

Development Management Sub Committee

Wednesday 13 April 2016

Application for Planning Permission 15/02354/FUL At Ravelston Dykes Quarry, Ravelston Dykes Road, Edinburgh Erection of 3 dwellinghouses, together with associated landscaping and infrastructure works. (as amended)

Item number	7.2
Report number	
Wards	A05 - Inverleith

Summary

Although the proposals are contrary to the adopted Edinburgh City Local Plan, the emerging second Local Development Plan and relevant non-statutory guidance in that the proposed development is in Green Belt the benefits that they bring justify a departure from the development plan. Benefits include remediating contaminated land, creating new path networks and enhancing existing ones, increasing accessibility to some parts of the site and improvement to areas of woodland. The proposals will not prejudice nature conservation or protected species, residential amenity or traffic and road safety. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LPC, CITD1, CITD3, CITD5, CITD8, CITE10, CITE11, CITE12, CITE15, CITE16, CITE18, CITOS1, CITH3, CITH4, CITT6, PLEM08, PLDP28, NSG, NSGD02, NSGCGB,

Report

Application for Planning Permission 15/02354/FUL At Ravelston Dykes Quarry, Ravelston Dykes Road, Edinburgh Erection of 3 dwellinghouses, together with associated landscaping and infrastructure works. (as amended)

Recommendations

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

Background

2.1 Site description

The application site is the former Ravelston Dykes Quarry situated on the east side of Ravelston Dykes Road, between its junctions with Craigcrook Road and Ravelston Dykes Lane. There is an existing gated access onto Ravelston Dykes Road. The quarry, which has previously been used for landfill, is screened from the road by ancient woodland. Within the quarry there is a small pond and the remainder of the site is covered by shrubs and meadowland. The area is currently fenced off from public access because the soil is contaminated due to its past use as landfill.

The site is surrounded by Ravelston Woods to the south and east, residential properties to the north, and Ravelston Golf Course to the west.

2.2 Site History

10 June 2009 - Planning application refused at Committee for the erection of three dwelling houses and associated landscaping and access provision. (application number 08/03202/FUL) Reasons for refusal were:

- Contrary to Policy GE1 (Open Space) and GE7 (Nature Conservation) of the Central Edinburgh Local Plan and Env 14 (Sites of Local Importance) and Env 15 (Species Protection) of the Edinburgh City Local Plan; by way of removing local habitat of value.
- Contrary to Env 9 (Green Belt) by constituting a non-conforming use which fails to recognise the landscape value of the site.

23 December 2009 - Appeal against the above application dismissed (application number P/PPA/230/1100) Reasons for refusal were:

- Loss of open space which contributes to the undeveloped semi-natural appearance that contributes to the environmental character and amenity of the area.

Main report

3.1 Description Of The Proposal

Scheme 2

This amended application is for three houses with an access from Ravelston Dykes Road.

The site will be divided into two areas. The central area will be private and owned and occupied by the dwellings. The perimeter of the site, with the exception of the quarry cliff face, will be transferred to the Council and will be incorporated into the larger area of open space that is formed by Ravelston Woods and Ravelston Park. It will become accessible to the public with the formation of a public footway which will connect Ravelston Park with the woodland to the south of the site. Access to the residential properties will be through the existing access off Ravelston Dykes Road. Some trees will be required to be felled at this access point. This access road will service the new dwellings from the east beneath the rock face of the quarry, to limit the visual impact of the road from Ravelston Dykes Road. The existing pond area will be deepened to encourage a more diverse habitat.

The three dwellings will be detached two storey dwellings with individual gardens. The floor areas of each unit will be as follows:

Plot 1: 520 sqm.

Plot 2: 535 sqm.

Plot 3: 615 sqm.

Each dwelling will have provision for two garage spaces. They will have shallow pitched roofs and will be clad in a combination of natural stone, timber and zinc.

Waste storage will be in bins that are to be provided at the entrance from Ravelston Dykes Road.

Scheme 1

The proposals, as originally submitted, were slightly different in terms of materials, incorporating more zinc cladding and no timber. The floor levels of the house on plot 1 was lower in the area over the pond and, in response to concerns by Flooding, this has been raised. Scheme 1 also proposed that the woodland remain in the ownership of the dwellings and that a woodland management plan be implemented to ensure continued maintenance.

Supporting Statements

As part of this application the following documents have been submitted which are available to view on Planning and Building Standard's Online Services:

- Design and Access Statement.
- Tree Survey.
- Geo-Environmental Risk Assessment and Remediation Strategy.

- Arboricultural Impact Assessment and Woodland Management Proposals.
- Ecology Study.
- Letter regarding junction visibility.
- Planning Statement.
- Amphibian Assessment.
- Drainage Strategy Plan.

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 development is acceptable in this location;
- b) the development will impact on the character and appearance of the Area of Great Landscape Value;
- c) the proposals are of an appropriate scale, form, and design;
- d) the proposals will result in an unreasonable level of neighbouring residential amenity;
- e) the proposals will result in an adequate level of amenity for the future occupiers of the development;
- f) the proposals will have any traffic or road safety issues;
- g) the proposals will have detrimental impact on trees;
- h) the proposals will have detrimental impact on wildlife and biodiversity;
- i) there are any other environmental impacts;
- j) any impacts of equalities and human rights have been addressed; and
- k) any comments raised have been addressed.

a) The Acceptability of the Principle of the Development in this Location

The site is designated 'Green Belt' in the Edinburgh City Local Plan (ECLP) and in the emerging Second Proposed Local Development Plan (LDP). Policies Env 10 of the ECLP and LDP apply which presume against development in the Green Belt other than for uses appropriate to a rural area. The proposed housing development is for private sale and is not for an agricultural, woodland, forestry or horticultural purpose. Therefore the proposal is contrary to policy Env 10: Green Belt.

The Second Proposed LDP reaffirms Green Belt policy objectives and includes the application site as part of the Green Belt. The proposal is contrary to policy Env 10: Green Belt.

The site is also designated 'Open Space' in both the ECLP and LDP. Policy Os1 applies which states that proposals involving the loss of opens space will not be permitted unless:

- a) *there will be no significant impact on the quality or character of the local environment*
- b) *the open space is a small part of a larger area or of limited amenity or leisure and there is a significant over-provision of open space serving the immediate area and*
- c) *the loss would not be detrimental to the wider network including its continuity or biodiversity value and either*
- d) *there will be a local benefit in allowing the development in terms of either alternative equivalent provision being made or improvement to an existing public park or other open space or*
- e) *the development is for a community purpose and the benefits to the local community outweigh the loss.*

To comply with Policy Os1 criterion a), b) and c) must be met, and either criterion d) or e).

The proposed housing will be of good quality and has been designed to minimise its visual impact from outwith the site. A tree belt will screen the development from the road and the dwellings will not be readily visible from the woods, except from the edge of the quarry cliff face. Therefore the proposed dwellings will have a limited visual impact on the wider area and thus comply with criterion a).

In terms of criterion b) the site is a small part of a larger area that includes Ravelston Woods and Park. It is of limited amenity because it not accessible due to the contamination of the land. The proposals would decontaminate the land and allow access to the outer part of the site which is currently inaccessible. Ravelston Park and Woods provide sufficient access to open space in this area and the loss of the land that will be devoted to housing within the quarry site will not create a deficiency in the area. The proposals therefore comply with criterion b).

To comply with criterion c) the proposals should improve connections and movement in the area. The site is currently inaccessible to the public and the proposals offer an opportunity to enhance links between existing open space with proposed footpaths. The paths will improve links in the local green network and will represent an improvement to the existing provision. As explored in section 3.3.h), below the proposals will not be detrimental to the value of the area's biodiversity. On this basis, the proposals comply with criteria d).

The proposals therefore comply with policy Os 1 but not Env 10.

The provision of three dwellings in this location will not make a measurable impact on housing supply and this is not a justification for the construction of the dwellings on this site.

The proposals represent a non-conforming use in this location. However there are benefits in the proposals in it will rectify the contamination issues on this site which limits its accessibility in terms of open space. It will also ensure that the path network is enhanced and that the existing woodland will be brought up to an appropriate standard before becoming into Council ownership. On balance, the benefits obtained by the scheme are compelling reasons for accepting the non-compliance of the development plan in this instance.

Subject to compliance with criteria listed below, the proposals represent an acceptable development in this location.

b) Impact on Area of Great Landscape Value

The site lies within a designated Area of Great Landscape Value (AGLV). Policy Env 11 states that "planning permission will not be granted for development which would damage or detract from the overall character and appearance of the Areas of Great Landscape Value". The character of the site is of a large meadow surrounded by a woodland edge and the quarry face. The open quality of the site will be altered by the development and will become suburban rather than rural in character. However, if the woodland area surrounding the development is managed, as outlined in the Woodland Management Proposals and screens the development, the impact on the overall AGLV will be limited. The development of this site for housing would not be detrimental to the larger area's landscape character.

c) Scale, Form and Design

The amended scheme proposes three, two storey, detached dwellings with shallow pitched roofs and using stone, zinc as timber as cladding materials. The design has been modified to incorporate additional materials and to break up the mass of the buildings. As there is no immediate urban context, the buildings are not incompatible with the area, and the design can be seen as a stand alone proposal. The houses are large but these cannot be compared with any immediate neighbours and against the backdrop of the quarry face, the scale is appropriate. The materials and design are acceptable.

The proposals are acceptable in terms of scale, form and design.

d) Neighbouring Amenity

The proposals comply with the Non-statutory Design Guidance with respect to privacy, overshadowing and daylight as the new dwellings will be located a considerable distance away from the nearest residential dwelling. Concerns have been raised by objectors about security risks to neighbouring properties by the creation of the paths. However the new dwellings should facilitate passive surveillance that is an improvement over the current situation.

There will be no detrimental impact on neighbouring amenity.

e) Amenity of Future Occupiers

The applicant has submitted diagrams which indicate that the dwellings will receive enough daylight, internally, and that the gardens will receive sufficient sunlight. There is an acceptable amount of private open space.

The dwellings are very large and the future occupiers will have a satisfactory level of amenity.

f) Traffic or Road Safety Issues

One access point off Ravelston Dykes Road serves a road leading to garages opening to the rear of the properties and providing accommodation for two cars per property and cycle accommodation.

An informative is recommended stating that a travel pack for new occupiers should be provided prior to occupation.

The proposals are acceptable in terms of traffic and road safety.

g) Impact on Trees

The main bulk of development will occur in the meadow area and a limited number of trees will be required to be felled. There will be eight trees felled at the entrance area, and a further five trees located more centrally. The woodland is currently underused and lacks management. A comprehensive scheme of woodland management would mitigate against loss of healthy trees and would screen the development. The proposals are that the woodland which rings the site will be transferred to the Council, brought up to an appropriate standard and that a contribution of £75,000 be made to ensure that the Council has the means to continue to look after the woodland into the future.

The small loss of trees on the site is within an acceptable range, given the overall benefits that an appropriate scheme of woodland management can bring to the whole of the site and this outweighs the losses. The impact on the trees is acceptable.

h) Impact on Wildlife and Biodiversity

The site is located within a Local Nature Conservation Site which covers the wider area of Ravelston Woods and Corstorphine Hill. Policy Env 15 applies, which presumes against development within a Local Nature Conservation Site, unless the reasons for allowing the development are sufficient to outweigh the nature conservation interest of the site and the adverse consequences of allowing the development have been minimised and mitigated in an acceptable manner. It is considered that the benefits that the development offers in remediating the contaminated land on the site and the creation of paths and reinforcing of existing path networks, justify the loss of a small area of the Local Conservation Site. As the site is relatively small the overall integrity of the conservation area will be retained. In this respect, the adverse impact of the development is minimised.

Policy Env 16 states that planning permission will not be granted for development that would have an adverse impact on species protected under European or UK law. Both an Ecology Survey and an Amphibian Assessment have been submitted. There is no evidence of active badger sets on the site and continued badger camera traps are monitoring possible sets on adjacent land. Conditions are recommended in this respect. Fences shall be constructed with a 225 mm gap at their base so as to allow badgers to traverse the site.

No bats have been found to be roosting on the site, however as they do use trees for commuting, no felling should be done without checking for bats.

Neighbours have noted the presence of orchids on the site. These should be moved to another suitable area within the site.

Sufficient evidence has been provided to ensure that measures are in place to limit the impact on wildlife and their habitat and the proposed development within the Local Nature Conservation Site is acceptable.

i) Environmental Impacts

Flooding:

Information has been submitted with respect to drainage and flood risk. This can be seen on the Planning and Building Standards Online Services. The information provided indicates that drainage is satisfactory and there is no additional risk of flooding.

Contamination:

The applicant has submitted a remediation strategy to address the contamination of land due to its former use as a landfill. Environmental Services does not object to this subject to the conditions attached.

Overall the environmental concerns of contaminated soil and flooding will be appropriately addressed.

j) Equalities and Human Rights Issues

The application has been assessed in terms of equalities and human rights. No adverse impacts were identified. An Equalities and Rights Impact Assessment Summary is available to view on the Planning and Building Standards Online Services.

k) Public Comments

Material objections

- Principle of the development - assessed in section 3.3a). The principle of development on Green Belt and Open Space is assessed against the benefits that the scheme offers. The point that the development does not meaningfully address the shortfall in the supply of housing in Edinburgh is also assessed in section 3.3.a).
- Impact on the AGLV - the impact of the development on the AGLV assessed in section 3.3.b).

- Design, scale and materials - the design of the development including the height and materials are assessed in section 3.3.c.). Whether the buildings are in keeping with the character of the area is also assessed in section 3.3.c).
- Amenity of Neighbouring Properties - Assessed in section 3.3.d).
- Trees - the loss of trees is addressed in section 3.3g). There is currently no management of the woodland and a woodland management plan will ensure that the woodland is kept healthy and will be in an appropriate condition when the Council takes possession of the site.
- Wildlife and biodiversity - the impact on badgers and other protected species addressed in section 3.3h). There are no active setts on the site and neighbouring sets will be continued to be monitored. The orchids are to be translocated and a programme of removal Japanese Knotweed is to be continued. The loss to housing of a part of the Local Nature Conservation Site is also addressed in section 3.3.h).
- Other Environmental Impacts - the principle of development on contaminated land is addressed in section 3.3.i). A condition to address the contaminated land will be added if this application is to be approved.

Non-material Representations

There are no non-material representations.

Community Council

The Craigleith Blackhall Community Council did not request to be a statutory consultee but it objected on the following grounds:

Material objections relate to:

- Principle of the development - The Community Council argue that the site has a number of constraints that would preclude it from being a development site which are green belt, open space, special landscape area and local nature conservation site. The issues of greenbelt and open space designations are addressed in Section 3.3.a). The principle of development in the AGLV is addressed in section 3.3.b) and the principle of development in the Local Nature Conservation Site is addressed in section 3.3.h). The constraints within Local Development Plan are a significant material consideration and are explored in the sections mentioned above. It is agreed in Section 3.3.a) that the erection of 3 houses will not contribute in a meaningful way to the shortfall in supply of housing. The Community Council is concerned that the development could set an unfortunate precedent for other undeveloped sites however each site is assessed on its own merits and approval of development on this site does not form a precedent for the assessment of other development proposals.

Conclusion

In conclusion, the proposals are contrary to the Edinburgh City Local Plan and the emerging second Local Development Plan and relevant non-statutory guidance in that the proposed development is in Green Belt. However the benefits that the proposals brings in remediating contaminated land, creating new path networks and enhancing existing ones, increasing accessibility to some parts of the site and improvement to areas of woodland, justify a departure from the development plan in this instance. The proposals will not prejudice nature conservation or protected species, residential amenity or traffic and road safety. There are no material considerations which outweigh this conclusion.

The recommendation is subject to conditions on landscaping, materials, contaminated land and badgers, as well as the conclusion of a legal agreement for the conveyancing of land to the Council, which is to include a contribution of £75,000 towards the expense that will be incurred by the Council for the maintenance of the woodland that it will take into its care and a financial contribution as part of the Travel Plan.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. No development shall take place prior to implementation of remedial and protective measures in accordance with Section 6 of the 'Geo-environmental Risk Assessment and Remediation Strategy': LK Consult: Reference LKC 15 1018: April 2015; and documentary evidence to certify those works have been implemented shall be provided to and approved in writing by the Council as planning authority.
3. A fully detailed landscape plan, including the location of the public path, details of all hard and soft surfaces, and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site and to be implemented within six months of the date of first occupation.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order, 1992, as amended, gates, fences walls and other means of enclosure shall be constructed with 225mm gaps at their base so as to allow badgers to traverse the site. Such gaps shall be 1 metre wide and constructed at centres of not more than 10 metres along the boundary.

5. Prior to the commencement of work on site, a further badger camera trapping survey shall be undertaken to establish whether works are on or within 30m of a Badger Settle and therefore require a licence from Scottish Natural Heritage; the survey shall be submitted to the Planning Authority. Should any evidence of badger setts be found within this relevant survey area, a mitigation strategy must be submitted to and approved in writing by the Planning Authority and implemented, in accordance with the agreed mitigation strategy.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
4. In the interest of protected species.
5. In the interest of protected species.

Informatives

It should be noted that:

1. The applicant shall enter into a suitable legal agreement in respect of the following:
 - i. The transfer of part the site to the Council as specified on an agreed site plan, is to be done at no cost to the Council within 12 months of the commencement of the development.
 - ii. The terms of the conveyance of the woodland shall be agreed prior to delivery of the land to the Council, and within 3 months of the date of commencement of the development. As part of this conveyance the following shall be specified: the scope and standard of site works that need to be carried out, which may include landscaping works, arboricultural work, work to boundaries and other items, and the relative rights and responsibilities of both the applicant and the Council with respect to boundaries, access and any other item as well as a contribution of £75,000 for the continued upkeep of woodland area once the Council takes ownership of this area.
2. The applicant shall enter into a suitable legal agreement in respect of the following:
 - i. A draft Travel Plan should be submitted to the Head of Planning and Transport for approval prior to the commencement date and the approved Travel Plan will be implemented within 12 months of the approval of the plan. The draft will be expected to include details of any financial contribution.

3. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
4. 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.
5. 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.
6. Any orchids found within the development area are to be translocated to a suitable location within site which will not be affected by the development.
7. Clearance of vegetation/trees from the proposed construction areas has the potential to disturb nesting birds; therefore clearance should be carried out outside the bird nesting season March – August (inclusive). Should it be necessary to clear ground during the bird nesting season the land should be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts.
8. All trees to be checked for bats before felling.
9. 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, i.e. the road leading to the properties will be built to an adoptable standard. The main access will be required to be brought up to an adoptable standard.
10. The internal layout of the development should be designed in accordance with Designing Streets and Quality Audits will be required. Note that Designing Streets states that a Stage 2 Quality Audit should be provided as part of the detailed planning application.
11. The applicant should ensure that the access road and associated car parking is sufficiently large, and of a shape, to accommodate a turning area suitable for any vehicles which are likely to use it so that vehicles can enter and exit the site in a forward gear.
12. 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.

13. Refuse storage facilities should be within 30 metres of an area which can be accessed by a refuse removal vehicle.
14. Any works affecting the existing carriageway/footway on Ravelston Dykes Road must be carried out in accordance with "Development Roads - Guidelines and Specification". See pages 5, 15 & 16 of http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders.
15. The programme of removal of Japanese Knotweed is to be continued.

Financial impact

4.1 The financial impact has been assessed as follows:

There will be financial implications incurred by the Council in assuming ownership of part of the site. A legal agreement for a contribution towards the continuing costs of maintaining the land will be required to be concluded prior to the granting of consent of this application. Transport has requested a contribution towards a travel plan.

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 in terms of equalities and human rights. No adverse impacts were identified. An Equalities and Rights Impact Assessment Summary is available to view on the Planning and Building Standards Online Services.

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

The application was advertised on 26 June 2015.

In all there have been eight letters of representation from six neighbours and members of the public, one letter from the Craighleith/Blackhall Community Council, and one letter from a ward councillor.

The Community Council have objected to the proposals as has the ward councillor and five neighbours. There has been one letter of comment from member of the public.

There are no non-material representations.

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 site lies within Green Belt in the Edinburgh City Local Plan and is within an area of Open Space , an Area of Great Landscape Value and a Local Nature Conservation Site.

Date registered

3 June 2015

Drawing numbers/Scheme

1a, 2a, 3b, 4b, 5a, 6a, 7b, 8a, 9a, 10b, 12-16, 17a, 19a,, 20a, 21a, 22-33,

Scheme 2

John Bury

Head of Planning & Transport
PLACE
City of Edinburgh Council

Contact: Barbara Stuart, Senior Planning Officer
E-mail: barbara.stuart@edinburgh.gov.uk Tel: 0131 529 3927

Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

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

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

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

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

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

Policy Env 11 (Landscape Quality) establishes a presumption against development which would adversely affect important landscapes and landscape features.

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

Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

Policy Env 16 (Species) sets out species protection requirements for new development.

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

Policy Os 1 (Open Space Protection) sets criteria for assessing the loss of open space.

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

Second Proposed Local Development Plan Policy Emp 8 sets criteria for assessing proposals in Business and Industrial Areas identified on the Proposals Map.

Second Proposed LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

Relevant Non-Statutory Guidelines

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

Non-statutory guidelines DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

Appendix 1

Application for Planning Permission 15/02354/FUL At Ravelston Dykes Quarry, Ravelston Dykes Road, Edinburgh Erection of 3 dwellinghouses, together with associated landscaping and infrastructure works. (as amended)

Consultations

Transport

I have no objections to the application subject to the following being included as conditions or informatives as appropriate:

- 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, i.e. the road leading to the properties will be built to an adoptable standard. The main access will be required to be brought up to an adoptable standard;*
- 2. The internal layout of the development should be designed in accordance with Designing Streets and Quality Audits will be required. Note that Designing Streets states that a Stage 2 Quality Audit should be provided as part of the detailed planning application;*
- 3. The applicant should ensure that the access road and associated car parking is sufficiently large, and of a shape, to accommodate a turning area suitable for any vehicles which are likely to use it so that vehicles can enter and exit the site in a forward gear;*
- 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;*
- 5. A draft Travel Plan and Management Agreement to be submitted to the Head of Transport for approval prior to first occupation and a final Travel Plan within 12 months of that date. It is expected that the Travel Plan will make provision towards a financial contribution. This is expected to form part of the public and sustainable transport information pack made available to initial residents in order to help embed public transport habits and encourage modal shift;*
- 6. Refuse storage facilities should be within 30 metres of an area which can be accessed by a refuse removal vehicle;*
- 7. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of Head of Transport. This is to ensure there is no discharge of water onto the public road network;*

8. Any works affecting the existing carriageway/footway on Ravelston Dykes Road must be carried out in accordance with "Development Roads - Guidelines and Specification". See pages 5, 15 & 16 of http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders Consent should not be issued until the applicant has entered into a suitable legal agreement to provide:-

1. In accordance with LTS policy TravPlan3 it is requested that the developer is conditioned, or required by legal agreement (as considered appropriate) to provide every new resident with a Welcome Pack, containing a high quality map of the neighbourhood, showing cycling, walking and public transport routes to key local facilities, plus timetables for local buses. Each welcome pack should also include at least a month's bus vouchers for each new household. The welcome pack to be agreed in writing with the Head of Transport prior to the first occupation of any property in the development.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning the above planning application for the erection of three dwelling houses together with associated landscaping and infrastructure works.

The site occupies an historic 18th/19th century quarry situated to the NW of the late Georgian House of Ravelston. The current Georgian (now occupied by Mary Erskine's School) is the last of a series of estate centres dating back to the medieval period with the site first recorded in the 14th century. The application site lies within the historic former grounds of this estate and as such occurs within an area of archaeological potential.

As the development is contained within the footprint of the former quarry no significant buried remains will be affected and as such there are no known archaeological implications upon this application.

Environmental Services

I refer to the following detailed report that was prepared for AMA (New Town) Ltd and supplied to ourselves for review in relation to the material planning/development consideration that pertains to land contamination and remediation:

Land at Ravelston Quarry, Edinburgh: Overarching Geo-Environmental Risk Assessment & Remediation Strategy: LK Consult: April 2015: Reference LKC 15 1018

I am able to confirm that the updated risk assessments and Remediation Strategy enclosed (Section 6) are generally considered to be acceptable and meet to our standards of approval. The remediation strategy is therefore considered to represent a feasible plan to deliver the site in a condition that would be suitable for the proposed use in view of the level of risks identified in the report. Nevertheless, this position is firmly based upon the information supplied in the report on behalf of the applicant.

It should be noted that a satisfactory verification report would be necessary to provide a full and detailed account of the installation of the approved remediation measures, and to empirically demonstrate that they have been completed to the specifications stated in Section 6.0 of the report. This Department would advise for the following condition to be applied to any potential future consent to ensure this requirement is eventually satisfied:

1. *Prior to completion and future occupation of the development:*

Remedial and Protective Measures must be implemented in accordance with Section 6 of the 'Geo-environmental Risk Assessment and Remediation Strategy': LK Consult: Reference LKC 15 1018: April 2015; and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning and Building Standards.

With reference to Section 6.4 of the Remediation Strategy (April 2015) report: Soil Capping Layer to Residential and Garden Areas:

It is important to note that with reference to proposed criteria in Section 4.2 for the chemical validation of topsoil and subsoil to be placed in the capping layers, that criteria will be required to be revised and/or developed according to appropriate and defensible minimal risk toxicological thresholds and acceptability confirmed with this Department. Remedial/validation targets for capping layers should therefore be approved prior to soil testing and placement. Unfortunately we are unable to accept the use of the criteria proposed, including those developed under the CS4 screening Level Project, until further confirmation is received from the Scottish Government in relation to their applicability for use within land quality assessment under the Development Management Process.

Scottish Badgers

Thank you for the opportunity to comment on this application.

I revisited this site on 17th June 2015 and found that the use of the area by badgers is much as it was at the time of the last planning application in 2008.

There is an active main sett in Ravelston Woods. Other main setts are located on Corstorphine Hill to the west and along the railway walkway at Craigleith to the east. Badgers defend a territory around their setts and need access to areas productive of their main food- earthworms. The area nearest to a sett is particularly important for foraging and therefore the proposed development site is a very significant food and water source for the social group although they also forage on the nearby golf course, playing fields and gardens.

In 2003 to 2005 Ravelston Dykes Quarry and surrounding area was studied by students writing dissertations based on the activities of badgers. They found territorial marking on boundaries with both the social groups on Corstorphine Hill and those at Craigleith. This indicates that this area of Edinburgh has a high badger population density with food resources likely to be fully exploited. The Ravelston Dykes Quarry area itself was much used by badgers for foraging for food and water and as a regular route to Corstorphine Hill through the garden of the cottages adjoining the northern boundary of the site, numbers 5, 7 & 9 Ravelston Dykes Road.

There are other minor active setts to consider.

For this reason if planning consent is granted, and a sett will be within 30 metres of construction work, it therefore required to obtain a disturbance licence. The route of the public foot path should be diverted as far away from the sett as possible.

It is quite usual for badger setts to be periodically occupied by other animals so monitoring setts nearer the time of construction would indicate the use at that time, however as occupation can change overnight a disturbance licence is advisable.

An SNH licence is normally required for any development within 30 metres of setts and this sett is likely to be within this distance of construction of the public path and work would therefore also require a licence. The path should be routed to avoid this sett.

It is important that a Mitigation Plan describing how badgers and their setts are to be protected during construction be submitted to ensure an offence under the Protection of Badgers Act 1992 is avoided. Safeguards and timing of construction should adhere to SNH criteria described in their booklet 'Badgers and Development'.

Fencing should be designed and sited to allow badgers to continue to use their south/north runs from Pottery Sett to cottage garden along the west side of the site and to the pond and park to the north via the east side. This can easily be achieved by leaving a 9-inch gap at ground level under any fences that cross the badgers' lines of travel.

Incidentally, as on my visits during previous summers I was impressed by the variety of plant species growing in the quarry and a Botanical expert identified a few Northern Marsh Orchid and more than one hundred Common Spotted Orchids in one part of the site making this the largest Orchid site remaining in Edinburgh.

Parks and Green Space

With regard to Ravelston Dykes Quarry(RDQ), Ravelston Dykes Road 15/02354/FUL the following reflects our departments understanding of what we are taking on and what we are expecting in terms of a contribution:

1. Ownership

As shown in map reference ARQ(PL)005A we will take ownership of the strip of land that lies to the northwest of plot 1 and the areas that lies to the west of plot 2 and 3 which does not include any rock faces but does include areas of woodland.

For future responsibility of boundaries the following applies:

- The properties that we will be potentially sharing a boundary with e.g. 7,9 Ravelston Dykes Road they should have full responsibility but failing that then 50/50. NB No separate private access onto the site will be permitted therefore no garden gates etc.*
- Plot 1,2 & 3 have full responsibilities for their boundary fences and they are to be built in line with planning conditions with no separate private access onto the site other than the agreed driveway*
- We would assume responsibility for the wall that runs along Ravelston Dykes Road for the new area that we would have ownership*

We require to retain vehicle access rights from Ravelston Dykes Road in order to carry out essential maintenance and tree works when required. However, ownership and maintenance for the driveway and entrance area does not lie with CEC.

2. Standards

Boundaries

-Following the realignment of boundaries all redundant fences are to be removed and disposed off site at the cost to the present owners of RDQ.

-A condition wall survey to be carried out with any works identified being carried out so that CEC receive walls that are in good, sound condition.

- If any upgrading or change to the specification is sought for the fence line on the northeast and south sections of the site boundary then this would be at the cost of the developers or new owners not CEC. CEC is not responsible for the security of the development site or new properties.

-The site should be clear of litter, fly-tipping and building material and be free of contamination.

3. Trees

-Prior to taking ownership a full tree condition survey is carried out by a qualified Arboriculturalist and any defects, diseased and unsafe trees are dealt with before CEC takes ownership.

4. Paths

As shown on the map there will be two new paths which will lead west from Ravelston Dykes Road to the corner of Ravelston Park with the other leading south to the Local Nature Reserve (LNR)

-Paths should be built as per industry standard, they should be aggregate with a grey whin dust topping with appropriate drainage and approximately 1.8m wide where possible. It is recommended that the principles and techniques contained within the Lowland Paths Guide- A guide to good practice to planning, design, construction and maintenance are followed.

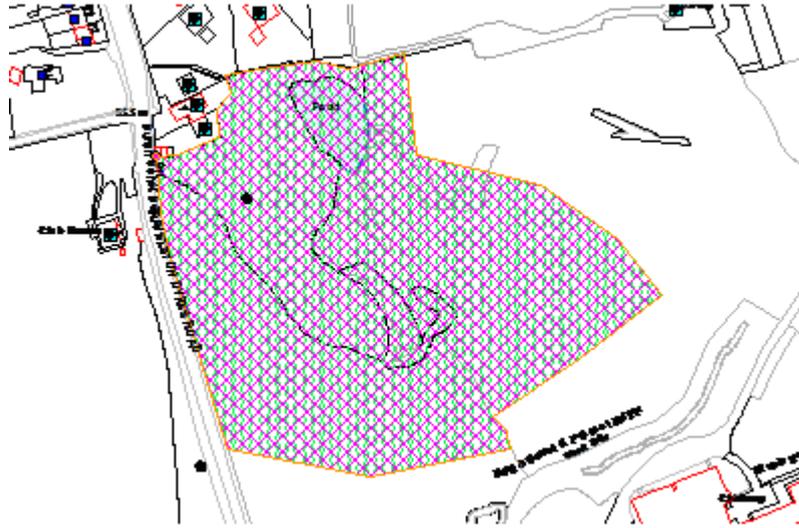
-The proposed path that leads from the entrance towards the south should not stop at the boundary but should be extended to run parallel to the south boundary on the existing LNR land until it joins to the network path within the LNR therefore directing public away from the badger setts. (approximately 120m extra path length)

-Directional signage should be installed at path entrances as agreed with the Natural Heritage Service

5. Commuted sum

-The commuted sum will be £75,000 with all other costs to be met by the developer.

Location Plan



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

END