

Development Management Sub Committee

Wednesday 8 June 2016

Application for Planning Permission in Principle 15/02905/PPP

At Land 146 Metres East Of 143, Drum Street, Edinburgh Planning Permission in Principle for Residential Development and Associated Works

Item number	7.2
Report number	
Wards	A16 - Liberton/Gilmerton

Summary

This application is to be determined in accordance with the development plan (SESplan (SDP) and the Edinburgh City Local Plan (ECLP)) unless material considerations including Scottish Planning Policy (SPP) and the Second Proposed Local Development Plan (LDP) indicate otherwise. As the ECLP is more than five years old, the presumption in favour of development that contributes to sustainable development is a significant material consideration, as set out in SPP.

Both the SPP and the SDP require the Council to maintain a five-year effective housing land supply. This report explains how this requirement is currently being met. Notwithstanding this, the proposal does not satisfy the criteria stipulated in SDP Policy 7 and is not suitable for housing development.

The site was not identified as a housing site as part of the preparation of the LDP, and has been retained within the green belt. In addition, it has been designated as a candidate Special Landscape Area.

Policy Env 10 of the ECLP identifies a number of uses and developments that may be permitted within the green belt. However, the proposal is not of a kind permitted by the exceptions set out in the policy. The LDP continues the green belt designation, and its Policy Env 10 also presumes against development of the kind proposed.

Overall, the proposed development is not consistent with green belt objectives and the site is not a suitable location for housing. Developing a green belt site with low density housing is an inefficient use of land and does not contribute to sustainable development. In addition, the level of mitigation required to ensure that the proposal would not impact on the Designed Landscape or candidate Special Landscape Area will result in a housing development that is poorly integrated with other nearby developments.

Therefore, taking all considerations into account, the proposed development is unacceptable and it is recommended that this application is refused.

Links

<u>Policies and guidance for this application</u>	PLDP51, NSG, NSGCGB, SDP, SDP07, LPC, CITE7, CITE9, CITE10, CITE12, CITE15, CITE16, CITE17, CITE18, CITH1, CITCO2, LDPP, PLDP25, PLDP27, PLDP28, PLDP30, PLDP34, PLDP39, PLDP40,
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Report

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Recommendations

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

Background

2.1 Site description

The development site, covering an area of 6.26 hectares, lies to the south east of Edinburgh and is currently in agricultural use. The site is situated to the north of Drum Street/Gilmerton Road (A772) and is bound by trees on all sides.

To the north and east of the site is the Drum Estate which forms a Designed Landscape Inventory Site. To the north-west and south-west are new housing proposals HSG25 and HSG 24, as designated in the LDP. To the south of the site, across the A772, are industrial uses including a plant hire business and a transfer station. The site is bound to the south-east by a disused railway line that is safeguarded under the ECLP and LDP for a cycleway or potential public transport route.

2.2 Site History

No relevant planning history.

Neighbouring Sites

The Drum

13 August 2015 - Application for planning permission in principle for residential development and associated works minded to grant pending the conclusion of a legal agreement (ref: 14/01238/PPP).

Gilmerton Station Road

30 April 2014 - Planning permission in principle application submitted for residentially-led mixed-use development including primary school, commercial/community uses, open spaces, access parking and landscaping on land 292 metres west of 10 Gilmerton Station Road is currently pending consideration (ref: 14/01648/PPP).

17 June 2015 - Planning permission granted on appeal, subject to conditions and completion of planning obligation (DPEA ref: PPA-230-2137) for residentially-led mixed-use development including primary school, commercial/community uses, open space, access, car parking and landscaping on land 292 metres west of 10 Gilmerton Station Road (CEC ref: 14/01649/PPP).

Main report

3.1 Description of the Proposal

The application is for planning permission in principle for a proposed residential development and associated works. The application is accompanied by a conceptual layout plan showing the potential location of the proposed housing along with new tree planting, open space and a sustainable urban drainage system (SUDS). The application states that the site can accommodate approximately 100 new homes, and it is intended that 25% of these will be affordable.

Vehicular access will be taken from Drum Street via a new arm created on the existing roundabout, opposite Gilmerton Station Road. The conceptual plan also shows links into the site from the safeguarded footway/cycleway that bounds the south-east edge of the site.

Supporting Documents

An Environmental Statement has been submitted which includes a landscape and visual impact assessment and covers issues of ecology, cultural heritage, ground conditions, transport, noise and air quality.

Further supporting statements were submitted including:

- Pre-Application Consultation Report;
- Planning Statement;
- Design Statement;
- Conservation Plan;
- Landscape and Visual Impact Assessment;
- Review of Candidate Special Land;
- Archaeology Report;
- Ecology Report;
- Transport Assessment;
- Stage 1 Road Safety Audit;
- Air Quality Assessment;
- Site Investigation Report;
- Tree Survey; and
- Drainage Impact Flood Risk Assessment.

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

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 proposed development is acceptable;
- b) There is an effective housing land supply;
- c) The proposal meets the criteria of SDP Policy 7;
- d) The proposal raises any issues in terms of the green belt and local landscape character;
- e) The proposal raises issues in terms of traffic or roads infrastructure;
- f) The proposal raises issues in terms of air quality;
- g) The proposal raises any issues in terms of flooding and drainage, ground stability or contamination;
- h) The proposal provides sufficient residential amenity for the occupiers of the development;
- i) The proposal preserves or enhances the historic environment and designed landscape;
- j) The proposal will affect local biodiversity;
- k) The proposal is acceptable in respect of education infrastructure, affordable housing provision or other local services;
- l) The proposal meets sustainability criteria;
- m) Any impacts on equalities or human rights are acceptable; and
- n) Comments raised have been addressed.

a) Principle

The Development Plan

The development plan for the area comprises the approved Strategic Development Plan for South East Scotland (SESplan) (June 2013), including Supplementary Guidance on Housing Land (2014) and the adopted Edinburgh City Local Plan (ECLP) (January 2010). In this instance, other material considerations include the emerging Edinburgh Local Development Plan and Scottish Planning Policy.

Strategic Development Plan (SDP 2013) (SESplan)

Policy 1A outlines the spatial strategy for the Strategic Development Plan (SDP) including the identification of 13 Strategic Development Areas. The application site sits within south-east Edinburgh, which is identified as a Strategic Development Area.

The SDP requires LDPs to define a green belt around Edinburgh for a number of stated purposes. Several areas of significance to the Edinburgh Green Belt lie within the South-East Edinburgh SDA, and SDP Policy 1A requires LDPs to take account of such environmental constraints. This site lies with the green belt as defined in the LDP and the implications of this are assessed in Section 3.3(d).

SDP Policy 6 requires each planning authority in the SESplan area to maintain five years' effective housing land supply at all times. SDP Policy 7 indicates that in order to maintain a five year effective housing land supply, greenfield housing proposals may be allocated in LDPs or granted planning permission subject to identified criteria.

This site is not allocated for housing in the LDP, but the proposal could accord with the SDP if required to maintain a five year effective supply and the criteria set out in Policy 7 are met.

SDP Supplementary Guidance: Housing Land, November 2014

SDP Policy 5 required the preparation of the supplementary guidance (SG) to set out the level at which housing land requirements should be met in each local authority area based on an analysis of opportunities and of infrastructure and environmental capacities and constraints. This SG was approved in November 2014.

The SG (Table 3.1) requires land in the City of Edinburgh for the development of 22,300 houses in the period 2009-2019 and a further 7,210 houses in the period 2019-2024. Table 3.2 requires the identification of land for 2,950 houses in the South East Edinburgh SDA, 2,500 of which are to be in the City of Edinburgh.

Edinburgh City Local Plan

Until the LDP is adopted, the Edinburgh City Local Plan (ECLP) forms part of the development plan. The site lies within the green belt as defined in the ECLP and therefore policy Env 10 is relevant to the assessment of the proposal. This is considered in section 3.3d of the assessment.

Scottish Planning Policy

The ECLP was adopted more than five years ago and as a result, Scottish Planning Policy states that a presumption in favour of development that contributes to sustainable development will be a significant material consideration. Para 29 of SPP sets out a number of principles to be taken into account, including giving due weight to net economic benefit;

- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure, including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing;
- supporting delivery of infrastructure, e.g. transport, education, energy, digital and water;
- having regard to the principles for sustainable land use set out in the Land Use Strategy; and
- protecting, enhancing and promoting access to cultural heritage, including the historic environment; and protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.

It is acknowledged that the development of the site for residential purposes could make a small contribution to the city's economy and housing land supply. However, these benefits are not outweighed by impact on green belt objectives and other considerations as assessed in section 3.3 (d).

Second Proposed Edinburgh Local Development Plan (LDP)

The Second Proposed Local Development Plan (LDP), and the Council's response to representations made to the LDP were approved by the Planning Committee in May 2015 and submitted to Scottish Ministers for Examination. The Second Proposed LDP allocates land to meet strategic housing land requirements described in the SDP Supplementary Guidance on Housing Land. This land, which is sufficient to meet those needs, does not include the application site.

The methodology for selecting housing sites through the LDP is set out in the Environmental Report Second Revision, June 2014 (ER). This site was assessed and considered as a "reasonable alternative" in early stages of the preparation of the LDP. However, for the reasons set out on page 87 of Volume 2 of the ER, the site was not included as an LDP housing proposal.

Representations to the LDP include one on behalf of the applicant promoting the site for residential development. However, this was not supported by the Council.

The examination Reporter will come to a view on how best to take forward development in South-East Edinburgh, taking account of all the representations, including the Council's response to the LDP process. This will include a recommendation on whether or not this site should be identified as a housing proposal. It is anticipated that the examination report will be published at the end of June 2016.

In summary, the LDP allocates sufficient land to meet the land supply set out in the SDP and the SG. This site has been assessed through this process and is not currently identified as an LDP housing site.

b) Housing Land Supply

SDP Policy 6 and Scottish Planning Policy require the Council to maintain a five year effective housing land supply. A report to the Planning Committee on 3 December 2015 on the CEC Housing Land Audit 2015 concluded that the City of Edinburgh does not have an effective 5 year housing land supply based on the current calculation method. However, the Council is of the view that a revised approach to calculating effective supply should be applied, focused on land availability rather than solely on the programming of house building.

Within the Council's area, there is land with planning support (allocated in plans and/or with planning permission) and free of planning constraints (except marketability) for around 30,000 homes. This includes the sites in the Second Proposed LDP but not the application site. This compares with a housing land requirement for the period 2009 to 2024 of just over 20,000 units, net of completions since 2009. This large amount of 'effective' housing land is varied in type, size and location. It includes brownfield and greenfield sites and is spread over a range of locations and different tenures and formats of housing.

The five-year effective land supply is defined as the expected number of completions on all effective sites over the following five-year period. As such, the contribution to the effective land supply of a particular site is dictated, to a large extent, by the marketing strategy of the developer. A site may be completely clear of any form of planning or physical constraint but if, for marketing or other reasons, a developer intends to limit the pace of development, only a fraction of the site contributes to the effective supply.

Expected completions will drop (or increase) in reaction to market forces. Assessing the extent of the effective land supply purely on expected completions takes no account of shifts in the economy and market demand. If demand drops, completion rates will decrease lowering the supply of effective land. This then has the seeming contradictory effect of requiring additional land to be identified and allocated.

Table 1 of the Housing Land Audit 2015 report calculates the housing land requirement for the five year period 2015 to 2020 as 14,476 units. Although programmed output over this period is only 9,753 units, the audit shows that there is capacity on land free of all planning constraints for 21,183 units. There is, therefore, a more than sufficient supply of effective land to meet the five year requirement.

Assessing the adequacy of the effective land supply using lower levels of completions, based on developer-programmed completions achieved during and emerging from a recession, artificially reduces the perceived supply and increases the scale of additional housing land required. Where there is high availability of unconstrained housing land and completions are driven primarily by wider economic and market factors, the response of releasing additional land is considered inappropriate.

The Council's approach to the calculation of its five year housing land supply has not always been supported in recent appeal decisions. The position set out above reflects the need to meet housing land requirements for the two separate SDP periods (2009 - 2019 and 2019 - 2024) which takes account of the outcome of the recent appeals in Balerno and South East Edinburgh. A revised approach is supported by the SESplan Joint Committee which at its meeting on 14 December 2015, noted "the difficulty in maintaining the 5-year effective supply in Edinburgh is not related to a shortage of unconstrained land in that area". The Scottish Government's Draft Planning Delivery Advice on Housing and Infrastructure (February 2016) is also generally compatible with a revised approach to calculating the five year effective housing land supply.

Based on the Housing Land Audit 2015 and a revised method of calculation, there is an effective five year housing land supply in City Of Edinburgh. On this basis, the requirements of SPP and SDP Policy 6: Housing Land Flexibility are met.

As there is an effective five year housing supply, it is not necessary to consider this application in terms of SDP Policy 7. However given the outcome of previous appeal decisions in terms of Edinburgh's five year effective supply and the draft status of government advice, an assessment against this policy has been undertaken and is set out in section 3.3c). The application has also already been assessed in terms of the sustainable principles set out in SPP because the ECLP is more than five years old.

c) SDP Policy 7 - Maintaining a Five Year Housing Land Supply

SDP Policy 7 (Maintaining a Five Year Housing Land Supply) states that greenfield housing proposals may be granted planning permission to maintain a five year effective housing land supply subject to the following three criteria being satisfied:

- a) Development will be in keeping with the character of the settlement and local area;
- b) Development will not undermine green belt objectives; and
- c) Additional infrastructure required as a result of the development is either committed or to be funded by the developer.

This site was not identified as an LDP housing site because the level of mitigation required to ensure that the development would not impact on the Drum Designed Landscape would reduce the capacity of the site and prevent its physical integration with the existing and proposed developments to north and west. The LDP greenfield housing proposals are generally based on a density of 25 - 35 houses per hectare. This application is for 100 houses (potentially less to accommodate landscape mitigation measures) which equates to 16 houses per hectare across the whole 6.26 hectare site. This proposal will result in a low capacity, low density, well contained enclave of development, separated from the edge of the city by open space and woodland. The development is not in keeping with the character of the urban area and therefore does not meet criterion a).

Section 3.3 (d) of this report concludes that the development will undermine green belt objectives and therefore criterion b) is not met.

Sections 3.3 (e) and (k) of this report indicate that the proposal may satisfy criterion c). However, the details of necessary developer contributions have not been agreed.

In conclusion, this proposal does not accord with SDP policy 7. Therefore, even if there was a requirement to find additional land to maintain a five-year effective supply, the site is not suitable.

d) Green Belt and Local Landscape

Policy 12 (Green Belts) of the SDP requires that the relevant Local Development Plans define and maintain a green belt around Edinburgh. Paragraph 130 of the SDP further states that in preparing Local Development Plans, authorities should seek to minimise the loss of land from the green belt and effort should be made to minimise the impact on green belt objectives and secure long term boundaries.

In line with SDP requirements, the site is designated as green belt in both the ECLP and the LDP. In addition, the LDP designates the site as a candidate Special Landscape Area, a local designation that seeks to safeguard and enhance the character and quality of valued landscapes across the Council area.

Criterion a) of SDP Policy 12 seeks to maintain the identity and character of Edinburgh and its neighbouring towns, and prevent coalescence, unless otherwise justified by the Local Development Plan settlement strategy.

The current proposal affects a site that is subject to protection by green belt policy objectives, which emphasise its value as an established green belt boundary as well as its contribution to the rural character and seclusion of the area. These characteristics and the site's strong visual relationship with the Designed Landscape form part of the landscape setting at this entrance to the city.

The proposal would not result in the coalescence of settlements. However, the development of the site for housing would undermine the character of this part of the city when approaching from the south.

Criterion b) of Policy 12 states that one of the purposes of the defined Edinburgh Green Belt is to 'direct planned growth to the most appropriate locations and support regeneration'. The site was assessed as part of the preparation of the LDP's Environmental Report and, despite being within the South-East Edinburgh SDA, was not considered to be an appropriate site for housing development. Consequently, the site was retained within the green belt. The development of this greenfield site does not constitute planned growth and does not support regeneration. Therefore, the proposal does not meet this objective.

The objective of criterion c) is to maintain the landscape setting of settlements.

The site is located to the south-east and east of new housing proposals HSG 25 and HSG 24. These sites were both previously located in the green belt but have been designated as housing proposals in the LDP. To the south-east of HSG 24, where it faces the site, is a sloped embankment with existing mature trees and other vegetation. The proposed development of the HSG24 site includes the retention of this landscape structure with additional woodland species to be introduced to create screening and containment. This additional screening, along with the small paddock and the Drum estate's west drive, will form a logical and defensible new green belt boundary at this location that will provide a clear demarcation between town and country.

A Landscape and Visual Impact Assessment has been submitted in support of the development. The assessment concludes that by containing development away from the north-east of the site and creating a line of trees and a small paddock, this area will contribute positively to the protection and enhancement of the Designed Landscape and the candidate Special Landscape Area. The Conservation Plan supporting the application also suggests that development is focused away from the north-east of the site, while also recommending that any buildings do not exceed two storeys in height.

The visual impacts of the development on the designed landscape could be mitigated to some extent through a combination of existing and supplementary tree planting. However, at present the western edge of the site is bound by a row of occasional trees allowing views across the open farmland to the mature trees of the Designed Landscape. Were housing development to be allowed on the site, this open setting would be lost, fundamentally changing the views toward the Designed Landscape and candidate Special Landscape Area from the south and west approaches to the city.

As a result, developing this area for housing cannot be considered to maintain the landscape setting of this part of the city.

Criterion d) states that green belts should 'provide opportunities for access to open space and the countryside'. The area is currently open countryside and access is limited due to its use for crop growing. The indicative plan in support of the proposal shows an area of open space along the north-east section of the site that would be accessible to the public.

The effect of the proposed development is not consistent with green belt objectives. The provision of an area of open space within the development does not outweigh the detrimental impact it would have on the green belt and candidate Special Landscape Area. Therefore, the proposal does not contribute to sustainable development.

In terms of the ECLP and LDP, Policy Env 10 of the ECLP identifies a number of uses and developments that may be permitted within the green belt. However, the proposal is not of a kind permitted by the exceptions set out in the policy. The LDP continues the green belt designation, and its Policy Env 10 also presumes against development of the kind proposed.

Overall, the site is not a suitable location for housing. The proposal to develop a green belt site with a low density housing development (when compared to LDP sites) is an inefficient use of land and does not contribute to sustainable development. In addition, the level of mitigation required to ensure that the proposal does not impact on the Designed Landscape or candidate Special Landscape Area will result in a housing development poorly integrated with other nearby developments.

e) Traffic and Road Safety

The proposal includes creating a new access onto Drum Street/Gilmerton Road at the existing roundabout opposite Gilmerton Station Road. The additional traffic associated with the development will have an impact on the operation of local roads. However, this impact can be mitigated through the introduction of new traffic signals and the upgrading of existing cycle/pedestrian routes, bus stops and road junctions.

Should planning permission be granted a legal agreement will be required to provide, construct or contribute to:

- Gilmerton Road/Gilmerton Station Road traffic signals;
- cycle / pedestrian route off-carriageway on Drum Street;
- cycle / pedestrian links to the disused rail line to the south of the site;
- upgrade bus stops and enhance peak hour bus capacity on Gilmerton Road; and
- reconfiguration of junction with access and parking strategy for Drum Street to alleviate congestion caused by parked cars close to the junction;

The site is approximately 350 metres from the local centre at Gilmerton, which is within the recommended distance of 400 metres that is considered 'walkable' in Designing Streets. The site also has good accessibility to public transport with bus stops providing north and southbound services within 60 metres of the entrance.

Any impacts on local roads arising as a result of the development can be mitigated. Subject to the mitigation identified, the proposal is acceptable in terms of traffic and roads infrastructure.

f) Air Quality

Environmental Assessment has raised concerns regarding developments in this area and in particular regarding cumulative air quality impacts if all of the potential housing sites are fully developed.

Environmental Assessment is concerned that when the area is developed out in full (in accordance with the LDP), this will put pressure on the existing road network and increase the likelihood of congestion. Any additional developments will add to this pressure and, if unmitigated, could further increase congestion to the detriment of local air quality.

The applicant has submitted an Air Quality Impact Assessment in support of the development, which has taken into account two committed development proposals (the Drum (HSG25) and Gilmerton Station Road (HSG 24)) and their predicted vehicle trips. The assessment also contains modelling which was undertaken in order to quantify pollutant concentrations across the site and predict air quality impacts as a result of emissions associated with traffic generated by the development. From the information provided, exceedances of the relevant air quality objectives were not predicted at any location across the development. Predicted impacts on nitrogen dioxide and particulate matter concentrations were predicted to be negligible within the vicinity of the site.

Despite this information, Environmental Assessment continues to recommend that the application is refused due to adverse impacts on local air quality. However, there is no quantifiable evidence to support this assertion and, as a result, there is no justification to recommend refusal of the application on this basis.

g) Drainage and Flooding, Ground Stability and Contamination

Drainage and Flooding

In terms of drainage and flooding, the proposed development is not located within close proximity to any watercourse and is therefore not considered to be at fluvial flood risk.

The SEPA pluvial flood map shows a small area of ponding water within the proposed development boundary. The indicative plan shows that this area will be next to the location of a SUDS pond. If permission is granted, provision should be made to show how the proposed development is protected from pluvial flooding, including a robust drainage strategy.

The Drainage Impact Assessment notes that there is a potential flood risk from the foul and surface water sewers running along the verge at Drum Street and has recommended that overland flow routing through the site is provided and that landscaping is used to intercept any exceedance flows from the manholes to divert water away from properties. SEPA supports these proposals and would also recommend that, where feasible, floor levels are raised above ground levels and further landscaping is implemented to ensure water entering the site does not pond against properties.

SEPA has further advised that some areas of medium to high risk of surface water flooding are adjacent to the site. It is recommended that mitigation measures are considered, should there be a risk of water from adjacent higher ground entering the site.

The information provided in terms of drainage and flooding is satisfactory at this stage. Issues of flood risk and drainage have been adequately addressed and there is no risk to the site or surrounding areas of pluvial or fluvial flooding if appropriate conditions are attached.

Ground Stability and Contamination

The Coal Authority has reviewed the proposals in terms of ground stability and confirmed that the application site falls within the defined Development High Risk Area. Therefore, within the application site and surrounding area there are coal mining features and hazards which need to be considered.

Coal Authority records indicate that underground mining has taken place at shallow depth beneath the site and that further unrecorded underground coal mining is likely to have taken place at shallow depth. The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site and this information has been used to inform a Phase 1 Desk Study Report (June 2015), which accompanies the application.

Based on this review of existing mining information, the report concludes that past mining activities associated with several shallow coal seams represent a risk to the mineral stability of the site.

Accordingly, the report recommends that further intrusive ground investigations in the form of the drilling of boreholes are undertaken. These investigations would enable ground conditions to be ascertained and would establish the presence or otherwise of mine workings. The Report also recommends that a programme of gas monitoring is undertaken to assess whether mine gas is present.

The applicant should ensure that the exact form of any intrusive site investigation, including the number, location and depth of boreholes, is agreed with The Coal Authority's Permitting Team as part of their permit application. The findings of these intrusive site investigations should inform any mitigation measures, such as drilling and grouting stabilisation works, foundations solutions and gas protection measures, which may be required in order to remediate mining legacy affecting the site and to ensure the safety and stability of the proposed development.

The Coal Authority recommends that a suitable condition should be imposed, if planning permission is granted, requiring these site investigation works prior to the commencement of development.

In terms of contaminated land, the applicant has submitted site investigation information. Environmental Assessment recommends that if permission is granted, a condition is attached to ensure that contaminated land is fully addressed.

Therefore, if permission is granted, suitable conditions or informatives are required in order to address ground stability and contamination.

h) Amenity of Future Occupiers

An indicative layout plan has been submitted in support of the application. However, this application is for planning permission in principle and all details including scale, design and layout will be assessed through further applications.

A detailed breakdown of housing mix has not been provided, but the submitted information indicates that a number of larger dwellings would be provided, which, depending on the final detail, would meet the expectations of at least 20% being three bedrooms or above as set out in the Edinburgh Design Guidance.

The Noise Impact Assessment submitted in support of the application advises that the site has the potential to be adversely affected by noise from road traffic and from the scaffolding depot to the south-east. The assessment recommends a number of mitigation measures to protect future residents from noise. However, the noise predictions in the assessment are based on an indicative layout of the site. The layout of any development will be agreed at the detailed application stage. If necessary, a further noise assessment may be required at that stage to ensure that residential amenity will be protected.

i) Historic Environment

Archaeology

The application site is considered to have archaeological potential in terms of understanding the development of the Drum Estate. The development of the site is considered to have a low-moderate impact on buried remains and a moderate impact on the adjacent Inventory Landscape.

Given the potential for significant archaeological remains, relating to the site's medieval and prehistoric past, it is essential that a programme of archaeological works is undertaken prior to development in order to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains. Accordingly, a condition to this effect is recommended should the Committee be minded to grant planning permission for the proposal.

Designed Landscape

The Drum House and Designed Landscape lie immediately to the north and east of the site. Historic Environment Scotland has advised that with adequate and appropriate mitigation, some housing development could be accommodated without significant adverse impact on the setting of the Designed Landscape. It has further commented that any development would need to be of a low density, carefully sited (clearly focused on the south east area of the site) and mitigated through the use of planted buffering. The successful mitigation of the Designed Landscape site from adverse impacts, may well result in less than the 100 indicative housing unit numbers anticipated for this site.

j) Biodiversity

The Ecology report submitted in support of the application concluded that there are no bat roosts on site.

The report identifies active outlier badger setts within 5 metres of the site. If development is to take place within 30 metres of these setts, then a licence will be required.

The report also identified breeding birds on the site. Therefore, any clearance of vegetation should take place outwith the bird breeding season (March to August inclusive).

Overall, the proposal is in accordance with ECLP policy Env 15 and Env 16.

The report recommends the preparation of a Habitat and Landscape Management Plan and therefore, in accordance with ECLP policy Des 3(i) - biodiversity, any full application forthcoming should include a detailed Landscape and Habitat Management.

At this stage, the impacts of the proposal on biodiversity and ecology are acceptable.

k) Infrastructure Issues

Affordable Housing

As this application is proposing a development of approximately 100 units, 25% of the units will require to be approved affordable housing tenures in line with ECLP policy Hou 7. Should the Committee be minded to approve this application, it is recommended that the developer be required to enter into a suitable legal agreement to secure the delivery of the affordable homes.

Education

The education actions required to mitigate the impact of planned and anticipated housing development, including school land safeguards, have been established on a city-wide contribution zone basis. This requirement is set out in the Developer Contributions and Affordable Housing Guidance (December 2015). The site lies within the Liberton/Gilmerton Contribution Zone.

A standard contribution towards the delivery of the new education infrastructure in the Zone has been established and is applicable to new housing developments where appropriate.

Communities and Families has advised that this site does not form part of the assumed baseline capacity for the Zone, so an assessment of the site under Section E of the guidance has been carried out. The assessment has assumed a development of 100 houses. To accommodate the additional pupils from this development site, the new school at Gilmerton Station Road would have to have 9 classes and capacity for an extra 20 secondary school pupils would have to be provided. The other actions for the Zone would still be required.

In this instance, payment of the standard contribution for this Zone is required. In this area the contribution per house figure for education infrastructure, land remediation and servicing is £21,278.88 (to be index linked based on the increase in the BCIS All-in Tender Price Index from Q1 2015 to the date of payment). The cost per flat is £4,419.03 (also to be index linked). In addition, the contribution per house figure for land purchase is £3,177.97 and £733.38 per flat.

The applicant is aware of the required contributions. However, discussions on this matter are still ongoing and agreement has not yet been reached on the specific education contributions associated with this application.

Local Services

Concern has been raised that increasing pressure will be placed on local services including leisure facilities and healthcare. Growing demand for such services may enable operators to remain in the area and to plan for expansion. The NHS would be responsible for identifying areas where healthcare facilities would be provided.

Extra demand for these types of services would not merit a reason for refusal.

l) Sustainability

The proposals are not at the detailed stage in terms of building design and consequently a sustainability form has not been submitted. Sustainability measures will require further consideration when a detailed application comes forward. Should Committee be minded to grant permission, a condition would be recommended to ensure sustainability measures are considered at the detailed design stage.

m) Equalities and Human Rights

A range of living accommodation will require to be provided that will support different users. The site is accessible for people with mobility issues. The proposal will be required to include an element of affordable housing to assist those who cannot access traditional housing markets. The proposal will have a positive impact in respect of equalities.

There will be no impact on human rights.

n) Public Comments

- Site is not allocated in the LDP - addressed in section 3.3(a);
- Traffic and congestion - addressed in section 3.3(e);
- Loss of green belt - addressed in section 3.3(d);
- Concerns about abandoned mines under the site - addressed in section 3.3(g);
- Lack of infrastructure to cope with the development (schools, GP surgeries, bus services) - addressed in section 3.3(k);
- Impact on air quality due to increased traffic - addressed in section 3.3(f);
- Pressure on local services from the cumulative impact of new development in the area - addressed in section 3.3(k);
- Distance from local shops and schools will encourage car use - addressed in section 3.3(e);
- Facilities and services all lie to the north of Drum Street meaning extra traffic will pass through the already congested junction - addressed in section 3.3(e); and
- Poor provision for cycling access to critical facilities - addressed in section 3.3(e).

Conclusion

This application is to be determined in accordance with the development plan (SESplan (SDP) and the Edinburgh City Local Plan (ECLP)) unless material considerations including Scottish Planning Policy (SPP) and the Second Proposed Local Development Plan (LDP) indicate otherwise. As the ECLP is more than five years old, the presumption in favour of development that contributes to sustainable development is a significant material consideration, as set out in SPP.

Both the SPP and the SDP require the Council to maintain a five-year effective housing land supply. This report explains how this requirement is currently being met. Notwithstanding this, the proposal does not satisfy the criteria stipulated in SDP Policy 7 and is not suitable for housing development.

The site was considered to be an unacceptable location for housing development as part of the preparation of the LDP, and has been retained within the green belt. In addition, it has been designated as a candidate Special Landscape Area.

Policy Env 10 of the ECLP identifies a number of uses and developments that may be permitted within the green belt. However, the proposal is not of a kind permitted by the exceptions set out in the policy. The LDP continues the green belt designation, and its Policy Env 10 also presumes against development of the kind proposed.

Overall, the proposed development is not consistent with green belt objectives and the site is not a suitable location for housing. Developing a green belt site with low density housing is an inefficient use of land and does not contribute to sustainable development. In addition, the level of mitigation required to ensure that the proposal would not impact on the Designed Landscape or candidate Special Landscape Area will result in a housing development poorly integrated with other nearby developments.

Therefore, taking all considerations into account, the proposed development is unacceptable and it is recommended that this application is refused.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to SDP Policies 7 and 12, Edinburgh City Local Plan Policy Env 10 and the Second Proposed LDP Policy Env 10 as there are no compelling reasons to override the strong policy presumption against development in the Green Belt. The housing need is being met through the new Local Development Plan and the development will undermine green belt objectives.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application has attracted four representations objecting to the application, including from the Candlemaker's Residents Association and SPOKES. The matters raised are covered in section 3.3 (n)

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**

Strategic Development Plan (June 2013)

Policy 1A outlines the spatial strategy for the SDP including the identification of 13 Strategic Development Areas of which South East Edinburgh is identified as a Strategic Development Area.

Policy 7 require a five years effective housing land supply to be maintained.

Scottish Planning Policy

SPP requires a supply of effective land for at least five years to be maintained at all times.

Finalised SDP Supplementary Guidance

The Finalised SDP sets out housing land requirements for each of the six Council areas as required by SDP policy 5.

Edinburgh City Local Plan

The site is within the Edinburgh Green Belt.

Second Proposed Local Development Plan

The site is within the Edinburgh Green Belt and the Drum Special Landscape Area.

Date registered

18 June 2015

Drawing numbers/Scheme

01,
Scheme 1

John Bury

Head of Planning & Transport
PLACE
City of Edinburgh Council

Contact: Alexander Gudgeon, Planning Officer
E-mail: alexander.gudgeon@edinburgh.gov.uk Tel: 0131 529 6126

Links-Policies

Relevant Policies:

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

Relevant Non-Statutory Guidelines

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.

Relevant Policies of the Strategic Development Plan

Policy 7 requires that a 5 year housing land supply is maintained. Sites within or outwith Strategic Development Areas may be allocated in LDPs or granted consent subject to the development; being in accord with the character of the settlement or area, not undermining green belt objectives and any additional infrastructure required is either committed or to be funded by the developer.

Relevant policies of the Edinburgh City Local Plan.

Policy Env 7 (Historic Gardens & Designed Landscapes) establishes a presumption against development that would be detrimental to Historic Gardens and Designed Landscapes.

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

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

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

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

Policy Com2 (School Contributions) sets the requirements for school contributions associated with new housing development.

Relevant policies of the Proposed Local Development Plan.

Second Proposed LDP Policy Env 7 (Historic Gardens and Designed Landscapes) protects sites included in the national Inventory of Gardens and Designed Landscapes and other historic landscape features.

Second Proposed LDP 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.

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.

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

Second Proposed LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

Second Proposed LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

Second Proposed LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

Appendix 1

Application for Planning Permission in Principle 15/02905/PPP

At Land 146 Metres East Of 143, Drum Street, Edinburgh Planning Permission in Principle for Residential Development and Associated Works.

Consultations

Archaeological Officer

Further to your consultation request I would like to make the following comments and recommendations concerning this application for Planning Permission in Principle for a residential development and associated works

The site comprises an area of improvement era (18th/early 19th century) fields situated on the SW corner and access to the nationally significant landscape for Drum House & Estate. As described in detail in the accompanying DBA by Addyman Archaeology, the estate centres on the late 16th century house constructed around 1578, though earlier medieval occupation is possible as the area is first mentioned in 1406.

Accordingly this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh City Local Plan (2010) policy ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

The site is considered to be of archaeological potential in terms of our understanding of the development of the Drum Estate with also the possibility of earlier medieval and prehistoric remains. However it is considered that development of the site would have on the whole a low-moderate archaeological impact in terms of buried remains and a moderate impact on the adjacent Inventory Landscape. It is essential therefore that prior to the submission of further detailed planning (AMC/FUL) applications and before development that a programme of archaeological works is undertaken. In essence this will see a phased archaeological mitigation strategy, the initial phase being an archaeological evaluation up to a maximum of 10% of the site linked to a programme of field walking & metal detecting. The results of which would allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains during subsequent phases of development. Furthermore if important discoveries are made during these works a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) will be required to be undertaken, the final scope to be agreed with CECAS.

Therefore it recommended that if consent is granted that the following condition is attached to ensure the undertaking of the required programme of archaeological works on this site.

'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, field walking & metal detecting reporting & analysis and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

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

Services for Communities - Environmental Assessment

The application proposes to erect around 100 residential properties with associated infrastructure on existing agricultural land. Agricultural land is situated to the north-west and north-east with an old railway embankment bounding the site to the east. Gilmerton Road bounds the site to the south-west and a scaffolding premises is situated further across Gilmerton Road in the same direction.

Local Air Quality

Environmental Assessment has raised concerns regarding developments in this area and in particular from the cumulative air quality impacts they may have if all of the potential sites are fully developed and realised.

Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation sets out the Scottish Government's core policies and principles with respect to environmental aspects of land use planning, including air quality. PAN 51 states that air quality is capable of being a material planning consideration in the following situations where the development is proposed inside, or adjacent to, an Air Quality Management Areas (AQMA):

- Large scale proposals;*
- If they are to be occupied by sensitive groups such as the elderly or young children; or,*
- If there is the potential for cumulative effects.*

The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in AQMAs or, by cumulative impacts, lead to the creation of further AQMAs in the city. These are areas where air quality standards are not being met, and for which remedial measures should therefore be taken. AQMAs have already been declared for five areas in Edinburgh, these being the city centre, St John's Road, Corstorphine, Great Junction Street in Leith, Glasgow Road (A8) at Ratho Station and Inverleith Row/Ferry Road junction. Poor air quality in these locations is largely due to traffic congestion. The Council has prepared an action

plan setting out measures intended to help reduce vehicle emissions within these areas. The Council monitors air quality in other locations and will need to declare further/extended AQMAs. Air quality monitoring has begun around some of the main junctions near this development site. This will monitor the cumulative impacts all the developments will have in the area.

Reducing the need to travel and promoting use of sustainable modes of transport are key principles underpinning the Local Development Plan Strategy. Future growth of the city based on excessive car use and dependency may have serious consequences in terms of congestion and deteriorating air quality.

It has been noted that this development is of medium density however Environmental Assessment is concerned with the level of development anticipated in the wider area as per the Local Development Plan. Environmental Assessment believe that when the area is developed out in full (in accordance to the Local Development Plan) then this will put pressure on the existing road network and increase the likelihood of congestion. Any additional developments will therefore likely add to this pressure and if unmitigated could further increase congestion to the detriment of local air quality on roads which have existing residential properties in close proximity to the kerbside. The second local development plan has this site allocated as green belt.

The applicant has submitted a supporting air quality impact assessment. It has taken into account two committed developments and the predicted vehicle trips from them. They are the Drum (HSG25) and Gilmerton Station Road (HSG 24) developments. However there are a number of developments proposed in the general area which should have been considered including:

- The 150 unit residential development (part of HSG 22) at Burdiehouse (accessed from the A701 Straiton Road).*
- The 600 unit residential development (HSG21) at Broomhills (accessed from the A701 Burdiehouse Road and the B701 Frogston Road East).*
- The 61 unit residential development (HSG23) at the Gilmerton Dykes Road (accessed from Gilmerton Dykes Road).*
- The 350/650 unit residential development (HSG24) at Gilmerton Station Road (accessed from Drum Street and Gilmerton Station Road).*
- The residential development (HSG25) at the Drum.*
- The residential development (HSG28) at the Ellen's Glen Road (accessed from Ellen's Glen Road and Malbet Wynd).*

Currently only part of the HSG 22 development at Burdiehouse is actually committed, with some dwellings actually built and occupied. Of the other major local development residential allocations only two are subject to applications for planning permission. The first is HSG23 but this did not require a Transport Assessment due to its low number of units. The second is HSG24 which was subject to two applications, one for 350 units (14/01648/PPP) and the second for 650 units (14/01649/PPP). Environmental Assessment raised no concerns with the smaller proposed development however did

not support the larger 650 unit application. Environmental Assessment recommended that the larger application site be refused due to the likely adverse impacts a development of this density may have on local air quality. The 650 unit application site is minded to grant following an appeal.

The reconfiguration of the Gilmerton Crossroads (T20) junction with access and parking strategy for Drum Street to alleviate congestion caused by parked cars close to the junction will be actioned in accordance with the Local Development Plan Second Proposed Action Programme June 2014. This proposal along with the above mentioned larger minded to grant proposals will put added pressure onto the Gilmerton Crossroads (T20) even after the reconfiguration works have been carried out.

This application's supporting air quality impact assessment has recommended that mitigation measures will be required to ensure there are not adverse impacts on neighbouring amenity from the construction phase of the proposed development. The air quality impact assessment states that the operational phase will have a negligible impact on local air quality. It is the opinion of Environmental Assessment that this proposed development site along with the other above mentioned development sites will cumulatively have an adverse impact on local air quality.

Site Investigation

Site investigation information has been provided in support of the application which is currently under consideration by this section. If the application is granted, any remaining site investigation matters can be addressed by way of a suitable condition.

Conclusion

As air quality is a material planning consideration, Environmental Assessment recommends that this application is refused. This is based on the potential for cumulative air quality impacts should this application and a number of the surrounding developments in the local environs be realised.

The Coal Authority

The Coal Authority is a non-departmental public body sponsored by the Department of Energy and Climate Change. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: Material Consideration

As you are aware, the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

You will recall that The Coal Authority previously objected to the proposal in our initial consultation response of 30 June 2015 due to the lack of a Coal Mining Risk Assessment Report, or equivalent, to identify risks posed to the proposed development by coal mining legacy.

The Coal Authority is therefore pleased to note that the applicant has now obtained appropriate and up-to-date coal mining information for the proposed development site and that this information has been used to inform a Phase 1 Desk Study Report (June 2015, prepared by Mason Evans), which now accompanies this planning application.

The Phase 1 Desk Study Report correctly identifies that the application site has been subject to past coal mining activity. In addition to the mining of moderate to deep coal seams, The Coal Authority records indicate that underground mining has taken place at shallow depth beneath the site and that further unrecorded underground coal mining is likely to have taken place at shallow depth.

The Phase 1 Desk Study Report has been informed by an appropriate range of sources of information including a Coal Authority Mining Report, mine abandonment plans and geological data. Based on a review of these sources of geological and mining information, the Report concludes that past mining activities associated with several shallow coal seams represent a risk to the mineral stability of the site.

Accordingly, the Report recommends that further intrusive ground investigations in the form of the drilling of boreholes are undertaken. These investigations would enable ground conditions to be ascertained and would establish the presence or otherwise of mine workings. The Report also recommends that a programme of gas monitoring is undertaken to assess whether mine gas is present.

The applicant should ensure that the exact form of any intrusive site investigation, including the number, location and depth of boreholes, is agreed with The Coal Authority's Permitting Team as part of their permit application. The findings of these intrusive site investigations should inform any mitigation measures, such as drilling and grouting stabilisation works, foundations solutions and gas protection measures, which may be required in order to remediate mining legacy affecting the site and to ensure the safety and stability of the proposed development.

The Coal Authority would also expect the applicant to afford due consideration to the prior extraction of any remnant shallow coal as part of any mitigation strategy. Prior extraction of remnant shallow coal can prove to be a more economically viable method of site remediation than grout filling of voids.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Phase 1 Desk Study Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.

In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings to ensure the safety and stability of the proposed development, these should also be conditioned to be undertaken prior to commencement of the development.

A condition should therefore require prior to the commencement of development:

- The submission of a scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations (including gas monitoring);
- The submission of a report of findings arising from the intrusive site investigations;
- The submission of a scheme of remedial works for approval; and
- Implementation of those remedial works.

The Coal Authority considers that the content and conclusions of the Phase 1 Desk Study Report are sufficient for the purposes of the planning system in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore withdraws its objection to the proposed development subject to the imposition of a condition to secure the above.

Communities and Families - Education

The education actions required to mitigate the impact of planned and anticipated housing development, including school land safeguards, have been established on a city-wide contribution zone basis. This requirement is set out in guidance on Developer Contributions and Affordable Housing (December 2015).

This site falls within the 'Liberton/Gilmerton' where the following education actions have been identified:

CONTRIBUTION ZONE ACTIONS (Q1 2015)

Liberton/Gilmerton

Action Cost at Q1 2015

New 11 class Primary School and 40/40 nursery - Broomhills	£10,794,776
New 7 class Primary School and 30/30 nursery - Gilmerton Station Road	£7,591,930
2 x 2ha sites	£6,000,000
Servicing and remediation	£8,828,300
3 Class Extension to RC Primary School	£838,627
Increase secondary school capacity to accommodate 368 extra pupils (Liberton High or Gracemount High School)	£11,811,180

A standard contribution towards the delivery of the new education infrastructure in the Zone has been established and is applicable to new housing developments where appropriate.

This site does not form part of the assumed baseline capacity for the Zone, so an assessment of the site under Section E of the guidance has been carried out. This determines if the standard pro-rata contribution towards new education infrastructure would be sufficient to mitigate the impact of the development, or if additional contributions should apply.

The assessment has assumed a development of 100 houses. To accommodate the additional pupils from this development site, the new school at Gilmerton Station Road would have to have 9 classes and capacity for an extra 20 secondary school pupils would have to be provided. The other actions for the Zone would still be required.

The assessment has determined that payment of the standard contribution would provide sufficient funding to enable delivery of the increased level of infrastructure and is therefore appropriate to mitigate the impact of this development.

Payment of the standard contribution for this Zone, as set out in the table below, is therefore required.

If the appropriate contribution is to be provided by the developer, Communities and Families does not object to the application in principle.

*Assessment based on:
100 houses, 0 flats*

Application is for planning permission in principle. The S75 should be based on contribution per house and contribution per flat figures.

Contributions towards 'Education infrastructure, land remediation and servicing' shall be index linked based on the increase in the BCIS All-in Tender Price Index from Q1 2015 to the date of payment.

Education Infrastructure, land remediation and servicing

Contribution per unit
Flats £4,419.03
Houses £21,278.88
Indicative site contribution £2,127,888

Note: To be index linked based on the increase in the BCIS All-in Tender Price Index from Q1 2015 to the date of payment

Land purchase

Contribution per unit
Flats £733.38
Houses £3,177.97
Indicative site contribution £317,797

Note: No indexation is to be applied to land purchase contribution.

Historic Environment Scotland

Thank you for your consultation which we received on 26 June.
You have consulted us because you believe the development may affect:
GILMERTON, THE DRUM WITH SUNDIAL
We have considered your consultation, and we consider the proposals do not raise issues of national significance such that we would object. However, we comment as follows:

We consider that, with adequate and appropriate mitigation, some housing development could be accommodated without significant adverse impact on the setting of the Designed Landscape. We have previously supported this site being an alternative rather than preferred option within the Main Issues Report. At this stage the site, labelled Drum 2, was noted as 4 ha. in size and capable of around 100-140 houses.

The current PPP, which contains no detailed design information, and only indicative layouts, suggests that around 100 houses may be accommodated.

As previously noted, the site is immediately adjacent to the western boundary of the Drum Garden and Designed Landscape, and forms part of an open view towards the designed landscape from Gilmerton Road, adjacent to the west lodge access route. The designed landscape can be clearly identified by the stone walling and tree belt behind.

In order to reduce impacts on views towards and out from the Designed Landscape (particularly in the West Drive area) we consider that any development would need to be of a low density, carefully sited (clearly focused on the south east area of the site) and mitigated through the use of planted buffering. The successful mitigation of the Designed Landscape site from adverse impacts, may well result in less than the 100 indicative housing unit numbers anticipated for this site.

Roads Authority Issues

Further to the memorandum of 5 January 2016, there are 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. 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. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;*
- 4. Appropriate Road Safety Audits will be required at stages, including for the proposed signalised access on Gilmerton Road / Gilmerton Station Road;*
- 5. Details of the proposed signalised access junction on Gilmerton Road / Gilmerton Station Road will be required, including timings, specification, detailed*

- layout etc. and all to be to the satisfaction of the Head of Planning and Transport;*
- 6. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;*
 - 7. Consent should not be issued until the applicant has entered into a suitable legal agreement to provide, construct or contribute to:
 - a) a draft Travel Plan prior to first occupation and a final Travel Plan within 12 months of that date;*
 - b) Gilmerton Road/Gilmerton Station Road traffic signals;*
 - c) cycle / pedestrian route off-carriageway on Drum Street;*
 - d) cycle / pedestrian links to the disused rail line to the south of the site;*
 - e) upgrade bus stops and enhance peak hour bus capacity on Gilmerton Road;*
 - f) reconfiguration of junction with access and parking strategy for Drum Street to alleviate congestion caused by parked cars close to the junction;*
 - g) contribute the sum of £2,000 each, to progress suitable traffic orders to inter alia redetermine footways / carriageways, introduce waiting and loading restrictions, control disabled parking spaces and reduce the speed limit on Gilmerton Road in the vicinity of the proposed development (currently National Limit);**
- 8. Cycle parking for those properties without garages will be required in a secure and undercover location. The design, layout and specification to be to be satisfaction of the Head of Planning and Transport;*
 - 9. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);*
 - 10. 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;*
 - 11. Any gate or gates must open inwards onto the property;*
 - 12. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;*
 - 13. The applicant should be informed that prior to carrying out any works to an existing road, whether adopted or not, a Minor Roadworks consent must be applied for and secured;*
 - 14. 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.*

SEPA

Thank you for your consultation which SEPA received on 26 June 2015.

We have no objection to this planning application. Please note the advice provided below.

Advice for the planning authority

1. *Flood Risk*
- 1.1 *We have no objection to the proposed development on flood risk grounds. Notwithstanding this we expect Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority.*
- 1.2 *Review of the SEPA Flood Map indicates the site is outwith the 0.5% annual probability flood extent and as such is at low risk of flooding. Some areas of medium to high risk of surface water flooding are adjacent to the site and it is recommended that mitigation measures are considered should there be a risk of water from adjacent higher ground entering the site.*
- 1.3 *A Drainage Impact Assessment (DIA) has been provided in support of this application and we advise that this is agreed with Edinburgh Council Flood Prevention Team and Scottish Water: we do, however, make the following comments.*
- 1.4 *The DIA notes that there is a potential flood risk from the foul and surface water sewers running along the verge at Drum Street and has recommended that overland flow routing through the site is provided and that landscaping is used to intercept any exceedance flows from the manholes to divert water away from properties. SEPA supports these proposals and would also recommend that where feasible floor levels are raised above ground levels and further landscaping is implemented to ensure water entering the site does not pond against properties.*
- 1.5 *It is proposed to use the disused railway, adjacent to the site, to capture and hold flood water away from the site. As this disused railway is outside the boundary of the site, this may not be a feasible option and surface water from the site should be managed on site without increasing flood risk elsewhere.*
- 1.6 *The proposals include attenuation of surface water on site with discharge to the Scottish Water network. Flows are to be attenuated to the 2year greenfield rates, which have been taken as 4.5 l/s/ha as advised by Edinburgh Council: SEPA would agree with this proposal. Further agreement for discharge to the sewer network is required from Scottish Water. It is noted that due to the topography of the site and surrounding area it will be necessary to pump surface water from the attenuation area to the Scottish Water network. We advise that this carries a risk of failure of the pumping station and that the Local Authority and Scottish Water should agree whether this is a suitable and sustainable method of surface water management. Should a pumping station be accepted by the Local Authority then we would recommend that further investigation is taken to determine the impacts of failure of infrastructure and any mitigation measures required.*
2. *Proposals for drainage*
- 2.1 *With the exceptions of issues raised above, we are satisfied with the proposals for drainage.*

Detailed advice for the applicant

3. *Flood Risk*
- 3.1 *The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk*

management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>.

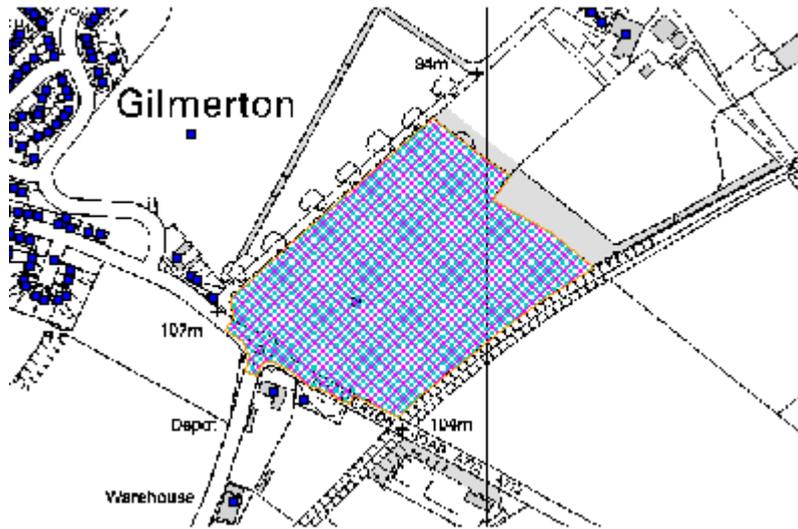
- 3.2 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.*
- 3.3 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>.*

Regulatory advice for the applicant

4. Regulatory requirements

- 4.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in the local SEPA office at:*

Location Plan



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