP.

The Edinburgh City Local Plan was adopted on 28 January 2010 and is therefore now more than five years old. The policies relevant to this application are not out of date as evidenced by the fact that there are almost identical policies in the Second Proposed LDP.

However, in order to accord with SPP, it is necessary to consider whether the proposal contributes to sustainable development. To do this, reference is made to the principles set out in para 29 of SPP.

The principle of redeveloping Granton Harbour for mixed use development is supported by the development plan and contributes to sustainable development. It will bring economic benefits in line with the Council's Economic Strategy and, subject to detailed matters, has the potential to accord with the principles set out in paragraph 29 of SPP.

However this application includes a proposed retail/leisure/commercial centre which raises a number of issues in relation to good design, qualities of place and the potential to adversely impact on other existing centres. Therefore, there is uncertainty regarding net economic impact.

It is therefore concluded that this application will not result in development that contributes to sustainable development. The adverse impacts identified outweigh the benefits in this instance.

In summary, the application is contrary to ECLP policies Ret 4 and Ret 6, and should be refused.

Housing

The proposal involves an increase of 20 units to provide a total of 2,000 units from the previous 2014 approval of 1980 units. The 2014 approval accepted an overall reduction of housing from the previous 2009 consented Masterplan 06/03636/REM (3,396 units) and the outline planning permission (3,284 units) to 1980 units.

The 2014 consent comprised 483 houses and 1,497 flats (including those already constructed or consented). This current application proposes 207 houses and 1793 flats. The number of family houses have reduced however; 845 family flats are proposed giving a total of 1052 family units. The reduction in the capacity at Granton Harbour from that originally envisaged has been accepted in the 2014 consent. This proposal does provide a small increase in total housing numbers which is welcomed in terms of policy Hou 1 of the Edinburgh City Local Plan and the Second Proposed LDP.

Overall, the housing numbers and revised housing mix will ensure that the proposal complies with the Edinburgh City Local Plan and the Second Proposed Local Development Plan. The number of family houses and flats are welcomed and this meets policy Hou 1 of the ECLP.

The proposal will result in a minor increase in the number of residential units from the approved masterplan. These are distributed across a reduced area of the site, resulting in higher density development on the areas identified for housing. The proposed revisions to the housing mix and density are considered acceptable in terms of ECLP policy Hou 2 (Housing mix) and Hou 4 (housing density). The proposed changes will create a stronger, more appropriate frontage with four and five storey housing along West Harbour Road from Lochinvar Way to Ross Kestrel Crescent.

Current Council policy requires 25% affordable housing provision. However this AMC application relates to an outline permission with a legal agreement requiring 15% affordable housing provision.

The section 75 legal agreement are required 15% affordable housing to be provided across six areas and was based on a total number of 3396 homes being provided. The section 75 is prescriptive in terms of timescales, phases and numbers within which the affordable homes should be delivered across these areas.

Based on the requirements of the section 75 legal agreement, this proposal for 2,000 housing units, requires 300 affordable housing units on six areas. The proposed masterplan complies with this in terms of the number and location of units needed throughout the site. However, it is unclear whether the applicant has the ability to deliver the level of affordable housing proposed. It is understood that the applicant does not own or have control of at least some of the plots shown to meet the affordable housing requirement.

In a representation to this application, Port of Leith Housing Association state that they acquired plot 3 on the basis that no affordable housing would be provided; plot 3 is indicated as providing 39 affordable units.

The terms of the existing section 75 agreement are unachievable in relation to affordable housing provision. The previous 2014 consent made provision for affordable housing on different plots which were in the ownership or control of the applicant. However, this is not the case for this application. The applicant has not demonstrated how the affordable housing can be delivered on the site.

If planning permission were to be granted for the revised masterplan a new section 75 legal agreement will be required to reflect the reduced number of residential units, revised phasing plans, and that the land is now in multiple ownership.

This will assure well integrated on-site affordable housing provision across the site reflecting the lower number of homes proposed. Housing and Regeneration has been consulted and agrees with this approach.

The proposal in its current form does not meet the requirements of ECLP policy Hou 7.

b) Setting of the Listed Buildings

The site contains a number of listed structures, notably the A listed Middle Pier and B listed Western Breakwater. The applicant has confirmed that all technical details which may affect the listed structures at the Western Harbour and marina remain unchanged from the 2014 approval. Buildings are not proposed on Middle Pier, and the masterplan states that any proposed building works are indicative only and are not part of the application. If any works affect the listed structures, a separate application for listed building consent will be required.

Historic Scotland raise no objections to the proposals.

In summary, the proposal will not harm the setting of the listed structures.

c) Design and Layout

Granton Harbour is identified as a Waterfront Area of Change (WAC 2) in the Edinburgh City Local Plan (2010). Within this area, the Council supports a broad mix of uses and a finer grain of development, incorporating a high standard of design. ECLP para 11.6 states that development should have a strong urban form and scale, generating a permeable and legible perimeter block structure, in which buildings provide some kind of activity to all public ground floor frontages. ECLP para 11.10 supports a network of streets and paths which integrate with adjoining neighbourhoods and draw people to the water's edge. These principles are reflected in the approved masterplan, but would be compromised in the revised application for the reasons discussed as follows.

Policy Wa 1b) of ECLP supports development which will contribute towards the creation of new urban quarters in the Waterfront Area of Change. In particular there is support in this area for the provision of a series of mixed use sustainable neighbourhoods that connect to the Waterfront, with each other, and with nearby neighbourhoods.

Relevant design policies contained within the Edinburgh City Plan include policies Des 1 (design quality and context), Des 3 (development design), and Des 4 (Layout design).

Policy Des1 states that 'design should be based on an overall design concept that draws upon positive characteristics of the surrounding area to create or reinforce a sense of place, security and vitality.'

The proposed siting and layout of the retail/leisure/commercial centre does not draw upon the positive characteristics of the site's waterfront location. Insufficient information has been provided to comment in detail. However the indicative plan suggests inward facing retail, leisure, and food and drink units accessed by covered pedestrian walkways. A multi storey car park adjacent to East Granton Harbour is also proposed.

The indicative plan also suggests that the frontage of the site along West Harbour Road between Lochinvar Drive and Lochinvar Way will be characterised by the rear elevations of two and three storey retail, leisure and commercial units.

It is understood that further AMC applications will be submitted in relation to the detailed design and layout (including elevations and materials) of the new centre. However, the plan submitted with this application to establish the siting and height of development raises concerns.

The proposal is contrary to policy Des 3 clause a) in that the proposed retail/leisure/commercial centre will not have a positive impact on its setting in terms of positioning of buildings, height, scale and form. The proposal is contrary to clause c) in terms of the impact of the proposed multi storey car park on the immediate outlook of the occupiers of plot 4. The proposal does not promote community safety by providing active frontages to more important thoroughfares and designing for natural surveillance and is contrary to clause f) and it does not comply with clause h) as the proposed multi storey car park is not sensitively integrated into the design.

The application is seeking approval of the design and configuration of public and private open space, access road layouts, footpaths and cycle routes. Although the applicant has confirmed that in terms of open space provision, there is an overall increase of 992 sqm, to give a total of 60,744 sqms, there is insufficient information provided to enable the above matters to be properly assessed. Clause a) of policy Des 4 of ECLP states that permission will be granted where a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths and public and private open spaces has been taken. The proposal does not meet the requirements of clause c) as the proposed layout does not encourage walking, cycling and cater for the needs of public transport.

The Second Proposed LDP identifies the site as Granton Waterfront (EW 2c). A number of development principles are set out for a mixed use development which includes meeting the shopping needs of new and future residents by implementing the proposed local centre in the form of commercial units under flatted development, including a small supermarket (1,500 sqm). The proposal fails to meet Second Proposed LDP policies Del 4b), Des 1, Des 4, Des 5a), Des 7a), c) and d).

In conclusion, the siting, design and layout is not acceptable from a placemaking point of view and are contrary to a number of ECLP design policies, which support well-defined, cohesive networks of streets and spaces. The Second proposed LDP contains similar policies the requirements of which are also not met.

d) Road safety, Public Transport Accessibility and Parking

The proposal includes the approval of access, footpaths and cycle routes. Issues raised by Transport relating to footpath and cycle routes and road layout will need to be resolved if Committee is minded to grant consent. Transport state that the submitted road layout is not approved at this stage. Also clarification of the proposed route on the section along the Waterside Edinburgh Promenade as the submitted plans indicate a route which does not follow the line set out in the ECLP.

Transport have raised a number of issues with this proposal which conflict with the current design and operation of the tram, including potential conflicts with the Limits of Deviation, concern of the proximity of the proposed additional road crossing at Chestnut Street, and the position of the proposed Granton Tram stop which is not reflected in the submitted drawings. The building line fronting West Harbour Road must be designed to incorporate a footpath, cycle path and tram reservation. These issues would all need to be addressed should Committee be minded to grant the application.

In comparing the current masterplan with the previously approved masterplan, the main change is the number of car parking spaces proposed for the entire site. The applicant's transport consultant ARUP has submitted a letter in support of the proposals which in summary states that there is no material change in the amount of traffic generation during peak periods or in regard to the predicted operation and impact within the internal and external road network.

The consented masterplan provided a total of 1,471 car parking spaces. For the current proposal a total of 3,403 spaces are proposed for the various use classes (including existing development). The current Council parking standards states that for mixed-use developments:

"minimum parking standards will be relaxed to take account of multiple uses of parking spaces... The starting point for calculation of maximum parking standards will be the level required by the highest individual land use standard."

The number of car parking spaces has not been applied for as part of this application. However, it does need to be taken into account in assessing siting and layout considerations. Transport state that the proposed level of parking is an aggregate of the provision for individual uses and the resulting total proposed provision is likely to give rise to unacceptable traffic generation. Furthermore, the level of proposed parking for individual use classes is in excess of that permitted by the current standards. This results in development which does not encourage walking and cycling, cater for the requirements of public transport and does not minimise potential conflict between pedestrians, cyclists and motorised traffic contrary to policy Des 4c) of the Edinburgh City Local Plan and policy Des 7c) of the Second Proposed LDP. Transport has not objected to the proposal on car parking amounts, as this is not specifically applied for as part of this application.

In terms of developer contributions for the North Edinburgh Transport Action Plan, the section 75 legal agreement relating to this site has been concluded. No further contributions can be sought for this proposal within the context of the 01/00802/OUT permission.

Transport have no objection to this AMC application proposal subject to a number of conditions and informatives, including the requirement for junction improvements and financial contributions for traffic or other orders to be secured by section 75 legal agreement.

If planning permission was granted, Transport would require a contribution of £2,000 for each of any traffic or other regulation to introduce waiting, and loading restrictions, stop up etc. Transport would also require a suitable signalised junction at the Chestnut Street and West Harbour Road junction to be provided at no cost to the Council.

e) Residential Amenity

The amenity of existing and future residents is a consideration including those that live within and adjacent to the site. This includes existing flats (plots 2, 4, and 28) and also a number of plots that have been consented for residential development. There is also existing housing to the south of the site, in the vicinity of Granton Square.

The reduction in height of part of plot 35 to 4 and 5 storeys and the general layout proposed, will provided sufficient space between plots for the amenity of existing and future residents not to be compromised in terms of privacy or sunlighting or daylighting.

The outline planning permission to which this proposal relates included conditions requiring a noise assessment and noise protection measures based on an open windows scenario to be submitted to protect the proposed residential development from existing and commercial activities. In addition, a condition was added to control any floodlighting at the site.

This will ensure that no development can take place until it could be shown that residential amenity will be protected in accordance with ECLP policy Env 18 and Second Proposed LDP policy Env 22. The conditions attached to the Outline consent will continue to apply. Environmental Assessment has stated that should permission be granted, the phasing of development should have regard to existing or proposed noise sensitive receptors which may conflict with the timing of development.

In terms of amenity spaces, ECLP policies Os 3 and Hou 3 seek to ensure there is adequate provision for open space. The revised masterplan indicates a total amount of public open space of approximately 60 sqm (including the promenade and hard landscaping). The revised scheme also shows an increase in size of Lochinvar Park by the deletion of surface car parking in this area.

f) Other Considerations

Economic Development Considerations

Paragraph 33 of Scottish Planning Policy (SPP) says that where a development plan is more than five years old, the presumption in favour of development that contributes to sustainable development will be a significant material consideration"

Paragraph 126 of the decision letter states "Consideration must be given to the extent to which proposed development would contribute to sustainable development. Such consideration should be prefaced by taking into account the principles included in paragraph 29 (of SPP)."

The applicant claims that the "The new Masterplan is a result of detailed discussions between the Company, developers and port users, prospective occupiers and funders and is therefore focussed directly towards deliverability.the revised Masterplan will re start the regeneration of Granton Harbour, the proposed housing component is marked tested and viable, a significant number of family housing units are available for purchase or rent, essential upgrading will rejuvenate the local marine economy, the mix of uses based around the marina and port, and the land based activities will attract visitors, tourists and boat owners, and will be an attractive place to live, and over 700 permanent new jobs will be created."

CEC Economic Development states that Granton Harbour is one of Edinburgh largest urban gap sites. They calculate that the development has potential to directly support a total of 903 jobs (469 in retail; 278 in business/commercial/food and drink; 87 in the hotel and 42 in leisure). They consider that the development has potential to transform Granton Harbour into a successful neighbourhood providing homes for over 4,000 residents. Given the lack of progress on the site in recent years and the scale of investment required, Economic Development consider that a pragmatic approach should be taken by the Council to ensure the development of Granton Harbour proceeds.

It is acknowledged that the proposed development has the potential to provide new job opportunities with resultant direct and indirect economic benefits to the area. However the proposal would not deliver sustainable economic growth for the following reasons:

- the scale and type of retailing is not consistent with the role of a local centre at Granton and could compete with and threaten the vitality and viability of other shopping centres;
- no information has been provided regarding the breakdown of new jobs across the various uses but, in terms of retail jobs, recent evidence suggests that in an era when retail spending is largely stagnant, any new retail jobs will mainly be derived through displacement of jobs from other locations; and
- the design and layout of the commercial hub is not acceptable and will not deliver a sustainable mixed use neighbourhood.

In summary, the potential economic benefits of the scheme would not outweigh the other material considerations.

Ecology/Natural Heritage

The site is located adjacent to the Firth of Forth Special Protection Area (SPA), Ramsar and Site of Scientific Special Interest. These sensitive ecological areas are protected from development by policy Env 13 Sites of European Importance and Env 14 Sites of Special Scientific Interest.

Special Protection Areas are protected under the Conservation (Natural Habitats) Regulations 1994, as amended (the "Habitat Regulations"). The legislation requires an appropriate assessment to be undertaken by the Council (as competent authority) where the effects of development are likely to have a significant effect on the qualifying interest of the site.

The Firth of Forth SPA is designated for a variety of wintering and passage bird species. This designation includes the area to the east of Granton Harbour.

An appropriate assessment was carried out as part of the original outline application, with conditions attached to the consent relating to timing of dredging works, storage of materials, the requirement to submit an Ecological Watching Brief etc. These conditions will still apply should the current development be approved.

The RSPB has raised concern about potential disturbance along the proposed cycle/walkway shown along the Eastern Breakwater. The applicant states that an 'indicative cycle/walkway was shown in the approved masterplan 13/04320/AMC. As it is outwith the application site boundary it is shown only because there was considerable community support for this.' RSPB also raise concern about changes in the use of the pier. The applicant has clarified that the pier is to be continued as a pier use, and that the masterplan does not provide details of these. The applicant states that these details together with any proposed use of the marina by commercial craft would be sought by the port operator. The applicant has confirmed that there are no changes in terms of dredging operations from previous approvals, and that development of facilities to serve a potential fast ferry link would be obtained by separate approval. Any future dredging proposals would require a marine licence which would itself require a Habitats Regulation Appraisal (HRA).

SNH has confirmed its acceptance of the scheme given the above approach.

In summary, there are no overriding ecological or natural heritage concerns as a result of the revised scheme.

Drainage/Flooding

The Outline planning permission to which this application relates had a condition which required that surface water drainage arrangements be approved prior to commencement of works on site. In addition, all operations during remediation and preparation of the site must be in accordance with SEPA's pollution prevention guidelines.

In terms of flooding, SEPA and CEC Bridges and Structures have requested more information in relation to flood risk and drainage design information to determine if the proposed development is appropriate to protect residents from all potential sources of flooding. SEPA object to the proposal until the necessary information has been submitted and assessed and found to be acceptable. They state that the results of tidal and drainage modelling will potentially determine finished floor levels and the development layout when overland flow routes are considered and therefore the information is required in advance of any approval of the application.

The applicant has confirmed that 'all technical details are unchanged from the previous application approval (13/04320/AMC) in terms of drainage and flooding matters. This showed all internal ground floor levels to be 6 metres above sea level where there is a potential for flooding, and that all ground floor levels throughout the site will be higher than the adjacent road. AMC approval will be required for the detailed works.'

The applicant also confirms that all technical details associated with proposed land reclamation proposals and works proposed to the Western Breakwater are unchanged from the previous consent 13/04320/AMC and that detailed AMC applications would be provided for these works.

The previous 2014 approval contained a suspensive condition to the effect that no development could take place until a revised flood risk assessment has been submitted to and agreed in writing by the Council. It is recommended that if planning permission be granted, a similar condition is attached to this consent.

Education and other services

The required primary and secondary school places needed to support the development will be secured under the section 75 agreement attached to the outline consent (01/00802/OUT). This required a total contribution of £1,366 per flat or other form of residential unit, such sum being indexed for all residential development sites.

The masterplan includes a range of units which could be used to provide community facilities.

Archaeology

A condition is attached to the original outline planning permission and this will cover any development resulting from the current application.

g) Equalities and Human Rights Implications

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

h) Sustainability

The outline planning permission was granted prior to the adoption of the Edinburgh Standards for Sustainable Buildings (ESSB) and as such there is no requirement to comply with the relevant sustainability criteria. However, an informative on the outline planning permission states that the Council will expect new development to concur with the most current sustainable construction phase and throughout the life of the buildings. Each developer will be required to ensure that their buildings comply with the current required standards for sustainable development. In this regard, further consideration will be given to sustainability as and when the detailed applications for the individual development plots come forward.

i) Public comments

Material objections/comments -

Design

- poor quality masterplan with lack of vision. Supporting documents flimsy. Creating Places and Designing Streets needs to be followed; - Charrette approach should be taken for meaningful engagement;
- density too high; cramming and overdevelopment;
- buildings too high;
- Granton Square design important;
- boatyard dislocates users from facilities;
- insufficient green space;
- multistorey car park an eyesore;
- more family accommodation needed;
- no heart for the development; need a sense of place;
- effect on wildlife; and
- Design issues have been addressed in section 3.3c) and f) of the assessment.

Retail proposals

- retail is on the fringes; should be more central;
- retail outlet as proposed does not enhance quality of life;
- loss of retail around the marina neglects the community; and
- These issues have been addressed in section 3.3a) and c) of the assessment.

Effect on Listed Building

- adverse effect on historic buildings on Middle Pier including on Gun Powder store and Harbour Light Building. The effect on historic buildings has been taken into account in section 3.3b) of the assessment.

Amenity

- increase in criminal activity in retail area;
- noise and disturbance;
- loss of privacy, loss of light, and overshadowing;
- increase in carbon emissions; and
- These have been addressed in section 3.3e) of the assessment.

Infrastructure

- development does not serve local residents;
- need community facilities for local residents;
- affordable housing provision not as in Outline legal agreement;
- Plot 3 is not affordable as shown; and
- flood risk issues.
- These issues have been addressed in section 3.3a) and f) of the assessment.

Transport

- increase in traffic, parking problems, congestion and danger;
- roads in Hesperus Broadway not wide enough for 2 way traffic especially lorries, emergency vehicles etc;
- walkways/ cycleways should be improved;
- cycle parking provision;
- multistorey car park not suitable for boat yard users. Would encourage use as park and ride;
- Lower Granton Road should be re aligned; pedestrian crossings added to Granton Square;
- Toucan crossing not included at West Harbour Road at SW corner to access cycle path to connect to cycle network; and
- Transport matters are addressed in 3.3d) of the assessment.

Wildlife habitat issues

- affect on wildlife due to dredging the harbour;
- has full Environmental Assessment been carried out; and
- These issues are addressed in section 3.3f) of the assessment.

Other issues

- misleading and insufficient information provided. The planning application submissions are as described in section 3.1 of this report;
- better engagement should have taken place with the community. There was no requirement for community consultation for this proposal; the applicants held a community consultation on 3rd December 2014;
- harbour use for cruise liner boats and Newhaven is also proposed for this use. This should be looked at as a whole. The use of the harbour for cruise liners would need to be the subject of a separate application for consideration;
- the marina should be delivered in a specified timescale and land protected for shore based activities e.g. yard storage, community use of boat yard. The proposal is recommended for refusal, but if approved could be conditioned to this effect; and
- is proposal deliverable - In terms of affordable housing provision this is assessed in section 3.3a) of the assessment. Economic development aspects associated with the deliverability of the proposal are addressed in 3.3f) of the assessment.

Material comments in support-

- support Community boatyard next to harbour; amenities link to hotel for use by local community;
- welcome removal of retail units from ground floor of flats;
- imaginative and interesting development;
- waste land improved;
- improvements to local roads needed but not problem;
- benefit to Granton area; and
- welcome middle pier use for boating activities. These issues are discussed in Assessment 3.3a) and 3.3c).

Non-material comments-

- obstruction of views; the loss of view from a private residence is not a planning consideration.

Community Council comments- Granton and District Community Council raised concerns about:

- the consultation process with local residents; there was no legal requirement to carry out community consultation for this application;
- parking and access issues associated with the proposed boat yard; addressed in Assessment 3.3d);
- building on plot 7A too high, is out of character and overshadows; this building is the same height as previously approved;
- scale and density; addressed in Assessment 3.3b);
- reduction in family homes; addressed in Assessment 3.3b);
- retail units contrary to policy/ not a local centre, local facilities needed to provide 'waterside' leisure and shopping facilities throughout site; dealt with in Assessment 3.3a)and 3.3c);
- emphasis on car usage (multi storey car park) and increase in traffic (Travel Plan needed); addressed in Assessment 3.3d);
- insufficient greenspace; considered in Assessment 3.3c);
- flood risk; addressed in Assessment 3.3f);
- insufficient community education/health/ primary care services; addressed in Assessment 3.3f); and
- focus on economic growth factors not a sustainable development; addressed in Assessment 3.3a).

Trinity Community Council was not a statutory consultee but raised concerns about:

- additional traffic impact; addressed in Assessment 3.3d);
- cycleway/ walkway upgrade at McKelvie Parade; addressed in Assessment 3.3d);
- insufficient school capacity; addressed in Assessment 3.3f);
- community/ recreational facilities should be provided; considered in Assessment 3.3a); and
- Granton Square buildings and environment should be improved; this is outwith the application site boundary.

Conclusion

In conclusion, the proposal in its current form should be refused. This application seeks approval of a revised master plan for Granton Harbour which will update the one approved in January 2014 (reference 13/04320/AMC). Many parts of the master plan are the same as currently approved. Some proposed changes will result in improvements to the approved master plan, for example an increase in housing numbers, more clearly defined street frontage along West Harbour Road at the western end of the site and the inclusion of a community boat yard.

However the siting of the proposed retail/leisure/commercial centre in the south eastern part of the site unacceptable. It is contrary to Edinburgh City Local Plan policy Ret 4 as the scale and type of retailing is not consistent with the role and function of the proposed local centre at Granton Harbour and the proposed retail/leisure/commercial centre could potentially have a significant adverse impact on the city centre or other town centres.

The siting of the buildings, and design and configuration of public spaces, roads and footpaths in and adjacent to the proposed centre are unacceptable in design and placemaking terms. These proposals are not based on a comprehensive and integrated approach which draws upon the positive characteristics of the site's waterfront location to create a sense of place, security and vitality. The height, scale and form of development will have a detrimental impact on the wider townscape and the layout of car parking spaces and pedestrian/cycle routes will not encourage walking and cycling. In addition, insufficient information has been provided to fully assess the design and configuration of public and private open spaces, access road layouts, footpaths and cycle routes. The proposal is contrary to policies Ret 6, Des1, Des 3a), Des 3c), Des 3f), and Des 3h), and Des 4a) and Des 4c) of the Edinburgh City Local Plan, and Second Proposed LDP policy Del4.

The proposal does not demonstrate that an acceptable level of affordable housing can be delivered on the site contrary to ECLP policy Hou 7.

Other material considerations have been taken into account, including Scottish Planning Policy, the Second Proposed Local Development Plan, Edinburgh Design Guidance, Waterfront Granton Master Plan and submitted representations. These either support the development plan position or do not outweigh this conclusion.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to policy Ret 4 of the Edinburgh City Local Plan as the scale and type of retailing is not consistent with the role and function of the proposed local centre at Granton Harbour. Insufficient information has been provided to conclude whether the proposed retail/leisure/commercial centre could have a significant adverse impact on the city centre or other town centres.
2. The proposal is contrary to policies Ret 6, Des1, Des 3, and Des 4 of the Edinburgh City Local Plan, and Second Proposed LDP policy Del 4 because the siting of the buildings, and design and configuration of public spaces, roads and footpaths in the proposed centre are not based on a comprehensive and integrated approach which draws upon the positive characteristics of the site's waterfront location to create a sense of place. In addition, the height, scale and form of development will have a detrimental impact on the wider townscape and the layout of car parking spaces and pedestrian/cycle routes will not encourage walking and cycling. Insufficient information has been provided to fully assess the design and configuration of public and private open spaces, access, road layouts, footpaths and cycle routes.

3. Insufficient information has been submitted to confirm whether affordable housing can be delivered on the site in accordance with the requirements of the s75 legal agreement attached to Outline planning permission 01/00802/OUT. The proposal is contrary to ECLP policy Hou 7.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application (Scheme 1) was advertised on 23 January 2015, and attracted 46 representations. Of these five letters were in support of the scheme. The remaining 41, including comments from Councillor Jackson, Spokes, Granton Harbour Users Group, Port of Leith Housing Association, Cruden Homes, The Royal Yacht Association, the Royal Forth Yacht Club, Forth Corinthian Yacht Club and the Residents Association for Hesperus Causeway, raise objections to the scheme.

The letters of representation raised the following material issues:

Traffic, parking, access, parking issues:

- traffic and access: Insufficient transport modelling and assessment. Focus on car not sustainable;
- parking problems- adverse increase resulting in congestion and danger;
- multi storey car park will make residential area less safe and amenable;

- roads along Hesperus Broadway not wide enough for 2 way traffic especially lorries and buses. Emergency vehicle access;
- walkways/ cycleways should be improved. Cycle parking provision;
- multi storey parking not suitable for boat yard users; it would encourage use for park and ride;
- toucan crossing not included at West Harbour Road at SW corner to access cycle path leading south to connect to cycle network; and
- Lower Granton Road should be re aligned; pedestrian crossings added to Granton Square.

Design issues:

- poor masterplan/design; lacks vision for this important waterfront site;
- design document flimsy; no basic urban design principles considered;
- density too high;
- design of Granton square important;
- relocation of boatyard not made clear; it dislocates users from facilities;
- buildings too high, in particular the 11 storey one;
- plot 7a too high and close to historic Middle Pier- over dominant;
- insufficient green space; play areas should be provided. Removal of Stopford Park;
- plot 35 too dense; 6 storeys high;
- multi storey car park an eyesore;
- cramming and overdevelopment. Poor design...designing streets and creating places need to be followed;
- more family accommodation should be provided; less flatted accommodation;
- effect on character of neighbourhood;
- no heart to development. Need for a long term strategic plan around a strong vision and sense of place;
- development does not serve local residents;
- retail outlets such as proposed do not enhance quality of life; they are not popular;
- retail is on the fringes; it should be more central;
- adverse effect on listed buildings including gun powder store and Harbour Light Building;
- loss of retail facilities around the marina neglects the community;
- need community centre, doctors and convenience store for the community; and
- Charette approach should be taken to ensure meaningful engagement within the community.

Amenity issues:

- noise, disturbance;
- loss of privacy, overlooking, loss of light, overshadowing;
- condition on previous approval for plot 35 to prevent loss of daylight to plot 29;
- increase in carbon emissions...traffic increase; and
- multi storey car park will result in noise and loss of sunlight.

Other issues:

- insufficient infrastructure, education, nurseries etc. Local community facilities needed;
- community facilities for local residents should be incorporated;
- misleading from what was put to local residents in December, including boatyard area proposal;
- harbour use for cruise liner boats- also proposed for Newhaven and this should be looked at as a whole not separately. Who is end user?;
- Port of Leith Motor Boat Club and Forth Corinthian Yacht club provision within masterplan?;
- is proposal deliverable?;
- marina should be delivered in a specified timescale. Land protected for use for shore based activities eg parking, yard storage, and community boat yard should be imposed by condition;
- better engagement with the community should have taken place;
- affordable housing provision not as outlined s75;
- plot 3 is not affordable as shown on proposed masterplan;
- flood risk issues;
- effect on wildlife due to dredging the harbour. Environmental Assessment been carried out?; and
- no engineering information about marina pontoon arrangement, breakwater work or whether other harbour protection arrangements are viable.

The letters of support refer to:

- community boatyard next to harbour; amenities link to hotel for use by local community;
- welcome removal of retail units from ground floor of flats;
- imaginative and interesting development;
- waste land improved;
- improvements to local roads needed but not a problem;
- benefit to Granton area; and
- welcome middle pier use for boating activities.

The non-material comments are:

- effect on loss of view.

On 3 April 2015, contributors, and neighbours were notified of the changes resulting from Scheme 2. The revised scheme was also advertised.

Twenty one letters were received. Of these one is in support of the scheme; the others raised objections. The letters include one from Port of Leith Housing Association. Comments raised are as follows:

- support the development; will enrich the area, create a sense of community, and create jobs;
- increase in traffic, congestion, roads too narrow and substandard;

- insufficient parking. Including specifically for marina and boatyard, and leisure complex on plot 12;
- insufficient transport modelling, assessment and travel plan against Scottish Government policy; cycling, walking and public transport use should be encouraged.
- social housing distribution is incorrect for plot 28; others may not be accurate; plot 3 cannot achieve affordable housing as specified;
- density and buildings too high;
- overshadowing; loss of privacy;
- retail village will not serve local residents;
- retail area will lead to criminal activity due to nature of opening hours;
- multi storey car park is poorly positioned, too high, increase pressure on roads, traffic increase, loss of privacy and overlooking, loss of amenity, ground stability and drainage effected, criminal activity increase;
- lack of greenspace and playspace;
- dredging of harbour; effect on wildlife, has an environmental assessment been carried out;
- coast guardstation proposal omitted;
- TV reception effected;
- coast guard opinion on increased marina activity;
- need for doctors/ dentists etc. pressure on local schools;
- concerns raised by consultees not addressed;
- family housing requirements; high density flats proposed;
- local facilities needed eg grocery shop, doctors etc.
- retail outlets do not enhance community;
- flooding;
- increase in noise, fumes, smell and carbon emissions; and
- effect on existing business in the area.

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

The Development plan comprises the Strategic Development Plan for Edinburgh and South East Scotland (SESplan), which was approved by Scottish Ministers on 27 June 2013, and the Edinburgh City Local Plan which was adopted by the Council on 28 January 2010.

SESplan identifies the Edinburgh Waterfront as one of the city's four Strategic Development areas (SDAs).

The Edinburgh City Local Plan identifies the site as the Waterfront Area of Change (WAS 2). This part of waterfront regeneration area is allocated for mainly housing and includes a proposal for a local shopping centre (S5) in the south east corner of the site and a safeguarded cycleway/ footway is shown along the north, east and west site boundaries (coastal Promenade). The coastal areas adjacent to the east and west of the site are allocated as nature conservation sites of international and national importance.

The Second Proposed Local Development Plan identifies the site as Edinburgh Waterfront . Proposal EW 2c (Granton Area) sets out the development principles for this part of the Waterfront is for a housing-led mixed use development. A local centre is indicated as proposed S2 for a new local centre. A transport route (T8) runs along some boundaries of the site to provide various off road cycle/footpath links. The route along the southern boundary is safeguarded as a tram route.

Other relevant guidance is provided by the 'Waterfront Granton Masterplan' (WGM) prepared by Llewelyn Davis and approved as Supplementary Planning Guidance in January 2001. This provides the vision and framework for the area including detailed guidance for the four main urban quarters that make up the area including Granton Village and Harbour.

Date registered 16 January 2015

Drawing numbers/Scheme 1, 2A, 3B,

Scheme 3

David R. Leslie

Acting Head of Planning and Building Standards

Contact: Karen Robertson, Senior Planning Officer

E-mail:karen.robertson@edinburgh.gov.uk Tel:0131 529 3990

Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Wa 1 (Waterfront Areas of Change) sets criteria for assessing development in the Granton and Leith Waterfront Areas of Change.

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

Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effective development of adjacent land or the wider area.

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

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

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

Policy Env 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 13 (Sites of European Importance) identifies the circumstances in which development likely to affect Sites of European Importance will be permitted.

Policy Env 14 (Sites of National Importance) identifies the circumstances in which development likely to affect Sites of National Importance will be permitted.

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

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

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

Policy Des 9 (Waterside Development) sets criteria for assessing development on sites on the coastal edge or adjoining a watercourse.

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

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

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

Policy Emp 5 (Hotel Development) sets criteria for assessing sites for hotel development.

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

Policy Ret 6 (Entertainment and Leisure Developments – Preferred Locations) identifies the Central Area, Leith & Granton Waterfronts and town centres as the preferred locations for entertainment and leisure developments.

Policy Tra 13 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

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

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

Relevant policies of the Proposed Local Development Plan.

Other Relevant policy guidance

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

Non-statutory guidelines on 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

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

The Open Space Strategy and the audit and action plans which support it are used to interpret local plan policies on the loss of open space and the provision or improvement of open space through new development.

Appendix 1

Application for Approval of Matters Specified in Conditions 14/05305/AMC

At 65 West Harbour Road, Edinburgh, EH5 1PW

Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes.(Scheme 3)

Consultations

Archaeology - response dated 22 January 2015

Further to your consultation request I would like to make the following comments and recommendations in respect to this application for approval of matters specified in condition 2 of outline application 10/00802/OUT covering the siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes.

I refer you to my earlier comments in response to 01/00802/OUT, 06/03636/REM, 13/01013/AMC & 13/04320/AMC which outlined the archaeological significance of the site and mitigation requirements. As such this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh City Local Plan Policies ENV4, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

An archaeological mitigation strategy was agreed for the redevelopment of Granton Harbour in response to the original 2001 Outline application. Although various elements have been undertaken in the intervening period, principally by CFA Archaeology, with the last element of field work to the Western Harbour was undertaken in 2008 not all of the required mitigation has been undertaken. Principally mitigation is still required that will affect/expose historic fabric relating to the western (2014 Masterplan plots 21, 26 & 30) and middle piers (2014 Masterplan plots: 1, 2A, 4, 7A, 14, 15, 15A 17) , the Listed Warehouse situated on Middle Pier, the site of ship repair yard (2014 Masterplan plots: 10A & 13) and on-site interpretation and conservation of historic marine infrastructure/streetscape.

Accordingly is it is essential that the following updated condition is attached to this consent to ensure the completion of this programme of archaeological works and the retention and conservation of significant maritime historic fabric within the development.

'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (interpretation, conservation, historic building recording, reporting and analysis and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

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

SEPA – response dated 27 March 2015

We object to this planning application on the grounds of the lack of a flood risk assessment (FRA) which informs the Master Plan for this site and ensures no increase in the number of people and properties at risk of flooding.

In our response to the City of Edinburgh Council's Second Proposed Plan (June 2014) of 3 October 2014 (our reference PCS/135476) we sought a change to the Edinburgh Waterfront Development Principles:

“For sites EW1a to EW1e, flood risk assessments should be reviewed. For sites EW2a to EW2d a strategic flood risk assessment should be provided.”

The site of this application is EW2c in the Second Proposed Plan. In the absence of a Strategic Flood Risk Assessment (SFRA) for the whole Edinburgh Waterfront a FRA is required which is used to inform the Master Plan with the aim of ensuring no increase in flood risk to people and property.

In addition, we refer to the memorandum of 28 January 2015 from City of Edinburgh Council (CEC) Flood Risk. This memorandum refers to outstanding conditions on previous applications for the proposed development.

Application 01/00802/OUT, Condition 2:

Before any work on each phase of the site is commenced, details of the undernoted reserved matters being submitted to, and approved in writing by the planning authority, in the form of a detailed layout of that phase of the site (including landscaping and car parking) and detailed plans, sections and elevations of the buildings and all other structures...including the submission of all calculations to support the levels, and including a report on sea levels, with climate change, storm surge and wave action...

Application 13/04320/AMC, Condition 2:

No further development shall take place at the site until a revised flood risk assessment and surface water management plan has been submitted to and approved in writing by the Head of Planning and Building Standards. This shall then inform the detailed planning applications on the individual plots.

In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may wish to consider, therefore, if this proposal falls within the scope of this Direction.

We will review this objection if the issues detailed in Section 1 below are adequately addressed.

Advice for the planning authority

1. Flood Risk

SEPA has been asked to provide comments on the application for approval of matters specified in conditions for the outline application 01/00802/OUT at Granton Harbour in Edinburgh. Specific flood risk advice was not sought from SEPA on the original application for the Granton site. The conditions in relation to flood risk were requested by CEC Flood Prevention Team through their comments on the proposals in 2008 (planning application 06/03636/REM) and 2013 (planning application 13/01013/AMC). We support the request by CEC Flood Risk, 28 January 2015, for a revised FRA and surface water management plan: we consider this request is compatible with CEC's roles as Planning and Flood Prevention Authorities. The FRA and surface water management plan should be used to inform the Master Plan to ensure no increase in flood risk.

Technical Review

1.1 Outline planning consent was granted for development at this site in 2003 (01/00802/OUT) and a master plan approved with conditions in 2009 (06/03636/REM). A new master plan has been submitted with a change to layout and density of residential and commercial development. The overall number of residential units has increased from 1980 to 1996, through replacement of houses to flatted accommodation.

1.2 We have reviewed the information provided in this consultation and it is noted that the application site (or parts thereof) lies within the 1 in 200 year (0.5% annual probability) flood envelope of the SEPA Flood Map and may therefore be at medium to high risk of flooding. Both a coastal flood risk and surface water flood risk have been identified at the site.

1.3 For information, an approximate 1 in 200 year water level for the area is 3.98m AOD based on extreme still water level calculations using the CFB Method. This does not take into account the potential effects of wave action, funnelling or local bathymetry at this location. We also recommend that the applicant contact the Flood Prevention Authority with regard to the appropriate levels of freeboard for the area and if any other allowance for climate change is required. For information, the current sea level rise predictions from UKCP09 are for an increase of 240mm from 1990 levels, based on the medium emissions scenario.

1.4 It is noted from a previous response that the master plan in 2006 was approved on the basis that all finished floor levels would be above 6mAOD. No information, however, has been provided with the current submission to show finished floor levels. SEPA would also recommend that pre- and post-development ground level information is submitted to determine the level of risk to the site, particularly the area adjacent to Heron Place, which is shown to be at coastal flood risk on the SEPA Flood Map and is proposed under the current master plan for residential flatted development. This information has been requested by CEC Flood Prevention Team under their conditions (Application 01/00802/OUT, condition 2) and we support this position.

1.5 Parts of the site are identified as at surface water flood risk from the SEPA Flood Map. Although the remit of SEPA is different from Local Authorities in commenting on surface water flood risk, we support CEC Flood Prevention Team's requirement for a surface water management plan to provide details of the drainage system.

1.6 We support the statement by CEC Flood Prevention Team: "Flood risk and drainage design information is of the utmost importance to determine if the proposed development is appropriate to protect residents from all potential sources of flooding. The results of tidal and drainage modelling will potentially determine finished floor levels and the development layout when overland flow routes are considered and therefore the information is required in advance of approval of the application". Detailed advice for the applicant

2. Flood Risk

2.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3ksqm using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit http://www.sepa.org.uk/flooding/flood_maps.aspx.

2.2 We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from www.sepa.org.uk/flooding/planning__flooding.aspx. Please note that this document should be read in conjunction with Policy 41 (Part 2).

2.3 Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from www.sepa.org.uk/flooding/planning__flooding/fra_checklist.aspx

2.4 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

2.5 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/planning/flood_risk.aspx.

Bridges and Structures – response dated 28 January 2015

Please see queries/issues noted below regarding flood risk assessment and drainage strategy for the application as stated above. It is understood there is an outstanding conditions on a previous applications for the proposed development stating:

Before any work on each phase of the site is commenced, details of the undernoted reserved matters being submitted to, and approved in writing by the planning authority, in the form of a detailed layout of that phase of the site (including landscaping and car parking) and detailed plans, sections and elevations of the buildings and all other structures...including the submission of all calculations to support the levels, and including a report on sea levels, with climate change, storm surge and wave action...

Application 01/00802/OUT, Condition 2

No further development shall take place at the site until a revised flood risk assessment and surface water management plan has been submitted to and approved in writing by the Head of Planning and Building Standards. This shall then inform the detailed planning applications on the individual plots.

Application 13/04320/AMC, Condition 2

Flood Risk

Previous responses to this site from CEC Flood Prevention (28 November 2008 under 06/03636/REM and 12th November 2013 under 13/04320/AMC) have stated the need to undertake detailed assessment of flood risk to the proposed development with regards to extreme sea levels, tidal surge and wave overtopping. To provide adequate detail this will require specialist modelling to be undertaken.

In addition to consideration of coastal and tidal flood risk the flood risk assessment for the development must consider all potential sources of flood risk.

This information has not been provided at this time and therefore CEC Flood Prevention considers that the above conditions cannot be discharged.

Surface Water Management Plan

No information regarding drainage design has been provided by the applicant. CEC Flood Prevention requires the provision of detail as to how the proposed drainage system will operate. This must include at a minimum:

- * Overview plans showing the location of all drainage pipes and SUDS features
- * A MicroDrainage model is required to show that the proposed drainage system can convey and store the 1 in 200 year plus climate change event (20% increase in peak rainfall). Results should be referenced to a plan of the proposed drainage system.
- * Pre and post development flow paths are required to assess any impact on flood risk to surrounding properties and to determine the potential risk from blockage of the proposed drainage system or the occurrence of a rainfall event beyond the design event. This information must be detailed and supported by detailed ground levels.
- * Confirmation that discharge locations have been agreed with the relevant person. CEC Flood Prevention recommends discharge to the open Firth of Forth (west side of the proposed development) as the area within the port suffers from sediment build up.

Details of the system must be provided as per the CEC Flood Prevention guidelines (attached).

This information has not been provided at this time and therefore CEC Flood Prevention considers that the above conditions cannot be discharged.

General Comment

Flood risk and drainage design information is of the utmost importance to determine if the proposed development is appropriate to protect residents from all potential sources of flooding. The results of tidal and drainage modelling will potentially determine finished floor levels and the development layout when overland flow routes are considered and therefore the information is required in advance of approval of the application.

CEC Flood Prevention requests that this information be supplied to enable the attached conditions be discharged.

Economic Development Response – dated 26 January 2015

The following are comments from the City of Edinburgh Council's Economic Development Service (EDS) which relate to the planning application 14/05305/AMC for mixed use development at Granton Harbour comprising 1,996 residential units; 8,920sqm of retail space; 5,000sqm of business/commercial/food and drink space; 4,225sqm of leisure space; a 123 bedroom hotel; and associated works.

Strategy for Jobs

Edinburgh's economic strategy, "A Strategy for Jobs 2012-17" aims to achieve sustainable economic growth through supporting the creation and safeguarding of jobs in Edinburgh. A key element of delivering jobs-driven economic growth is the provision of an adequate supply of workplaces.

Context

Along with North Shore, Forthquarter and Madelvic, Granton Harbour is one of the most substantial brownfield sites remaining in Edinburgh, with substantial areas of vacant land. A number of sites were developed for residential uses prior to the economic downturn; development of the site has since been stalled for several years, with extremely limited amenities for residents in the immediate area. The site is at present an uneasy and unappealing mix of residential units, empty land and ageing industrial properties, several of them vacant and/or in disrepair.

The site lies to the northeast of the Muirhouse-Pennywell-Pilton area, which in recent years has experienced significant issues such as antisocial behaviour and worklessness. The redevelopment of Granton Harbour – providing new jobs and bringing additional residents with additional spending power to the area – is considered to have the potential to help with the regeneration of this deprived area.

After years of sluggish economic growth, the UK economy has resumed robust growth, with the OECD estimating growth of 3.0% in 2014. Employment is rising and unemployment falling, while business and consumer confidence has rebounded. Underlying weaknesses remain, however, such as weak earnings growth and the potential of deflation. The ongoing recovery is therefore fragile and uneven. In addition, uncertainties remain for investors such as the outcome of the 7 May 2015 UK general election, constitutional reform at a Scottish and UK level, the proposed referendum on European Union membership, and the exposure of the UK economy to weaknesses in the Eurozone. In this context, it is important for Edinburgh to position itself as “open for business”: a low-risk, investor friendly destination for global capital.

Commentary on loss of space

The proposed development would result in the loss of a number of industrial units on the north side of West Harbour Road, along Chestnut Street and at the Forth Industrial Estate on Sealcarr Street. These units currently support a mix of activities, including storage, fabrication and vehicle repair. The 14 largest units have a combined area of over 23,600sqm. Based on average employment densities, it is calculated that these units could directly support approximately 450 jobs if fully let.

It is noted, however, that several of the largest units are at present either vacant or used for storage, an activity that supports relatively few jobs relative to the floorspace it utilises. The actual number of jobs currently supported by the industrial units is therefore considerably less than 450.

The development therefore represents a significant loss of industrial space. It is however recognised that Granton is a relatively unattractive area for industrial occupiers given its poor connectivity, with occupiers favouring areas such as Sighthill, Craigmillar and Newbridge that benefit from proximity to trunk roads. The majority of the units on the site are of advanced age and a number are vacant and/or in a state of disrepair. The gradual removal of industrial uses out of Granton is consistent with the second proposed Local Development Plan. It is recognised, however, that the city's supply of affordable industrial units is being eroded by brownfield redevelopment; there is therefore a need to ensure that sufficient land is protected to allow for the development of industrial units elsewhere in the city to meet the needs of industry.

The proposed development would also result in the loss of a 338sqm office building at 62 West Harbour Road currently occupied by a training provider. An office building of this size could be expected to support approximately 28 jobs.

Commentary on Proposed Uses

* Shops (class 1)

The proposed development would deliver 8,920sqm of retail space. This is a similar level of retail provision to the approved masterplan, albeit the retail units have been concentrated in the southeast of the Harbour as opposed to diffused across the site.

It is noted that this is comparable in scale to the existing local centre of Waterfront Broadway, which provides 8,450sqm of retail space in a single unit (Morrisons).

Given the importance of passing trade for most retailers, a scheme with the retail units dispersed throughout the site is unlikely to be attractive to occupiers, who seek to cluster with other retailers. The concentration of the retail elements of the scheme in a single location therefore enhances its commercial viability.

Given average employment densities, a retail development of this scale could be expected to directly support approximately 469 full-time equivalent jobs if fully let.

As discussed below, the development would deliver 1,996 new homes, representing an estimated 4,282 residents with a projected combined annual expenditure of £46.6 million, including £11.0 million on food and drink and household goods and services – items that could be expected to be purchased locally.

It is noted that developments in the Central Development Area are expected to deliver several hundred new homes (the second proposed Local Development Plan estimates that 1,800 new homes could be delivered in this area, albeit some of this land may now not be released for housing development). Based on emerging proposals for this area, it is not anticipated that there would be significant retail elements to these developments. The retail elements at Granton Harbour would therefore also be expected to receive custom from new residents in the Central Development Area.

It is noted that the proposed local centre is of a comparable size to the Waterfront Broadway local centre. It is also noted that the local centre would be servicing a significant number of new local residents – estimated at over 5,000. It is therefore anticipated that a significant proportion of the custom of the new retail units would be accounted for by residents of the development and of the developments in the Central Development Area.

* Commercial/food and drink/business (class 2/3/4)

The proposed development would deliver 5,000sqm of class 2/3/4 space. This would cover a variety of uses, including bars, restaurants, cafés, a harbour office and the restored Powder House.

The variety of uses makes assessing the likely jobs impact of this element of the proposed development challenging. Given average employment densities, a lower-end figure of 278 full-time equivalent jobs if fully let is thought to be realistic.

The masterplan proposes that the B-listed Powder Store (currently appearing on the buildings at risk register and classed as being in “poor” condition and at “moderate” risk) be rezoned for commercial uses to improve the likelihood of it being restored.

* Hotel (class 7)

The proposed development would deliver a single hotel with 123 bedrooms. Given average employment densities, a hotel of this scale could be expected to directly support approximately 87 full-time equivalent jobs. The site is considerably outwith Edinburgh’s tourism core but its waterfront location and proximity to the proposed marina could be expected to be attractive as a boutique hotel proposition. The relatively unique setting of the hotel means limited displacement is anticipated.

* Residential (class 9)

The proposed development would deliver 1,996 residential units. This represents an increase of 16 units on the previously consented masterplan (13/04320/AMC); additionally, it is understood that the mean size of the units has increased, i.e. the number of bedrooms delivered has risen. 275 of the units would be affordable.

The mean household size in Edinburgh as of 2013 was 2.15, indicating that the development could, once fully built and let, be expected to support approximately 4,282 residents (as the majority of units within the development are houses and family flats, this is considered to be a conservative estimate).

The residential elements of the scheme can be expected to support jobs in the area via household expenditure. Based on data on the average expenditure of households in Scotland derived from the Office for National Statistics’ Living Costs and Food Survey, the combined expenditure of the households within the development is projected to total approximately £46.6 million per annum. This includes £7.2 million on food and drink; £4.1 million on recreation and culture (excluding holidays); £2.8 million on household goods and services; and £2.4 million on clothing and footwear.

The residential elements of the scheme can also be expected to support a small number of direct jobs in factoring, etc.

* Assembly and leisure (class 11)

The proposed development would deliver 4,225sqm of class 11 space. This includes the community boatyard along with leisure uses within the new local centre.

The variety of uses makes assessing the likely jobs impact of this element of the proposed development challenging. Given average employment densities, a lower-end figure of 42 full-time equivalent jobs if fully let is thought to be realistic.

The development would deliver dedicated boatyards for both the Forth Corinthian Yacht Club and the Royal Forth Yacht Club, two recreational boating clubs based out of Granton Harbour. These clubs have historically lacked security of tenure which has deterred them from investing in improvements to their facilities. The provision of dedicated boatyards would give the clubs the security of tenure needed to invest, safeguarding the future of Granton Harbour for recreational maritime activities.

Sundry

The development has the potential to deliver a number of complementary Council objectives including: delivering a section of the Edinburgh Promenade; safeguarding recreational boating at Granton Harbour; helping bring the B-listed Powder Store back into good repair and productive use; strengthening the business case for the extension of the tram line to Granton; helping catalyse the redevelopment of the brownfield land to the south of West Harbour Road; and contributing to the regeneration of the wider North Edinburgh area.

Summary response to consultation

Granton Harbour is a strategic development opportunity and one of Edinburgh's largest urban gap sites. The development of the site is a key element of the wider Edinburgh Waterfront regeneration that has largely stalled since the onset of the global economic downturn.

It is calculated that the development has the potential to directly support a total of 903 jobs (469 in retail; 278 in business/commercial/food and drink; 87 in the hotel; and 42 in leisure).

While displacement for consumer facing uses such as these are typically high, it is anticipated that this would be mitigated by the relatively unique aspects of the scheme and the large number of additional residents bringing added household expenditure to the area. Indicatively, an overall displacement rate of 50% would give a net total of 451 direct jobs. Indirect and induced effects could support a further 145 jobs across Scotland via supply chain and other impacts.

The development would result in the loss of a significant quantity of industrial stock. It is however recognised that Granton is not considered a prime location for industrial activities by occupiers and that much of the existing stock is of poor quality. The loss of industrial space should, however, be recognised and compensated for elsewhere in the city (particularly in industrial hubs such as Sighthill, Newbridge and Craigmillar) to ensure Edinburgh retains a sufficient stock of industrial properties. It is calculated that, if fully let, the existing industrial elements of Granton Harbour could support approximately 450 jobs and the office elements a further 28. It is noted, however, that several of the largest units are vacant or let for low employment density activities such as storage, meaning the actual number of jobs supported within the existing units is considerably lower.

In addition to directly delivering jobs, the development has the potential to contribute to a range of other economic objectives. In particular, the EDS believes the development should provide a continuation of the promenade across the harbour and safeguard the harbour for recreational boating.

The EDS considers that the development in question has the potential to transform Granton Harbour into a successful neighbourhood providing homes for over 4,000 residents and jobs for over 900 people. Given the lack of progress on the site in recent years and the scale of investment required, the EDS considers that a pragmatic approach should be taken by the Council to ensure the development of Granton Harbour proceeds.

Building Standards – response dated 22 January 2015

Building Standards would require Phase I and II Environmental reports, under Standard 3.1, for this site which is part of the Granton infill area. We would also require, under Standard 1.1, a mineral report from the Coal Authority as this area is within a Coal Authority referral area. There are also further possible contaminated sites to the South of the area a former sawmill and coal depot. There is now a scrapyards on the former coal depot site.

Granton and District Community Council – response dated 24 February 2015

1. Consultation Process

The application to the CEC Planning Department makes much of its consultation with the community. They held a short half day drop in event in early December. Then sent a copy of the plans dated 23 December to residents in the area with descriptive bullet points outlining the main features/benefits of the plans. The headline stated “The new Masterplan now being submitted to City of Edinburgh Council”.

The documents submitted to the Council also dated 23rd December had very significant changes to those plans sent to residents. Residents nor the local community council had been consulted on the these new plans submitted to the Council.

We consider that the consultation process by the developers was too short nor inclusive given the potential impact for the area. Taken that the submission to the Planning Department differed from that outlined in the consultation is not in the spirit of ‘engagement’ with the community.

2. Concerns regarding the Application

2.1 The Boatyard

According to the original plans the boatyard was at 7A. The new plan has this at 8B. We are very concerned regarding the parking requirements for those involved in the activities around the boatyard and these will not be met by the multi-story car park at Lochinver Drive. We consider that there are real health and safety concerns regarding the routing of traffic with a narrow road that will not meet the needs of the proposed boatyard traffic. We also share the concerns of local residents that:

“the needs of attendant heavy plant vehicles, the nature of the activity and related parking requirements of a boatyard/dry dock make it likely there will be more street parking and if this is insufficient other less legitimate parking”

There are concerns on emergency services access given the pressure on parking within this small area.

2.2 Height and Density of Housing

In plans sent to neighbours/residents 7A was to be the dry dock/boatyard. In plans submitted there are now 11 story towers. This is a material consideration in that it will negatively impact and overwhelm residents on adjoining sites and cast long shadows over other developments. We do not consider that this will create a sense of place. We do not think that this is attractive, provide a distinctive identity nor respect and enhance local character. In short we consider that these are obtrusive and incongruous.

2.3 Reduction in Family Houses

Within the consultation document the developer recognises concerns relating to high density flats with a preference for family homes. However these have now been reduced to 41 low level town houses at 8B in the plans. The houses have a long standing place in the development of the harbour. As local residents state:

“The plan before council has reduced the number of houses and increased the number of flatted dwellings. The previously proposed town houses had allocated parking spaces contained within the original boundaries of this area of the development. These changes by the developers appear confusing, inconsistent and incoherent with previously alleged researched findings”. We totally agree. In no way does this plan demonstrate the LDP’s design and place-making objectives.

2.4. Retail

The plans in relation to retail units are contrary to council policy as far as we are concerned. What is envisaged is a shopping centre adjoining Granton Square. The current plans seem to focus on the hotel development and it is unclear as to what scope there is for the development of a ‘waterside’ retail development that does not just focus on the boatyard and hotel users. There was the opportunity to improve the quality of shopping and leisure facilities in this area, including changes to layout and unit sizes. These could be focal points for people who live and work in the area that provides local shopping, leisure and community facilities in the heart of the development and easily accessed and provide a real sense of community. Local shops can also help to bring communities together and stop older and vulnerable people from becoming isolated.

2.5 Transport

It is very clear from the plans that there is a significant emphasis placed on car use – given the build of a multi-story car park. This hardly “promotes sustainable and active travel” that the council seeks as part of its Local Development Plan.

This development lacks a transport assessment and transport modelling – this needs to be undertaken. There are already major concerns relating to traffic on the Lower Granton Road and adjoining roads. This plan does not provide a significant sustainable travel option – quite the reverse. It is car centric.

The huge increase in traffic that will be generated in this area will have profound negative impact in terms of environmental impact, noise and will not reduce carbon emissions nor tackle congestion in this area – in fact it will add to it.

Any design should also have a widening of pavements.

2.6 Infrastructure and Environment

Significant additional housing proposals have implications for the provision of primary care and other community health services already at breaking point in the area – any development must have a joined up approach across all council services to ensure that local needs are met – this includes education.

There is insufficient green space for family activities within the development. The council play policy makes it clear that for children:

“They will be able to play freely and safely and make choices about where, how and when they play” and “Children and young people in Edinburgh have the right to well maintained, quality play environments which provide stimulation and challenge relevant to their age”.

This is not the case for this development. This area needs far more green space.

There also requires more research needed on the risk of flooding within this area.

Conclusion

Similarly to the Council, we who live in this area aspires to realise the potential of this area. Making this an attractive and memorable place for all people to live and that will connect the whole community. We are concerned that this plan is a simply a ‘dash for housing’.

We want to support sustainable development and consider that a type of Charettesplus community planning event which has potential to deal with some of the concerns and get buy in from the local community.

Granton and District – further response dated 20 April 2015

Our continued opposition to the current plans are based on material considerations that the current plans should be rejected. This based on:

Community plans and Government Policy;

The environmental impact of the proposal;

The design of the proposed development and its relationship to its surroundings;

Access, provision of infrastructure and planning history of the site;

Views of statutory and other consultees;

Legitimate public concern.

We provide details below:

1. Aggregation of Retail units

The proposal does not represent a “local centre” and we contend that a retail assessment centre is required. This centralisation of units does not provide a sense of place. Local people who already live in this area told us at a public meeting that they want to have local shops spread across the location to give that sense of community.

2. Consultation and public concern

Our initial objection highlighted that documents submitted to the Council dated 23rd December had very significant changes to those plans sent to residents. The views of local residents is that these plans directly contradict what was stated at the minimal half day ‘drop in’ day that was arranged.

We offered to speak to the developer at a community council meeting on 30th March. They initially accepted then subsequently stated they would not attend.

I provide an unedited copy of what they stated as to why they would not attend:

“Finally at this juncture, we believe that it would serve no purpose for our client to engage in a further public consultation meeting since, in case you are unaware, the determination date expired on the 15th March and CEC never requested an extension. Consequently it is inevitable that the application will now be delayed as it is more than likely that it will only now be determined at Appeal. Our client has made it clear to CEC that such a delay has jeopardised the delivery of the Masterplan proposals.

Accordingly we believe that our client's resources are much better spent on dealing with other projects and therefore it is with regret that for all of these reasons, we must decline your invitation”

As outlined in our earlier submission we do not consider that this is anything like what could be determined as acting within the spirit of engagement and consultation within the community.

At a public meeting held on 9th April at which 47 people attended – no-one spoke in favour of the development as it currently stands. All those who spoke and this was the majority of those attending – spoke against the Developer.

3. The Boatyard

There are still concerns relating to the placement of the boatyard. The issues around plot 7A have been raised by the developer and we are interested to know the position is of the council in relation to this particular plot. We are concerned that the boatyard as currently constituted is not in the most appropriate place.

4. Height and Density of Housing

The scale and density of the current plans is a real concern to those residents in the area. Their view is that such high rise will negatively impact and overwhelm residents on adjoining sites and cast long shadows over other developments. There is also the potential for social isolation and a lack of community cohesion in higher rise flats than smaller scale developments. We believe that effective urban development, carefully designed around connected public transport hubs, supported by excellent public spaces and connected by streets designed for walking and cycling, rather than the over use of cars, is the key to successful urban development in this area. To this end we do not believe that this development provides for an area that:

“ensures that people are well housed, and live in engaged, inclusive and supportive communities” (Edinburgh Partnership Plan).

We also believe that there has not been any security assessment in terms of crime prevention strategy within this plan.

5. Transport

We reaffirm our view and that of the bulk of the residents that we have spoken to that there needs to be a clear Travel Plan detailing a range of measures to encourage a shift to non-car travel modes and how they propose to monitor and measure it. It is very clear from the plans that there is a significant emphasis placed on car use – given the build of a multi-story car park. This hardly “promotes sustainable and active travel” that the council seeks as part of its Local Development Plan.

We remind the council that there are already major concerns relating to traffic on the Lower Granton Road and adjoining roads.

6. Environment

Whilst there has been a small increase in green space – it is tokenistic. There is insufficient green space for family activities within the development or for children to play. This needs to be extended.

There also requires to be a clear flood impact assessment within this area.

Conclusion

We believe that this development as currently constituted goes against local plans and the current wishes of those who live in the area.

We note that ‘Paton Planning and Development’ on behalf of Granton Central Development writes in their submission of 24th March that “Scottish Planning Policy introduces a presumption in favour of development that contributes to sustainable development”. They go on that the plan “fulfils the description of sustainable development.”

We do not agree. The policy of the Scottish Government - ‘Sustainable Development’

“The goal of sustainable development is to enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations. Sustainable development is integral to the Scottish

Government's overall purpose - to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth”.

The focus on this particular planning application is one dimensional. Its primary focus is on economic growth factors alone. Our view and that of the Scottish Government and this council has a different model of sustainability. One that acknowledges the intersection of economic, environmental, and social factors. This plan does not support social or environmental factors that are vital to the cohesion and integration of a living and thriving community that we want to see in this area.

Trinity Community Council – response dated 14 March 2015

Trinity Community Council discussed this application at their recent meeting. Members accept that the harbour area is a major development site. They wish to see a fully funded, carefully phased, high quality development with a strong emphasis on family housing and community facilities.

Although the proposed development site is outwith the Community Council boundary it is likely to have a number of effects on its area. Members would like the following comments to be taken into consideration.

1 Traffic. The various elements of the proposed development will generate a considerable amount of traffic. Granton Road and in particular Lower Granton Road are already congested. Measures to improve traffic flows and road safety should be made a condition of any consent.

The walkway/cycleway at McKelvie Parade should be upgraded at its west end.

2 Education facilities. A large number of family houses are proposed.

It is suggested that the population of the harbour area once the development is completed could be in excess of 4000. If there is not sufficient capacity in existing schools the developer should be required to contribute funding for additional places. There may also be a case for providing a nursery school in the harbour area.

3 Community facilities. Although some commercial leisure facilities are proposed the Community Council would like to see the development incorporate community and recreational facilities for residents.

4 Granton Square. It is proposed that the main commercial development will adjoin Granton Square. There is also the possibility that the harbour may offer facilities for cruise liner tenders or a ferry service. Granton Square will therefore become an important entrance point to the harbour development area.

The opportunity should be taken to draw up and implement a scheme for the improvement of the buildings and the environment of the Square.

Historic Scotland – response dated 27 March 2015

We have considered your consultation, and we consider the proposals do not raise issues of national significance, so we can confirm that we do not object.

Investment – Affordable Housing – response dated 4 May 2015

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

This proposal is for up to 1,996 units and as such the AHP will apply. The original outline application for this masterplan area was approved for up to 3,396 units (reference number 01/00802/OUT).

At the time the outline application was approved the AHP requirement was at a level of 15%. This level of provision was agreed at that time and forms the basis of the Section 75 legal agreement. As such the AHP requirement of 15% provision of approved affordable tenures remains extant for this AMC application.

The affordable housing will require to be provided on-site and consist of blind tenure homes which are well integrated and offer a representative mix of the market homes across the wider site.

The Section 75 legal agreement which applies to the outline permission requires that the affordable housing is provided across six locations and is prescriptive in terms of timescales and numbers within which the affordable homes should be delivered across these areas. This approach was agreed at the time of the outline application and was based on a total number of up to 3,396 homes which was proposed at that time. Whilst it would be appropriate to deliver the AHP requirement based on the original proposed number of 3,396 homes i.e. 509 affordable homes to align with the existing legal agreement, the Council's Legal and Planning departments as well as this department, do not consider it workable to provide the current proposal's reduced affordable requirement of 299 on this basis due to the required timescales and numbers prescribed in the current legal agreement.

As such it is considered necessary that a new Section 75 legal agreement be agreed to reflect the reduced number of residential units in the current proposal. This will assure well integrated on-site provision across the site reflecting the lower number of homes proposed.

We would request that the applicant enter into discussions with this department and registered social landlords to agree an appropriate way forward and that the above be included in the informatives section of the report to Committee.

Transport Planning – response dated 30 June 2015

There are no objections to the application subject to the following being included as conditions or informatives as appropriate:

1. No works to be commenced until:
 - a. the design and full specification of all traffic controlled junctions, crossings and road layouts have been approved by the Head of Transport;
 - b. the details of the surface water and drainage have been approved by the Head of Transport, including in relation to road construction consent;
 - c. the details of hard and soft landscaping including street furniture as they relate to roads, have been approved by the Head of Transport, including in relation to road construction consent;
 - d. appropriate road opening permits have been applied for and secured;
2. Consent should not be issued until the applicant has entered into a suitable legal agreement to provide:
 - a. a suitable signalised junction at the junction of Chestnut Street and West Harbour Road at no cost to the Council;
 - b. a contribution of £2,000 for each of any traffic or other orders to introduce waiting and loading restrictions, stop up or redetermine sections of road or introduce other appropriate traffic measures as required;
3. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, access, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification;
4. For the avoidance of doubt, the road layout is not approved at this stage. See Notes below;
5. For the avoidance of doubt, the car parking numbers are not approved at this stage. See notes below;
6. West Harbour Road and Lower Granton Road form an integral part of the family cycle network as specified in the Council's approved Active Travel Action Plan. As such, an off-road cycle route is required and it is considered that in addition to the tram reservation, a 5m wide reservation is required (including a verge). It is not clear from the plans that this is provided and the applicant will be required to clarify this matter in relation to application for road construction consent;
7. The Edinburgh Local Development Plan Second Proposed Plan states that the Granton Harbour development will be expected to complete the relevant section of the waterside Edinburgh Promenade.

The submitted plans indicate that a route is proposed as part of the proposed development but that this does not follow the line set out in the LDP. The applicant will be required to clarify the proposed route;

8. A Quality Audit, as set out in Designing Streets, to be submitted at an early stage and prior to the grant of Road Construction Consent. Quality Audits may be phased if appropriate;

9. The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

10. Cycle parking for those properties without garages will be required in a secure and undercover location. The design, layout and specification to be to the satisfaction of the Head of Transport;

11. Any off-street residential hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;

12. The applicant should be informed that prior to carrying out any works to an existing road, whether adopted or not, appropriate permits must be applied for and secured;

13. 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. A contribution of £2,000 will be required to progress the necessary traffic order. 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;

14. Electric vehicle charging outlets should be considered for this development which includes:

- * Dedicated parking spaces with charging facilities;

- * Ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Note:

- * The council have concluded a legal agreement with Forth Ports, the previous owners of this land, which discharges all financial obligations in relation to the legal agreement attached to the outline planning permission for this site. No further transport mitigation contributions can therefore be sought in relation to this application

- * The consented masterplan provided a total of 1,471 spaces. The current proposal would include 3,403 spaces for the various use classes (including existing development). The current Council parking standards states that for mixed-use developments:

"minimum parking standards will be relaxed to take account of multiple uses of parking spaces... The starting point for calculation of maximum parking standards will be the level required by the highest individual land use standard"

The proposed level of parking is an aggregate of the provision for individual uses and the resulting total proposed provision is considered to be likely to give rise to unacceptable traffic generation. Furthermore, the level of proposed parking for individual use classes is in excess of that permitted by the current standards. For example, the standards allow between 48 and 80 spaces for the 120 bed hotel whereas the proposal includes 166 spaces for hotel use.

Whilst this overprovision of parking is contrary to our parking standards this AMC is not applying for discharge of this reserved matter. It is not therefore competent to recommend refusal on this basis.

- * The cycle / pedestrian route requires to be designed to give priority to the cyclists and pedestrians using this facility over side road traffic and details of the connections to the promenade at the east and west sides of the site is required;

- * Tram : There are a number of issues which conflict with the current design and operation of the tram:

- * The boundaries of the development are on the Limits of Deviation and there is potentially a conflict if the two are constructed at the same time;

- * An additional road crossing is shown to the east of Chestnut Street which is not on the current tram design;

- * As a consequence of the above, the proximity of the road crossings to each other at this location gives cause for concern, particularly if they are signalised;

- * In addition, the developer will be required to amend the design to reflect the tram track or pay for the tram design to be amended;

- * The development drawing does not reflect the proposed position of Granton Tram stop and the adjacent tracks with overhead equipment, footway and soft landscaping. The detailed drawings will be required to reflect the proposed position of the platform.

Scottish Natural Heritage – response dated 10 February 2015

Thank you for your consultation of 20 January 2015 relating to the above proposal. This proposal is for revisions to the current approved masterplan.

Position

In our view, it is unlikely that the masterplan revisions will have any significant effects on any qualifying interests of the Firth of Forth SPA, either directly or indirectly. An appropriate assessment is therefore not required. However, some potential future uses of the marina may require further consideration of likely significant effects should they arise.

Background

We responded to the original application for this masterplan in 2002 and have previously commented on revisions to this masterplan which concentrated on its land based elements. This revision includes changes to the marina layout and potential future uses of the marina.

Appraisal

The proposal is adjacent to The Firth of Forth Special Protection Area (SPA) classified for its wintering bird populations. The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended; (the "Habitats Regulations") apply. Consequently, the council is required to consider the effect of the proposal on the SPA before it can be consented (commonly known as Habitats Regulations Appraisal (HRA)). See <http://www.snh.gov.uk/docs/A423286.pdf> for a summary of the legislative requirements.

An appropriate assessment was carried out as part of the original application. Conditions were attached to the planning consent relating to timing of works, timing of dredging etc., which it is assumed still apply (or have been completed where they relate to bird survey work). Where a proposal has already been assessed, even if it was many years ago, it does not always require another assessment, unless it is a new or substantially revised application. This current application is not a new or revised application but does propose to vary part of the approved masterplan, the marina, which could affect the Firth of Forth SPA. Therefore, there should be consideration of any potential new likely significant effects which wouldn't have been previously raised.

Cruise ship tender berthing facility

The revision includes changes to the marina layout to allow for potential use for cruise ship tenders. From the new layout plans supplied, this appears to involve the construction of a berthing facility alongside the existing middle pier. The appropriate assessment carried out as part of the original application looked at dredging of the harbour and possible effects of sedimentation on the East Harbour SPA/SSSI and concluded that there would be no adverse effect on site integrity. This was based on likely recreational use of the marina by yacht clubs and associated likely maintenance dredging of the harbour entrance and west harbour/marina.

The original application, therefore, did not consider use of the marina by commercial craft. However, we don't envisage that either the construction of the berthing facility or the use of tender boats would raise new likely significant effects, given their relatively small size and scale. However, if a different dredging regime was necessary to accommodate the use of tender boats, then potential impacts on the SPA would need re-examined. Any future dredging proposals would require a marine licence which would itself require an HRA.

Fast link ferry terminus

The planning statement also suggests that this layout could accommodate a fast link ferry service terminus, should this arise in future. As this is not part of the masterplan we assume that this would require a new application. In terms of the SPA, this could raise likely significant effects and therefore an HRA would have to be undertaken.

Further comments received 6th July 2015

We note that the dredging regime will stay the same and we have no further comments to make on top of our previous response.

RSPB – response dated 10 March 2015

We appreciate the complex planning history for this site and understand that this application relates to an approved masterplan with outline consent. However, it is not clear from the consultation documents what changes are being sought for approval or how these have been considered in relation to the Firth of Forth Special Protection Area (SPA). These issues are considered further below:

* Changes in Access. The planning statement (page 1) refers to changes in access, footpaths and cycle routes. The Proposed Masterplan (Drawing A-P-00-G7-002) indicates a new pedestrian and cycle walkway along the eastern harbour wall. An increase in activity in this area could give rise to potential disturbance issues. It is unclear whether permission is being sought for this change as this area is outside of the original redline boundary (Consented Masterplan 2009).

* Changes in the use of the pier. The planning statement (page 2) refers to proposed berthing facilities and an increase the use of the Middle Pier as a cruise ship tender terminal. No details are provided and it is unclear on the significance of these changes in relation to an increase in boat travel/ pedestrian use/ other activities in the vicinity of the SPA which may give rise to disturbance.

* Construction works. It is assumed there will be no significant changes in major works such as dredging activities; however, again this is not clear from the application.

The Firth of Forth SPA is designated for a variety of wintering and passage bird species. This designation includes the area to the east of Granton Harbour.

In our view, the changes outlined above could give rise to significant impacts on the SPA. If the above changes are to be included in any consent for this project then a Habitat Regulations Appraisal (HRA) would be required. In this situation, further information would be required to provide certainty that the proposed changes would not adversely affect site integrity. Further advice should be sought from SNH in this regard.

We advise that clarification is sought in relation to the above matters, or that any consent of the application clearly excludes the potential changes outlined above.

We attended a meeting with the developers in October 2013 where the potential for enhancement/ interpretation facilities were discussed in relation to the bird interest at this site. These are not mentioned in the current application but we would welcome the opportunity to discuss these further as details of the development are progressed.

RSPB Further Comments – 16 June 2015

Thank you for your email. I wish to make the following additional comments.

Changes in access

If cycle routes are not included within the current consent (as suggested below) then we would have no further comment on this issue. However, the response below appears inconsistent with the correspondence dated 24th March from John Paton of PDD which states 'it is obvious that many writers were unaware of the previous permissions, which establish the road layout, pedestrian routes, cycle routes, and pedestrian access along the riverfront'. http://citydev-portal.edinburgh.gov.uk/idoxpa-web/files/E9A4DF0BC73E8E14DDAE3E6D3EF5353A/pdf/14_05305_AMC-_SCHEME_2__COVERING_LETTER-3072372.pdf.

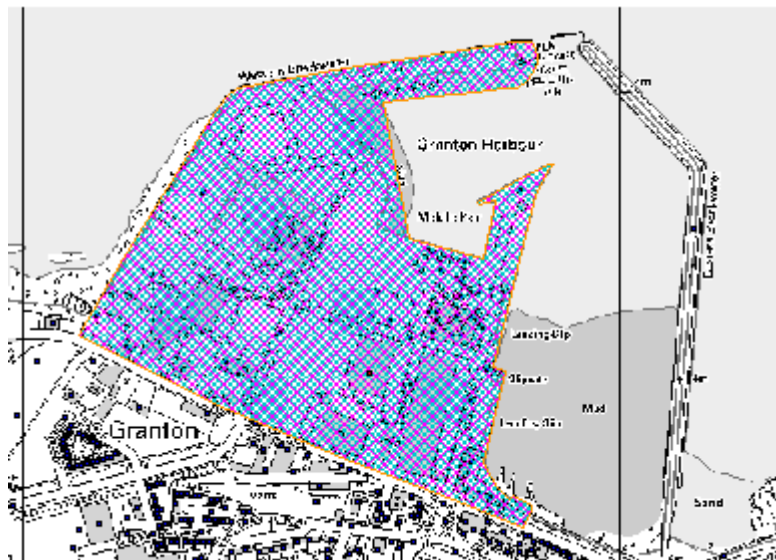
We would like to reiterate that as long as the pedestrian and cycle walkway along the harbour wall are not included within the current consent that we would have no issues.

Other Issues

The lack of detail in the application makes it very difficult to assess the implications of the proposed masterplan against what was previously approved. Assuming the statement below is correct and there are no significant changes to major works such as dredging then we have no further comments.

We wish to highlight again that any future proposals that would give rise to significant impacts on the SPA (including the area to the east of Granton Harbour) – then a HRA would be required for any consent.

Location Plan



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