

Development Management Sub Committee

Wednesday 9 March 2016

Application for Approval of Matters Specified in Conditions 15/04112/AMC

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

Residential development comprising 176 No. dwellings and
associated infrastructure including the discharge of
condition Nos. 2, 3, 4, 6, 7, 10, 11, 12 and 13 of PPIP Consent
ref. 10/03506/PPP.

Item number	7.1
Report number	
Wards	A17 - Portobello/Craigmillar

Summary

The development complies with the planning permission in principle consent and masterplan. The design, layout and scale, access and parking arrangements are acceptable. The minor infringement of the Edinburgh Design Guidance, relating to the lack of direct access from ground floor flats to the communal garden, is justified in this instance due to the overall acceptability of the design and quality of landscaping. The proposal will not have a detrimental impact on the setting of the listed buildings or on archaeological heritage. There are no amenity, equalities or human rights issues. The proposal is acceptable and there are no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LPC, CITD1, CITD2, CITD3, CITD4, CITD5, CITD6, CITD8, CITE9, CITE12, CITE10, CITOS3, CITH1, CITH2, CITH3, CITH4, CITH7, CITT4, CITT6, CITT5, NSG, NSGD02, NSESBB, NSMDV, NSP,

Report

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

Residential development comprising 176 No. dwellings and associated infrastructure including the discharge of condition Nos. 2, 3, 4, 6, 7, 10, 11, 12 and 13 of PPIP Consent ref. 10/03506/PPP.

Recommendations

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

Background

2.1 Site description

The 7.4 hectare site is located at the eastern end of Newcraighall village next to Newcraighall Public Park and south of Newcraighall Road. To the east of the application site is agricultural land with a high voltage transmission line crossing it extending up to the Council's boundary with East Lothian Council. To the north of the site are Newcraighall Primary School (C(S) listed - ref 4950, listed 7 October 2003), a former church (C(s) listed - ref 30286, listed 24 July 1992) and the site of the former Miners Welfare and Social Club, now demolished.

Trees are found along the part of the southern and western boundaries. Mine shafts and a surface water culvert and foul sewer exist on the site. The site is mainly flat.

Beyond the agricultural land/fields is a railway embankment, the East Coast main railway line and Musselburgh. The adjacent land in East Lothian is allocated for business use and further south is the Queen Margaret University Campus.

Access to the site is currently along a road taken from Newcraighall Road.

2.2 Site History

7 September 2015 - Permission granted for planning permission in principle for new housing, local mixed use facilities together with open space, access and services, infrastructure, landscape and footpath/cycle provision (i.e. masterplan) at land 263 metres south of 104 Newcraighall Road (application number: 10/03506/PPP).

Note: a masterplan was prepared for two sites at Newcraighall Road; one site to the north and one site to the south. The principles in the masterplan were applicable to applications 10/03506/PPP and 10/03449/PPP. Application 10/01449/PPP was superseded by application 13/01381/FUL.

History of adjacent sites:

23 October 2013 - Application Minded to Grant by Committee subject to a legal agreement for development including new housing, potential mixed-use facilities, open space, access and services infrastructure (i.e. masterplan) at land 335 metres southwest of 103 Newcraighall Road Edinburgh (application number: 10/03449/PPP); note: this application was superseded by application 13/03181/FUL);

18 July 2014 - Permission granted for residential development of 220 units comprising houses, cottages and flats and two commercial units (as amended) at land 335 metres southwest of 103 Newcraighall Road (application number: 13/03181/FUL);

25 September 2014 - Permission varied for non-material variation to 13/03181/FUL for changes to materials at land 335 metres southwest of 103 Newcraighall Road (application number 13/03181/VARY); and

3 November 2014 - Planning application received for change of use from retail warehouse to mixed use incorporating social enterprise development, community arts cafe, soft play unit, complementary commercial unit (such as a nail bar) and community hall, involving renovating existing buildings and extending the steel framed structure at the front at 73 Whitehill Street (application number 14/04552/FUL).

Relevant Local Plan history:

The site was originally allocated for housing (for an anticipated 220 units) in the adopted Edinburgh City Local Plan (ECLP) 2010. A nearby site to the north of Newcraighall Road was also allocated for housing (for an anticipated 200 units).

Two parties challenged the adoption of the ECLP in relation to these two housing allocations at Newcraighall by Statutory Challenge to the Court of Session.

The first challenge was heard in March 2011 by Lord Malcolm in the Court of Session and his decision was issued on 6 May 2011.

The challenge was successful and consequently Lord Malcolm quashed part of the plan insofar as it includes the allocation of 200 units of housing within Newcraighall North (site HSG 14 in the local plan as adopted) and the allocation of 220 units of housing within Newcraighall East (site HSG 15 in the local plan as adopted and the site of this current application).

The court's order resulted in the site identified as HSG 15 no longer being allocated for housing in the ECLP. This did not mean that the site reverted back to having a green belt designation. In terms of the ECLP the land is not within the green belt but is in the Urban Area.

The Proposed Local Development Plan (2013) contained the site as a new housing proposal Newcraighall East HSG 27 with an estimated capacity of 275 - 385 units. Newcraighall North HSG 26 was proposed as a housing site with an estimated capacity of 150 - 210. Development on this site has started (application numbers 13/03181/FUL and 13/01381/VARY).

The Second Proposed Local Development Plan (June 2014) identifies the application site as housing proposal Newcraighall East HSG 27 with a capacity of 275 - 385 units.

Main report

3.1 Description Of The Proposal

The application seeks to discharge condition 4 of planning permission in principle 10/03506/PPP relating to reserved matters. The details of the reserved matters includes: siting, design, layout, access, parking, bus link and gate path and cycle paths, noise attenuation, surface water and drainage arrangement, waste management and recycling facilities, sustainability details, existing and finished floor levels, hard and soft landscaping.

Details have been submitted to address these matters, including the layout and details of the buildings, drainage, landscape and sustainability information.

Twenty-four flats and 152 houses will be built in a mix of sizes and types:

Amount	Unit type
6	1 bedroom flats
18	2 bedroom flats
20	2 bedroom houses (terrace)
66	3 bedroom houses (terrace, semi-detached and detached)
66	4 bedroom house (detached)

Forty-four (i.e. 25%) affordable units will be provided. These will be a mix of 1 bed (6 flats), 2 bed (18) flats and 2 bed (20) terraced housing. The proposed housing will mainly be set out in urban blocks.

The affordable housing will be located in the flatted and terraced blocks on the east side of the application site facing onto the fields and countryside.

Two blocks of flats, three storeys high, will be positioned at the north eastern corner of the site, facing out over the countryside. Terraced blocks will also face out over the countryside with some terraced blocks spread throughout the development. The rest of the proposed dwellings will be semi-detached and detached housing.

A village green is proposed near the southern boundary of the site. Landscaping including trees and Edinburgh Wild Flower Meadow Mix will be planted along the boundaries of the site next to the countryside and along the southern boundary with East Lothian. Planting will also be along the boundary with Newcraighall Public Park.

Materials will be buff colour facing brick, render, and grey or red concrete roof tiles. Boundary treatment will be a mixture of brick screen walls, post and rail fences, vertical board fences, high post and wire fences, feature metal fences, close boarded timber screen fences and timber picket fences. Hedges are also proposed for some boundaries.

Car parking for 350 vehicles will be provided and will be located on street or in courtyards, driveways or garages. Cycle parking will be provided for the flats in separate buildings which will also house the refuse/bin stores.

Access will be taken from the existing access on Newcraighall Road. An emergency access will be constructed to the east of the existing access to link the site to Newcraighall Road. The plans indicate that a future access could be taken from the adjoining field; however this does not form part of the current proposal. Carriageway surfaces will be asphalt, block paving and porous paviers.

The main route through the site will include a dedicated 3m wide combined pedestrian/cycle way. This main route through the site will tie into the proposed development in East Lothian adjacent to the application site at a future date. This will enable the creation of a new public transport route through the site and into East Lothian.

The application proposes links into Newcraighall Public Park and indicates where possible future connections can be made to neighbouring sites.

A sustainable urban drainage system will be provided at the entrance to the site (on the open space). Ground levels will be slightly raised to incorporate gravity drainage for the surface water run off.

An electricity substation will be located at the entrance to the site.

Four areas within the application site boundary will not be developed for housing as part of this current application. The current application seeks approval for the maximum number of units permitted under the planning permission in principle. Any further proposed housing will require a new planning application.

Previous Scheme

The row of houses to the west of the site (plots 95 - 98) next to the boundary were positioned nearer the site boundary, with a slightly shallower depth of garden ground. The gables on the block of flats were blank with no windows. Landscaping proposals had fewer openings in the hedges at the open space located at the entrance to the site and there was one less link into Newcraighall Public Park. Edinburgh Wild Flower Meadow Mix was not included in the proposed landscaping schedule.

Supporting Information

- Design and Access Statement;
- Site Investigation Report;
- Noise Report;
- Ecology Report;

- Landscape Maintenance Proposals;
- Landscape and Habitat Management Plan;
- Landscape Site Analysis;
- Sustainability Form (S1);
- Sustainability Report (carbon analysis);
- Eurocell Statement (windows profile);
- Regulations Compliance Report;
- Site Waste Management Plan;
- Electric Record Plan; and
- Gas (networks).

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

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposal complies with the planning permission in principle;
- b) the layout, scale and design are appropriate;
- c) there is any impact on amenity;
- d) there is any impact on the setting of the listed buildings;
- e) the development is sustainable;
- f) there are any other material considerations;
- g) there are any equalities or human rights issues; and
- h) the public comments have been addressed.

a) Planning permission in principle

The proposal complies with the planning permission in principle 10/03506/PPP dated 7 September 2015. This consent includes a masterplan and the proposed development conforms with the masterplan. Therefore, the proposal is acceptable subject to compliance with the other relevant local plan policies.

b) Layout, scale and design

Layout

The general layout has already been approved under permission 10/03506/PPP. The proposed layout is broadly in line with the masterplan. The Masterplan included a housing site to the north of Newcraighall Road (HSG14 - Newcraighall North) which is under construction (application number 13/03181/FUL).

The street layout will provide a hierarchy of streets which complies with the masterplan. It will allow permeability through the site to and from Newcraighall village, Newcraighall Public Park and the countryside. The main route through the site, to form a future public transport route, will also provide links into East Lothian and any future developments on adjacent land in East Lothian Council's area. This will promote connectivity and complies with the design policies in Edinburgh City Local Plan and the Edinburgh Design Guidance.

The main road through the site is an appropriate width and design to accommodate buses at a future date, as well as general traffic. The shared pedestrian/cycle way is more suitable for the main route through the site compared to a separate cycle route. A separate or segregated cycle route would make the road too wide for a residential street to the detriment of the townscape of the proposed residential area. This in turn would impact on the space available for other elements of the scheme such as landscape and open space areas. The proposal will create a place and avoid a character dominated by a main route. The design of the main route/spine route through the site is appropriate and acceptable.

The proposed development will provide a strong edge along and fronting the main road and future public transport route through the site.

The proposed layout has integrated the open space areas with the positioning of the houses. Along the main route houses will overlook it and houses will overlook the village green, the countryside and Newcraighall Public Park.

Design:

The proposed layout will be set out in urban blocks with good access/connections and areas of open space. Access (future) to the adjacent park and countryside is indicated on the plans. This complies with the principles of the masterplan, local plan policies and the Edinburgh Design Guidance.

A strong edge to the east side of the application site with the countryside will be established with the two flatted blocks and rows of terraced houses facing eastwards over the existing agricultural land. Housing overlooking Newcraighall Public Park on the site's western edge will emphasise the importance of the park within the context and setting of the village. The proposed central village green within the site will benefit from the overlooking of the houses surrounding it and will create a focus within the site.

Communal landscaped garden grounds will provide the setting for the flats including usable areas of open space to the rear of the blocks. There will not be direct access from ground floor units to the gardens or to the street. Given the provision of communal gardens and the closeness of the development to Newcraighall Public Park and the countryside, however, this minor infringement of Edinburgh Design Guidance is acceptable.

There is a restricted palette of materials with a variation in textures. The materials are similar to existing surrounding materials and those being used in the nearby housing development site at Newcraighall North currently under construction. The materials are acceptable.

The predominant height of the buildings is two storeys with the flats being three storeys. This is compatible with the surrounding buildings which are also mainly two storeys; although in the village there is a range of storey heights from one storey (cottages) to three storeys (flatted block).

Landscaping and boundary treatment are key components of the site and particularly important given the edge of village and edge of countryside setting. The trees and shrubs proposed throughout the site will provide an appropriate landscape setting for the development and in particular the flatted blocks, car parking areas and corners of streets. The species proposed, although mainly non-native, are suitable in stature and interest for this parkland edge location. It is welcome that the Edinburgh Wildflower Meadow Mix has been added to the planting specification. A further entrance to/from Newcraighall Public Park will enhance the connectivity of the site in relation to its surrounding context.

Five trees on the west of the site, next to Newcraighall Public Park, will be felled to facilitate the development. The trees are broadleaf species, such as sycamore and white poplar, and are constrained due to the adjacent trees in the Public Park. Approximately 200 trees are proposed in the landscape plan including semi-mature trees, trees to be planted in hedges, trees to be planted in shrubs and trees to be planted in weed free circles. The proposed tree planting will include native species such as willow, ash, hawthorn, sycamore and elm to give an ornamental and biodiverse tree planting structure. These will mitigate for the loss of trees on the west of the site. The trees within Newcraighall Public Park are outwith the application site boundary and, therefore, are not proposed to be felled as part of this application.

It is acknowledged that the current appearance of the area will be changed by the development. However, the appropriate and robust landscape plan and management plan aim to achieve good landscape planting and a good quality setting.

Boundary treatment will be walls, railings and hedges in the public realm areas. Walls will be erected in prominent positions, for example at corners and at the ends of terraces. Walls and railings are more robust and will wear better in the longer term than wooden fences. This will provide good quality boundary treatments. The fences will mainly be in the private areas. The hedges will give a softer and greener landscape environment which respects the landscape setting of the site. The landscaping and planting species proposed are acceptable.

Scale (Density):

The planning permission in principle consent would provide a density of between 18.33 and 25.67 on the 15 hectare PPP site. Excluding 5 ha for the open space this would give a density of between 27.5 and 38.5. This is in the range held in the Second Proposed Development Plan.

Density or the capacity of sites is generally established by Scottish Government guidance and the planning authority's development plans. Density should also be determined in relation to the sites characteristics and those of the surrounding area, the need to create an attractive residential area, accessibility to public transport and the need to support local facilities.

The existing housing at Newcraighall itself has a density of 30.4 dwellings per hectare. The number of dwelling units is capped at 176 for the application site. This gives a density of 23.78. However, the application drawings indicate future unit numbers within the application site and including these additional units (approximately 70) the density would rise to 33.38. Therefore, the gross densities are in keeping with surrounding residential areas.

The proposed layout, scale and design are acceptable and it is recommended that condition 4 of planning permission in principle 10/03506/PPP is discharged.

c) Amenity

Existing Amenity

The privacy distances meet the minimum threshold in the non-statutory guidelines and are, therefore, acceptable. There are no overlooking or privacy issues.

It is accepted that the development will be a change to the existing land use and the outlook from existing houses. However, private views are not protected in planning policy.

No reduced levels of daylighting or overshadowing will occur as a result of the development. The proposal complies with the advice in the Edinburgh Design Guidance and, therefore, is acceptable in terms of impact on existing neighbouring amenity.

Future Amenity

The proposed development will include three usable open space areas and is next to Newcraighall Public Park. The houses will all benefit from private gardens and the flats will have access to communal areas. The overall green space within the site will be 39% which exceeds the minimum threshold of 20% of green space and, therefore, meets local plan policy. The communal areas associated with the flats will provide a minimum of 10 square metres per flat which is 553 sq metres and this also exceeds the amount required in local plan policy (240 sq m) and complies with local plan policy.

The one bedroom flats will have a floor area of 52.10 sq metres, the two bedroom flats will be 66.01 sq metres and 72.36 square metres for the larger two bed flats. The unit sizes comply with the Edinburgh Design Guidance. The proposal will provide an appropriate mix of unit sizes and complies with Policy Hou 2 (Housing Mix) and the Edinburgh Design Guidance.

The proposal will provide an acceptable level of amenity for future occupiers.

Noise:

The applicant has submitted a noise impact assessment (amended) which has investigated noise impacts from the overhead electric cables, neighbouring commercial units, and school and road noise. Environmental Assessment accepts the reports' findings and has advised that no further mitigation will be required as long as no properties are developed within 35.3 metres of the overhead cables. The current proposal does not have any buildings within this distance.

The amended noise impact assessment has addressed the potential noise from the commercial units. Environmental Assessment accepts that it is unlikely the commercial units will adversely impact upon the amenity of any future residents.

The noise impact assessment has demonstrated that road noise will not adversely impact the site, however there will be a requirement for an acoustic barrier to be erected between the development site and existing school to ensure amenity is protected. The acoustic barrier will be timber with overlapping boards and is appropriate. A condition is recommended to ensure that the barrier is constructed appropriately to be effective.

Overall the details provided in the noise impact assessment are satisfactory and will be required to ensure that amenity is protected.

There will be no adverse impact on neighbouring properties.

Air Quality:

An air quality assessment was provided for the PPP. It took into account potential cumulative impact from the housing site and other surrounding situations. It was considered at PPP stage and, therefore, is not required to be taken into account at this detailed application (AMC) stage.

An informative is recommended to encourage the applicant to provide electric vehicle charging points within the site.

Play Park:

The PPP did not conclude that improvements were needed to the play park. The AMC is for the detailed layout etc of the proposed development and cannot assess the impact on the play park or mitigation measures required.

d) Listed Buildings

Listed Buildings:

Newcraighall Primary School and the adjacent former Parish Church are both category C(s) listed buildings and abut the boundary of the application site. The primary outlook of both buildings is onto Whitehill Street. The school has a later nursery block extension to the rear and sits within a hardstanding playground. Planning permission 10/03506/PPP includes land to extend the boundary of the school site to incorporate an extension/more classrooms to the school and provide a grassed area which will improve the immediate surrounds of the school. The church sits further back from the housing site and the proposed school extension ground will sit in front of this providing a degree of separation from wider housing area.

The current housing proposed will not have a detrimental impact on the setting of the listed buildings and will not detract from their primary setting in Whitehill Street.

Archaeology:

Archaeology was taken into account in the planning permission in principle application and a condition was placed on the PPP consent requiring an archaeological programme of works. Therefore, the impact on archaeology does not need to be considered in this application for matters specified in conditions.

e) Sustainability

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

Essential Criteria	Available	Achieved
Section 1: Energy Needs	20	20
Section 2: Water Conservation	10	10
Section 3: Surface Water Run Off	10	10
Section 4: Recycling	10	10
Section 5: Materials	80	30
Total Points	80	80

It is proposed to incorporate desirable requirements such as low carbon technologies, water saving devices, e.g. dual flush toilets, and timber from a local source. The application site will also be near to a public transport route and cycle route.

The proposal meets the sustainability criteria and complies with Policy Des 6 of Edinburgh City Local Plan and the Edinburgh Design Guidance.

f) Other material considerations

Drainage:

SEPA has advised that it has no objection to the application.

The drainage system is acceptable based on the further information provided, including modelling for the 1 in 200 years flood event. It is requested that when the drainage design for the remaining phases of the catchment are finalised that, for each phase, an updated set of model results for the whole drainage catchment are provided to ensure the changes made do not result in flooding during the 1 in 200 year plus climate change event. Therefore, an informative is recommended seeking this information.

Strategy and Investment (Affordable Housing)

The provision of the Affordable Housing Policy has secured 25% affordable housing on the wider PPP site through the legal agreement for the planning permission in principle. The homes will be provided on the site using the same palette of materials as the market housing.

Strategy and Investment has advised that the applicant has made a commitment to provide 25% on site affordable housing which offers a representative mix of the market homes. Strategy and Investment has also stated that it welcomes this approach which will assist in the delivery of a mixed and integrated community.

Transport/Traffic and parking

The traffic impact has been assessed in the PPP application and mitigation measures required have been secured through a legal agreement. The mitigation measures include a new pedestrian/cycle crossing across Whitehill Street/Newcraighall Road.

It is recommended that informatives relating to public access, hardstanding/driveways, gates, access to car parking areas and disabled persons parking bays are placed on the application.

Co-ordinated Development:

The adjacent site in East Lothian is allocated in East Lothian Local Plan 2008 for employment uses and is part of a much larger proposed development site for mixed use employment and residential use at Craighall contained in the draft Proposed Local Development Plan (17 November 2015).

East Lothian Council has previously advised that a road connection to the south be shown on the proposal drawings and that this road should be designed in such a way as would permit a bus service to operate providing a potential future route between Newcraighall Road and Queen Margaret University to Newcraighall Park. East Lothian Council has stated that it is important that new housing developments are connected via paths to such routes as a Segregated Active Travel Corridor connecting Edinburgh to MacMerry and then Dunbar.

The proposed layout for the application site will provide a road right up to the boundary with East Lothian and a route designed and suitable for use by public transport (bus). The layout of the application site proposals will provide links through the site.

The proposal is co-ordinated with current proposals for adjacent sites and the current development plans for both Edinburgh and East Lothian Councils areas.

g) Equalities and Human Rights

It is not expected that the proposal will have any impact on equalities or human rights. The houses and ground floor flats will be level access. The provision of affordable housing will enable those who cannot access a mortgage to access a new home from a RSL.

An Equalities and Rights Impact Assessment has been carried out. There are no issues of equalities and human rights due to the fact that the buildings have been designed to accommodate a wide range of users. A copy of the full assessment can be viewed on the Planning and Building Standards Online Services.

h) Public comments

Material representations - Objections:

- Principle - contrary to local plan; situated on Green Belt; use brownfield sites; scale of development; coalescence with Musselburgh/East Lothian (assessed in 3.3(a) above) and in planning permission in principle (application number 10/03506/PPP).
- Traffic - increased traffic; difficult to cross road; road safety; (assessed in 3.3(b) and 3.3(f) above and in the planning permission in principle application (10/03506/PPP)).
- Layout - shared surface for cyclists/pedestrians; cycle/pedestrian links; priority/conditions for cyclists; does not conform to Designing Streets - staggers and off-sets suggested; relationship of layout of proposed housing to with existing housing; (assessed in 3.3 (b) above).
- Design - impact on character of area; density; open space; boundary treatment; (assessed in 3.3 (b) and 3.3 (d) above).
- Amenity - closeness to existing housing; privacy; overshadowing; play park (assessed in 3.3 (c) above).

- Trees - loss (assessed in 3.3 (b) above).
- Ground Conditions - minefield; land stability (assessed in 3.3 (f) above).
- Noise, air pollution and construction dust (assessed in section 3.3 (c) and 3.3 (f) above).

Material representations - Support:

There were no letters of support.

Non-Material Representations:

- Spatial growth - coalescence of villages/towns. The South East Scotland Strategic Development Plan (SDP) sets out the strategic framework for development, provides the housing land requirement for the Strategic Development Plan Area and sets out how growth will be accommodated. Strategic development was taken into account in the planning permission in principle application and cannot be taken into account in the reserved matters application.
- Infrastructure - school; community amenities; revise legal agreement for community facilities. Assessed in planning application in principle (application number 10/03506/PPP). Mitigation for school expansion secured through legal agreement.
- Construction - noise; disturbance.
- Traffic speeds - is the responsibility of the Council as Roads Authority and the Police.

Comment: These comments have been passed onto the appropriate part of the Council.

- Parking - lack of parking for school and limited parking in village.

Comment: This is an existing situation and not caused by the proposed residential development. Mitigation measures cannot be sought to address the current situation.

- Public consultation - changes in plans to those previously shown; not carried out properly for PPP application.

Comment: Plans previously used by others, such as the applicant or the agent, for the purposes of the public consultation can be amended before being submitted as a planning application. The public consultation required by planning legislation was undertaken for the PPP.

- Infrastructure - Supporting infrastructure - schools, community facilities.
- Comment: Considered in the planning permission in principle application (application number 10/03506/PPP).

Community Council

Craigmillar Community Council was consulted and did not submit comments.

Conclusion

The proposal complies with the development plan. The minor infringement of the Edinburgh Design Guidance, relating to design (direct access from ground floor flats to communal garden), is justified in this instance due to overall acceptability of the design and the quality landscape setting to be provided. The landscaping will be of a good quality and will provide an appropriate landscape setting on a site located on the edge of the green belt and countryside. The layout is acceptable and offers connectivity to the village, adjacent sites, the countryside and the future parkland. The amenity of neighbours will not be adversely affected and future occupants will have an acceptable level of amenity. The proposed development will be sustainable and there are no expected equalities or human rights issues.

There are no other material considerations that outweigh this conclusion.

Committee visited the site as part of the LDP2 site visits.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
2. The acoustic barrier to be at least the same height as the wall around the school playground, or at least 1.6 metres high, whichever is the greater. It shall extend as far as shown on drawing reference 2513 PL 103 Rev C. The barrier shall be constructed of 25 mm thick timber fencing with overlapping boards.

Reasons:-

1. In order to protect the amenity of the occupiers of the development.
2. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.

2. The conditions attached to planning permission 10/03506/PPP apply unless discharged.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. No properties to be developed within 35.3 metres of the overhead cables.
6. When the drainage design for the remaining phases of the catchment are finalised that, for each phase, an updated set of model results for the whole drainage catchment are provided to ensure the changes made do not result in flooding during the 1 in 200 year plus climate change event.
7. 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.
8. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth).
9. A length of 2 metres of driveways nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
10. Any gate or doors must open inwards onto the property.
11. Any hard standing (e.g. driveways) outside should be porous, to comply with 'Guidance for Householders' published in December 2012.
12. 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 Planning and Transport.

13. 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, accesses, 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. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details.

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:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 18 September 2015 and 15 letters of representations were received. All of these were letters of objection and included comments from the Newcraighall Heritage and Residents Association, Niddrie Independent Parents Support, SPOKES and Councillor Walker.

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

Background reading/external references

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

**Statutory Development
Plan Provision**

The application site is a housing site (HSG 15) in Edinburgh City Local Plan and a Transport Safeguard (Tra 7 & Tra 13) crosses the site.

It is on the edge of the Green Belt and was formerly designated as Green Belt in the previous local plan (South East Edinburgh Local Plan) now superseded. An area of protected open space, i.e. Newcraighall Public Park, is adjacent.

Date registered

8 September 2015

Drawing numbers/Scheme

01 - 03, 4A, 05 - 08, 09A, 10A, 11 - 44, 45A - 53A, 54 - 59.,

Scheme 2

John Bury

Head of Planning & Transport
PLACE
City of Edinburgh Council

Contact: Jackie McInnes, Planning Officer
E-mail:jackie.mcinnnes@edinburgh.gov.uk Tel:0131 469 3731

Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

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

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

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

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

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

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

Policy Des 8 (Urban Edge Development) sets criteria for assessing development on sites at the Green Belt boundary.

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

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

Policy Env 10 (Green Belt) identifies the types of development that will be permitted in the Green Belt.

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

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

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

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

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

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

Appendix 1

Application for Approval of Matters Specified in Conditions 15/04112/AMC

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

Residential development comprising 176 No. dwellings and associated infrastructure including the discharge of condition Nos. 2, 3, 4, 6, 7, 10, 11, 12 and 13 of PPIP Consent ref. 10/03506/PPP.

Consultations

Flood Authority issues - 24 September 2015:

We have reviewed the extensive correspondence at PPP stage (10/03506/PPP) where a number of issues have been raised. These do not appear to have been resolved at PPP stage and as a result the following conditions were attached.

2. *Prior to, or part of, the submission of the first application for approval of matters specified in conditions a detailed flood risk assessment should be submitted and approved in writing by the Planning Authority. This must show that the risk of flooding of buildings from the surface water culvert or sewer within the site meets the recommended standard i.e. less than 0.5% AEP. The assessment must include, in addition to hydraulic analysis, a survey of the culvert including downstream of the site, an assessment of any defects, and clarification of the ownership and maintenance responsibilities for the culvert present and future.*

3. *Prior to, or part of, the submission of the first application for approval of matters specified in conditions a detailed surface water management plan must be submitted and approved in writing by the Planning Authority. This must include drawings and calculations showing treatment and attenuation of surface water drainage, flow paths and attenuation of surface water overland flow, ground and floor levels, adoption and maintenance procedures. Where the site is to be divided all subsequent applications must show conformity with this plan.*

4. *Prior to the commencement of works on site, details of the under-noted matters shall be submitted and approved by the planning authority, in the form of a detailed layout of that phase of the site and include detailed plans, sections and elevations of the buildings and all other structures.
(g) surface water and drainage arrangements.*

12. *That the site layout to be submitted as part of the AMC application required under condition 4 above shall include full details of the location and design of the surface water drainage scheme to be installed within the application site and shall be submitted for the approval of the Head of Planning, and for the avoidance of doubt the scheme shall comply with the Scottish Environmental Protection Agency's (SEPA) principles of Sustainable Urban Drainage Systems (SUDS).*

The applicant has only submitted a drainage layout for the proposed scheme and is required to provide additional information to satisfy the Flood Prevention Unit. The majority of the comments raised at PPP stage remain valid. To address them the applicant must provide a surface water management plan and flood risk assessment within a succinct drainage strategy document and should include information as per the attached guidelines.

I would also note that the applicant proposes to use underground attenuation storage. We require that any form of attenuation for greenfield sites must be located above ground level i.e. no underground storage will be permitted, unless there are robust reasons as to why above ground storage is unacceptable (such as BAA requirements).

Flood Authority Issues - 21 December 2015

I have reviewed the information submitted by Kris Kyle from David Murray. The information is almost sufficient to address our concerns however the applicant must still provide Microdrainage calculations and overland flow path diagrams to support their design.

Please provide microdrainage outputs for all underground pipework including rainfall data, manhole and pipe schedules (to mAOD), pipe surcharge report for all underground pipe connections. The manholes in the calculation should be cross-referenced to the drainage drawing to enable interpretation. The results should include the 30yr, 200 year and 200 yr plus climate change results. Should the model identify flood or flood risk in the system then drawings will be required to indicate where exceedence flow will be directed, how it will be contained within the site and lastly how it will be drained once the event has subsided.

Please identify existing surface water flow paths on a drawing- this can be done by over-marking a topographical survey. Surface water should be dealt with by analysing the existing and proposed flow paths and depths for surface water runoff. This should include runoff from out with the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system.

I note that they propose to use underground attenuation storage in this instance due to the depth of the invert level of the drainage system. We appreciate that existing drainage poses a challenge to the site and because of this reason the use of underground storage for a greenfield site is acceptable to CEC Flood Prevention.

Flood Authority Issues - 7 January 2016

Thanks for sending these last pieces of information through. I can confirm that these are sufficient to satisfy flood prevention's concerns and we have no further comment on this application.

Police Scotland

*TOWN AND COUNTRY PLANNING SCOTLAND ACT 1997
RESIDENTIAL DEVELOPMENT COMPRISING 176 NO. DWELLINGS AND
ASSOCIATED INFRASTRUCTURE INCLUDING THE DISCHARGE OF CONDITIONS
NOS. 2, 3, 4, 6, 7, 10, 11, 12 AND 13 OF PPIP CONSENT REF. 10/03506/PPP. AT
LAND 263 METRES SOUTH OF 104, NEWCRAIGHALL ROAD, EDINBURGH,
REFERENCE NUMBER: 15/04112/AMC
WARD NO: A17*

I am writing on behalf of Police Scotland regarding the above planning application for a proposed student residential development at Newcraighall Road, Edinburgh.

We strongly recommended that the architect and client meet with a Police Architectural Liaison Officer to discuss Secured by Design principles and crime prevention through environmental design in relation to this development. Due to the high crime profile around this area, it is essential that the development be completed to a high security standard. Building to Secured by Design standards across the whole development is imperative.

Of particular note, the following areas should be addressed:

- The standard of doors and windows should meet at least PAS24 standard.*
- There should be a comprehensive lighting strategy to ensure all paths, roads, parking spaces and entrances/exits to buildings are illuminated to an adequate level.*
- There should be a CCTV strategy developed in partnership with City of Edinburgh Council.*
- In the blocks of flats - there should not be a "service/trades" button on the door access system and letterboxes should not be on each individual door. Secure letterboxes should be positioned in an airlock at the main entrance or delivery should be "through the wall" into a secure area.*
- Bicycle storage should be secured robustly - on all sides (including roof) if external and with security accredited doors/locks if internal.*
- Road design and traffic calming measures outlined in the design statement should be carefully considered and implemented to improve road safety and reduce the potential for anti-social behaviour in/on vehicles, particularly in relation to youths "joy riding" on motorcycles.*

Green/shared spaces should benefit from as much natural surveillance as possible. Landscaping should be designed and maintained with this in mind.

The southern phase of the development, which will be built at a later date, should be appropriately managed so as not to attract any criminality/anti social behaviour whilst unoccupied.

Further information can be provided in relation to the points above, as well as other security advice.

Housing Investment 30 November 2015

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 Provision

This application is for a development consisting of 700 homes and as such the AHP will apply. In terms of the AHP there will be a requirement for a minimum of 25% (175) homes of approved affordable tenures. For a development of this size, these homes have to be provided at a (minimum) across two locations on the site. It is essential that the developer enters an early dialogue with this department as well as RSLs in order to deliver a well integrated and representative mix of affordable housing on site which is tenure blind.

The applicant has stated that the affordable housing will account for 25% of the new homes on site. The affordable housing provision will incorporate a mix of housing types and sizes. The affordable housing will be fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides. This is welcome by the department and we would request the following:

*25% of affordable housing is delivered onsite, across at least two locations, which will guard against any concentration of affordable housing being delivered
the developer enters into early dialogue with this department and RSLs to negotiate the delivery of the affordable housing requirement*

There will be a representative mix of houses and apartments of approved affordable tenures

The affordable housing will include an integrated variety of house sizes to reflect the provision across the wider site of approved affordable tenures

The applicant enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.

3. Summary

The applicant has made a commitment to provide 25% on site affordable housing and this is welcomed by the department.

These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed and integrated community.

We would be happy to assist with any queries on the affordable housing requirement for this application.

Environmental Assessment

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

15/04112/AMC | Residential development comprising 176 No. dwellings and associated infrastructure including the discharge of conditions Nos. 2, 3, 4, 6, 7, 10, 11, 12 and 13 of PPIP Consent ref. 10/03506/PPP. | Land 263 Metres South Of 104 Newcraighall Road.

The application proposes 176 new residential and commercial properties on an area of undeveloped land. The development site is between Newcraighall Road (A6095) to the north and the A1 to the south with railway lines located to the west and east. The site is bounded by old railway embankments and residential properties to the north and east. Further residential properties are situated to the north-west adjacent to other commercial units and a primary school. Agricultural land and Queen Margaret University are situated approximately 300 metres to the south.

The applicant is seeking to discharge a number of conditions attached to the consented PPP application. The conditions relevant to Environmental Assessment that the applicant wants to discharge are;

4. Prior to the commencement of works on site, details of the under-noted matters shall be submitted and approved by the planning authority, in the form of a detailed layout of that phase of the site and include detailed plans, sections and elevations of the buildings and all other structures.

(b) Siting, design and height of development, including design of all external features and glazing specifications (including acoustic capabilities).

(f) noise attenuation measures

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

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

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

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

7. During the development phase the protective dust and PM10 mitigation measures shall be designed and implemented as specified in Table 21 of the AECOM, Site HSG 15, Newcraighall Air Quality Assessment, Job Number 60191354 (February 2011).

Noise

The original master-plan for the site advised that a number of commercial premises may be included within the application site. The uses may have included Class 10 and Class 11 premises. Some uses within Class 10 and Class 11 are not compatible within a predominantly residential area. Such premises require to be adequately conditioned and appropriately sited to be able to operate within a residential area without impacting upon residential amenity. This proposal is only for residential use therefore the above class uses do not need to be considered further in this consultation. The applicant has submitted a noise impact assessment which has investigated noise impacts from the overhead electric cables, neighbouring commercial units, and school and road noise.

The application site is adjacent to pylons with overhead electric cables. The nearest proposed property will be located 35.3m from the overhead electric cables. The noise impact assessment has demonstrated that the overhead cabling noise will comply with NR20 within the nearest proposed residential properties with a window open for ventilation purposes. Environmental Assessment accepts the reports finding and that no further mitigation will be required as long as no properties are developed within 35.3m of the overhead cables.

The proposed site is adjacent to existing commercial premises situated to the north of the site. The premises have deliveries, plant, equipment and an incinerator with chimney at low level which can all impact upon the amenity of the proposed residential properties by way of noise and fumes. The applicants amended noise impact assessment has addressed the potential noise from the commercial units. As the units were not fully occupied the noise impact assessment included some predictive noise modelling. Environmental Assessment have carefully considered this report's findings and accept that it is unlikely the commercial units will adversely impact upon the amenity of any future residents.

The noise impact assessment has demonstrated that road noise will not adversely impact the site, however there will be a requirement for an acoustic barrier to be erected between the development site and existing school to ensure amenity is protected.

The acoustic barrier should be at least the same height as the wall around the school playground, or at least 1.6m high, whichever is greater. It should extend as far as shown on drawing reference 2513 PL 103 Rev C. The barrier should be constructed of 25mm thick timber fencing with overlapping boards. This will reduce the noise by around 5dB(A).

Overall the details provided in the supporting noise impact assessment are satisfactory and the above noise conditions can be discharged. It should be noted that an acoustic barrier will be required to ensure that amenity is protected.

Contaminated Land

The applicant has submitted a Site Investigation Report which is currently being assessed by Environmental Assessment. Until this has been completed Environmental Assessment recommends that the condition remains attached to ensure that contaminated land is fully addressed.

Construction Dust

The applicant has submitted details of a dust management plan. This is deemed satisfactory and should be followed by the developer throughout the development phase.

Therefore in conclusion, Environmental Assessment has no objections the above conditions being discharged with the exception of the contaminated land condition and the requirements for an acoustic barrier being constructed as detailed above.

Contaminated Land Condition

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

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

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

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for residential development comprising 176 dwellings and associated infrastructure including the discharge of conditions 2, 3, 4, 6, 7, 10, 11, 12 and 13 of PPIP consent 10/03506/PPP.

As stated in my earlier 2010 response to application 10/03506/PPP this site is considered to contain a range of significant remains from prehistoric occupation through to industrial mining activities and possibly artefacts relating to the 16th century battles at nearby Musselburgh & Pinkie. As such Condition 10 was attached requiring the undertaking of a phased programme of archaeological investigation prior (a comprehensive battlefield metal detecting survey to recover and examine any artefacts within the sites topsoil and secondly an archaeological evaluation up to a maximum of 10% of the site) to the submission of detailed plans and any mine-grouting activities.

This was in order to allow for the production of appropriate further detailed mitigation strategies (including possible design changes to allow for preservation insitu) to be drawn up to ensure the protection and/or the excavation and recording of any surviving archaeological remains during subsequent phases of development. To date this essential archaeological evaluation work has not been undertaken.

However a WSI has been agreed with GUARD for this initial phase of evaluation with work due to start later this month and reporting due to be completed by November 2015. Accordingly we are not in a position to recommend the discharge of Condition 10 as requested above at this time.

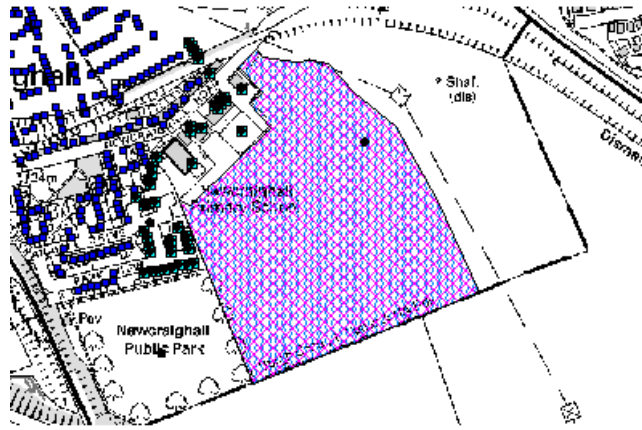
Roads Authority Issues

- 1. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, 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. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;*
- 2. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);*
- 3. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;*
- 4. Any gate or doors must open inwards onto the property;*
- 5. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;*
- 6. 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;*

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.*

Location Plan



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