

Development Management Sub Committee

Wednesday 13 April 2016

Application for Approval of Matters Specified in Conditions 15/05839/AMC

At Site 131 Metres Northwest Of 227, Niddrie Mains Road,
Edinburgh

16 parking spaces, landscaping and surrounding pedestrian
footpath.

Item number	4.6
Report number	
Wards	A17 - Portobello/Craigmillar

Summary

The proposal complies with the development plan and the appropriate non-statutory guidelines. It is of an acceptable layout, scale and design. There will be no adverse impact on the setting of the listed building or on amenity. There are no expected equalities or human rights issues. There are no material considerations that outweigh this conclusion.

Links

Policies and guidance for this application	LPC, CITD1, CITD2, CITE3, NSG, NSP, NSGCDF, NSGSTR,
--	---

Report

Application for Approval of Matters Specified in Conditions 15/05839/AMC

At Site 131 Metres Northwest Of 227, Niddrie Mains Road, Edinburgh

16 parking spaces, landscaping and surrounding pedestrian footpath.

Recommendations

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

Background

2.1 Site description

The application site is located on the east side of Wauchope Terrace to the north of Niddrie Mains Road. It is a vacant site and is flat with no natural features. The site is within a larger redevelopment area, Wauchope Square, and is part of the wider regeneration in Craigmillar. Wauchope Terrace gives access to the joint campus primary school and the former Craigmillar Primary School as well as residential streets. Some of the land around the site is currently vacant having previously contained flats.

Mixed uses are found in the wider surrounding area including housing, schools, places of worship, shops and a medical practice. Redevelopment has already taken place at nearby locations.

Niddrie Mains Road is the main thoroughfare between Edinburgh and Musselburgh and has a high frequency bus route.

Richmond Craigmillar Church sits on the east side of Wauchope Terrace and just south of the application site. It is a category C listed building (date of listing 8 September 2008; reference: LB49460).

2.2 Site History

30 March 2006 - permission granted for new mixed residential development (61 dwellings), associated gardens, new roads and parking at 213 Niddrie Mains Road (Wauchope Square) (application number 05/01895/FUL);

4 February 2008 - permission granted for residential development of 22 houses with associated gardens and parking at Hay Gardens (Phase 7 Wauchope Square) (application number 07/00059/FUL);

13 October 2010 - permission granted for the erection of 58 residential units in phase 8 of the Wauchope Square masterplan comprising a mixture of houses and flats ranging between 2 and 4 storeys and associated external work at land adjacent to Wauchope Terrace (application number 08/01253/FUL);

18 August 2011 - permission varied for non-material variation on consented proposed erection of 58 residential units in phase 8 of the Wauchope Square masterplan comprising a mixture of houses and flats ranging between 2 and 4 storeys and associated external works at land adjacent to Wauchope Terrace (application number 08/01253/VAR2); and

16 June 2012 - permission granted to demolish existing housing and provide new mixed residential development with associated gardens and parking (in outline) at Hay Road (Wauchope Square) (application number 05/00185/OUT).

History of adjacent sites:

2 August 2006 - application granted for infrastructure and Public Realm to facilitate proposed residential and school developments, including high quality hard and soft landscape, lighting and street furniture at Hay Road (Wauchope Square) (application number 06/01263/FUL);

22 January 2009 - application minted to grant for erection of mixed use development including, residential (houses and apartments), residential care homes (class 8), business (class 4), retail (class 1), food store (class 1) (including cafe), petrol filling station, classes 2 and 3, Community High School (including public library, cafe and sports/ leisure facility), train station, with associated landscaping, infrastructure and car parking at development site at Niddrie Mains Road (application number 08/02553/OUT);

24 September 2015 - Planning permission in principle granted for mixed use development including retail (class 1); financial, professional and other services (class 2); food and drink (class 3); business and employment (class 4); residential institutions (class 8); residential (class 9); assembly and leisure (class 11); sui generis flatted development and other associated works including car parking, public realm, access arrangements and works in general at development site at Niddrie Mains Road (application number 14/03416/PPP);

4 November 2015 - permission varied for non-material variation to vary conditions 1 and 2 (relating to Site Investigation and Archaeology) for mixed use development including retail (class 1); financial, professional and other services (class 2); food and drink (class 3); business and employment (class 4); residential institutions (class 8); residential (class 9); assembly and leisure (class 11); sui generis flatted development and other associated works including car parking, public realm, access arrangements and works in general at development site at Niddrie Mains Road (application number 14/03416/VARY);

30 November 2015 - permission granted for installation of a Scottish Power substation to serve proposed residential and commercial development at site 131 metres northwest of 227 Niddrie Mains Road Edinburgh (application number 15/04899/FUL);

20 November 2015 - application received to erect 121 new residential units. Sixty five - 2/3 bedroom terraced units at 2 storeys and 56 1/2 bedroom flats at 4 storeys. New public park, road layout and other associated landscaping works at site 131 metres northwest of 227 Niddrie Mains Road (application number 15/05352/AMC);

7 December 2015 - application received for mixed use development including retail (class 1), financial, professional and other services (class 2), food & drink (class 3), business and employment (class 4), assembly and leisure (class 11) and associated works: car parking, public realm, access, external works. at plots 5 and 6 at site at Niddrie Mains Road (application number 15/05564/AMC); and

31 December 2015 - application approved for proposed class 1 retail unit, car parking, service road, temporary turning hammerhead and landscaping (Retail Unit 4 - 14/03416/PPP) at redevelopment site at Niddrie Mains Road (application number 15/04443/AMC).

Main report

3.1 Description Of The Proposal

The proposal is for 16 parking spaces on the east side of Wauchope Terrace between Niddrie Mains Road and Moffat Way. The spaces will be partly on the existing road (i.e. the current pavement) and partly on derelict/brownfield land. They will be laid out as end on parking bays, will be 5.2 long and 2.4 wide and be constructed of permeable paving. The spaces will be set out in two rows with soft verges at either end and in the middle.

The existing footpath will be realigned to go around the parking spaces.

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 principle of the proposal is acceptable in this location;
- b) the proposal is of an appropriate layout;

- c) there are any impacts on the setting of the listed building;
- d) there are any amenity issues;
- e) there are any equalities or human rights issues; and
- f) the public comments have been taken into account.

a) Principle of development

The proposal is a minor change to the layout of existing on-street parking bays and will encroach onto the adjacent land, currently owned by the Council. The land is part of a wider masterplan, Wauchope Square Masterplan, for housing and associated access and parking at this location. The principle of parking at this location has, therefore, been established through the masterplan and outline planning permission. The proposed parking reflects the location and layout of the parking as proposed under the Wauchope Square Masterplan.

The proposal is acceptable in this location.

b) Layout

The proposed bays are of an appropriate size and laid out in an acceptable manner. The bays are to be end on taking access directly from the public street, i.e. Wauchope Terrace, and will not obstruct or cut over the existing access into Richmond Craigmillar Church. The roads authority has no issues subject to conditions or informatives as appropriate relating to public access, allocation of parking spaces, works on the public road and disabled person parking spaces.

An appropriate number of parking spaces will be provided, similar to the number of the current parallel on-street parking bays. The spaces will become part of the adopted road network and will not be allocated bays. Therefore, the public, including people attending Richmond Craigmillar Church, will be able to use the spaces and the parking can also be used by residents of the future housing to be built in the immediate vicinity.

If the applicant wishes parking spaces to be enforced under the Disabled Persons Parking Places (Scotland) Act 2009, a request should be made directly to the Council as Roads Authority.

The layout is acceptable.

c) Setting of listed building

The adjacent building, Richmond Craigmillar Parish Church, is a category C listed building. On-street parallel parking bays, marked out by white lines, already exist on the street. The proposal does not introduce a new use to the street and is a minor alteration. It will not obscure views of the church.

The setting of the listed building will not be adversely affected.

d) Amenity

The parking bays will not be allocated to individual properties or to individuals and will be able to be used by the public. They will not obstruct the vehicular access to the neighbouring church.

There are no amenity issues.

e) Equalities and human rights

The spaces and associated works will require a Road Construction Consent and this will ensure that the proposal will comply with the appropriate accessibility criteria.

There are no expected human rights issues.

f) Public comments

Material representations - objections:

- The on street parking cuts over the drive (assessed in 3.3(b) above).

Material representations - support:

- There were no letters of support.

Non-material representations:

- Dropped kerbs at corner of Wauchope Terrace requested.
Comment: This is outwith the site boundary. The request has been forwarded to the appropriate section in the Council.
- Duration of construction works.
Comment: This is not a material planning consideration and is a matter for the applicant or developer.

Community Council

Craigmillar Community Council was consulted and did not submit comments.

Conclusion

In conclusion, the proposal complies with the development plan and the appropriate non-statutory guidelines. It is of an acceptable layout, scale and design. There will be no adverse impact on the setting of the listed building or on amenity. There are no expected equalities or human rights issues.

There are no other material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

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 parking numbers including location, design and specification.
2. 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 Planning and 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.
3. Any works on an existing road must be carried out under permit and in accordance with the specifications.
4. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents.

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 is not subject to 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

Two representations have been received objecting to the proposed development.

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 forms part of an identified housing site (HSG7) in Edinburgh City Local Plan. It is also a housing site (HSG 14) in the Second Proposed Development Plan.

Date registered

19 January 2016

Drawing numbers/Scheme

01 - 17,

Scheme 1

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 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.

Relevant Non-Statutory Guidelines

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

Non-statutory guidelines 'The Craigmillar Urban Design Framework' sets out a vision and principles for development of the Craigmillar area.

Non-statutory guidelines - EDINBURGH STREET DESIGN GUIDANCE - Edinburgh Street Design Guidance supports proposals that create better places through the delivery of vibrant, safe, attractive, effective and enjoyable streets in Edinburgh. It sets out the Council's expectations for the design of streets and public realm.

Appendix 1

Application for Approval of Matters Specified in Conditions 15/05839/AMC

At Site 131 Metres Northwest Of 227, Niddrie Mains Road, Edinburgh

16 parking spaces, landscaping and surrounding pedestrian footpath.

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this AMC application for 16 parking spaces, landscaping and surrounding pedestrian footpath.

As discussed both in my response too and in the DBA produced by GUARD accompanying the PPP 14/03416/PPP application covering this site, the centre of Craigmillar was identified as having areas of archaeological significance. Having looked at the location of this application however it is clear that this site occurs outwith those areas identified for further archaeological mitigation. Accordingly, no further archaeological mitigation is expected to be undertaken in relation to this application.

Roads Authority

- 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. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;*
- 3. Any works on an existing road must be carried out under permit and in accordance with the specifications;*

4. 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.

Location Plan



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