

Development Management Sub Committee

Wednesday 1 July 2016

**Application for Planning Permission 15/05457/FUL
At 5,15,15A Bonnington , Road Lane, Edinburgh
Residential development consisting of 201 dwellings and
2no. commercial spaces with associated parking and
landscape works (as amended).**

Item number	3.1
Report number	
Wards	A12 - Leith Walk

Summary

The principle of housing on the site is acceptable. Although only limited business space is provided, this is outweighed by the benefits of providing much needed housing and supporting regeneration. The design, scale and layout are appropriate for the site, which is constrained by some of the surrounding uses. There will be no unreasonable loss of amenity to neighbouring residents. The level of parking proposed is acceptable as the site is accessible and is near to public transport and local amenities. The proposal is acceptable in all other respects subject to a suitable legal agreement and conditions.

Links

[Policies and guidance for this application](#)

LPC, CITD1, CITD2, CITD3, CITD4, CITD5, CITD6, CITD9, CITE8, CITE9, CITE12, CITE15, CITE16, CITE17, CITE18, CITH1, CITH2, CITH3, CITH4, CITH7, CITCO2, CITEM4, CITT2, CITT4, CITT5, CITT6, CITT13, CITI6, LDPP, PLDP49, PLDP52, PLDP53, PLDP54, PLDP72, NSG, NSGD02,

NSDCAH, OTH, DBBON, OSS1,

Report

Application for Planning Permission 15/05457/FUL At 5,15,15A Bonnington , Road Lane, Edinburgh Residential development consisting of 201 dwellings and 2no. commercial spaces with associated parking and landscape 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 site covers 1.6 hectares and is located within the Bonnington area of north Edinburgh. It is currently in business/industry use and contains:

- 5 Bonnington Road Lane - a 1,015 sqm 1980s terraced warehouse building divided into nine separate units ranging from 40sqm to 336sqm. Existing tenants include a coach works, clockmaker and a musical rehearsal space/photography studio.
- 15 Bonnington Road Lane - an 870 sqm 1960s warehouse used for used car sales.
- 15A Bonnington Road Lane - a 1,116 sqm 1960s warehouse used for vehicle hire/repair.

The rest of the site comprises access roads and land used for parking cars.

The site is part of a larger area of business and industry uses between Newhaven Road and Anderson Place. Large warehouses are to the north east and east of the site. Smaller industrial units are to the west of the site, with part of the western boundary of the site made up of the industrial unit's wall. There are two six storey blocks of flats to the south and south east of the site.

The northern part of the site extends to the Water of Leith. The Water of Leith walkway follows the southern bank at this point. The ground level of the site is above the level of the walkway with a tree lined bank supported by a stone wall in between.

2.2 Site History

21 April 2004 - planning permission granted for a four storey office block on the southern part of the site. This has not been built. This consent also included a second office block which has not been built on land to the south west of the site as well as two flatted blocks which have been completed on adjacent plots to the south and south east (application number 04/00306/FUL).

20 December 2011 - planning permission granted for the change of use from offices and workshops to rehearsal room/recording studio and office at 5 Bonnington Road Lane (application number 11/03603/FUL).

19 September 2013 - planning permission granted for the change of use from timber yard (class 6) to used car sales (sui generis) in retrospect for part of the large unit on the northern part of the site at 15 Bonnington Road Lane (application number 13/01121/FUL).

16 December 2015 - planning permission 'minded to grant' for the removal of an existing office building and associated storage yard and the erection of 40 Flats (as amended) on land at 14 Ashley Place. The proposed development abuts the south west boundary of the application site. There is a crossover of site boundaries with car parking for the minded to grant scheme within the red line boundary of the application site (application number 14/05208/FUL).

11 May 2016 - planning permission 'minded to grant' for the erection of 14 flats (as amended) on land at 2 - 4 Bonnington Road Lane to the south east of the site (application number 14/05146/FUL).

Main report

3.1 Description Of The Proposal

The proposal is for 201 dwellings and two commercial units totalling 132 sqm. The development is split into five blocks.

The site is accessed from Bonnington Road Lane and Ashley Place. At the southern end of the site, Block 1 (44 units) and Block 2 (73 units) combine to form a traditional style perimeter block arrangement around a central back green. This broadly continues the building lines set out by the flatted development on Tinto Place. The southern elevation, fronting onto Tinto Place, is four storeys high. The two commercial units are located on this frontage. The block continues at four storeys as it turns northwards into the site, both along Bonnington Road Lane and the extended Ashley Place. The northern elevation rises up to six storeys.

A central route is then formed northwards through the site towards the Water of Leith. Block 3 (39 units) is located on the western side fronting onto the central road. A three metre path is incorporated into the design, which then links down to the Water of Leith Walkway. The block ranges between six and four storeys, dropping in height from the south to the north. An area of open space is provided to the rear of the block.

Block 4 (39 units) is located on the eastern side of the site, fronting onto the central road. This block also ranges from six to four storeys. There is an area of open space to the rear of the block.

At the northern part of the site there are six, three storey town houses (Block 5) orientated towards the Water of Leith.

Across the proposed development there are 43 x one bedroom flats, 144 x two bedroom flats and 8 x three bedroom flats. The six town houses contain four bedrooms.

Twenty-five percent affordable housing is to be provided in the development. This is shown to be split between blocks 2 and 3.

The design of the blocks are all similar in style with a contemporary appearance. Red facing brick is proposed as the primary material with large uniform grey recycled uPVC windows proposed. Larger windows are proposed on the end elevations. The hoppers and downpipes are to be black uPVC. The roofing material is to be dark grey single ply membrane. The six town houses use the same brick and incorporate pitched roofs.

A total of 121 car parking spaces are to be provided. Four of which are accessible spaces and six are proposed to be city car club spaces.

The proposals include 201 covered cycle spaces within the residential blocks. Waste and recycling areas are also integral to the blocks.

Previous Scheme

The previous scheme contained 214 units and 141 parking spaces with 5 city car club spaces. The internal courtyard area behind Blocks 1 and 2 was completely given over to car parking. The heights of the blocks have now been lowered and 6 town houses have been introduced at the northern end by reducing the footprint of the originally proposed Block 3.

Supporting Statements

The following documents have been submitted in support of the application:

- Design and Access Statement;
- Pre-application Consultation Report;
- Noise Impact Assessment;
- Sustainability Statement;
- Flood Risk Assessment and Drainage Strategy;
- Tree Survey;
- Ecology Report;
- Archaeology Assessment;
- Economic Statement; and
- Transport Assessment.

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of residential development is acceptable on this site;
- b) the design, scale and layout is appropriate to the site;
- c) there is an acceptable level of amenity;
- d) adequate open space and landscaping has been provided within the scheme;
- e) the housing mix is appropriate and an adequate level of affordable housing has been provided;
- f) there are any transport and parking issues;
- g) any other material considerations are addressed;
- h) any impacts on equalities or human rights are acceptable; and
- i) comments raised have been addressed.

a) Principle

Edinburgh City Local Plan (ECLP) Policy Hou 1 Housing Development states that housing development will be permitted on suitable sites within the urban area, provided proposals are compatible with other policies in the Plan. The proposed development of 201 units will contribute towards meeting Edinburgh's housing need.

ECLP Policy Emp 4, Employment Sites and Premises, seeks to ensure that proposals for redevelopment of sites which are or were last in employment use contribute to the city's stock of flexible small business premises. The policy expects that the inclusion of such units will also need to help achieve placemaking objectives. The Second Proposed Local Development Plan (LDP) Policy Emp 9 continues the same approach for sites over one hectare.

The Bonnington Development Brief (2008) requires all new sites for development to include a significant element of new small business space.

The site currently contains 3,001 sqm of business space, which is to be demolished. This currently directly employs 21 people. The proposed development contains 154 sqm of commercial space.

Economic Development has recommended that the site should provide 1,000 sqm of commercial space. This should be provided in a cluster to help provide a critical mass.

The applicant has provided an Economic Statement to assess the supply and demand of class 4 uses in the Bonnington area, economic benefit of the proposed development and potential ways to mitigate the loss of existing commercial floorspace.

The supply analysis finds that there is 3,243 sqm of vacant office space and 150 sqm of vacant light industrial space within the Bonnington area. Economic Development agrees that in terms of office space there is no pressing need for it in this area, but a single letting could reduce the available light industrial space very rapidly.

The applicant also cites other permissions and implemented consents, noting that where commercial space has been delivered, even in more visible locations, there has been a struggle to lease or sell these units. It notes that permission was recently granted to change four of the six commercial units delivered on the nearby site at 9 Newhaven Road.

The proposed two commercial units are located at the western end of the site. In placemaking terms, it is beneficial to have a mix of uses within a site and the corner plot is the best suited location for them. However, it is agreed that to some extent, the site is in a secondary location away from the principal routes within the area. This diminishes the visibility of the units and their attractiveness to end users to a certain degree.

The applicant has proposed a developer contribution of £150,000 to set up a fund to help offset the loss of employment floorspace in the area. This could be used towards leases, fit outs, legal costs etc on business premises outwith the site.

It has been estimated that if fully let, the current 3,001 sqm of floorspace could support 64 full time equivalent jobs, whilst 1,000 sqm could support 21 jobs. This is based on an estimate of an average of 0.021 jobs per square metre. The applicant is of the view that £150,000 could support the creation of 42 jobs based on the cost of providing 2,000 sqm of business space.

Economic Development broadly supports the setting up of such a fund and has advised that it is well placed to administer it. However, the suggested benefit of 42 jobs from a £150,000 contribution is considered to be overly simplistic.

The main thrust of ECLP Policy Emp 4 is the provision of premises suited for a range of businesses. Circular 3/2012 sets out the policy tests that planning obligations should meet. The planning purpose test requires any judgement to be rooted in the development plan. Presently, there is not the policy provision in place that enables such a contribution to be made and this test is not met.

The applicant has considered ways of providing employment space and the provision of a financial contribution is an innovative way to try to support businesses in the area. However, in this instance no weight can be afforded to this contribution in deciding the application. The applicant could still provide such a sum should they see fit. An informative to this effect has been added.

The development will also provide economic benefits through the construction phase of the development by supporting direct and indirect jobs. Once built the development will also have a positive economic impact.

In summary, the site is in an acceptable location for housing and is identified in the development brief as an area for redevelopment. The proposal does provide two commercial units and it is noted that the site is in a more secondary location. At present there is not the policy in place to require the financial contribution offered. On balance, the benefits of providing much needed housing (including 50 affordable units) and supporting the regeneration of this area outweighs the loss of employment space. The principle of development is therefore acceptable.

b) Design, scale and layout

ECLP design policies Des 1 Design Quality and Context and Des 3 Development Design set a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area with the need for a high quality of design which is appropriate in terms of height, scale and form, layout, and materials.

The Bonnington Development Brief sets out general principles to help guide development across the area. Key objectives include providing pedestrian/cycle route connections, an appropriate mix of uses and enhancing the setting of the Water of Leith Walkway.

Layout:

The boundary of the site is relatively constrained and the layout provides a response to this by proposing a perimeter block that builds on the layout established by the development at Tinto Place.

The development brief expects that Bonnington Road Lane will be extended north towards the river. Such a move is not within the gift of this application, but the proposed development provides a frontage onto Bonnington Road Lane. A conceptual masterplan has also been provided to show how adjacent sites could potentially come forward in the future.

Further north into the site, the layout is relatively simple with two tenemental scale blocks flanking a central route through the site. This is an efficient use of land and as the site nears the Water of Leith, town houses have been included and orientated to respond to the river.

A shared cycle path is also provided through the site, linking in with the existing Water of Leith Walkway. This is overlooked by the development and the link is an objective of the development brief.

Parking is proposed at ground level. This is located around the road layout and avoids large swathes of car parking. The proposed roads and paths have been brought up to the boundaries of the site to enable integration with adjacent sites when they come forward for development.

Height:

The brief expects the predominant building form to be 4-5 storey tenemental scale buildings, with the height and design of the buildings that front onto the river to complement the topographic profile of the valley. The brief also indicates that development should have a positive impact on its setting referencing ECLP Policy Des 3 Development Design.

The adjacent development at Tinto Place is six storeys high, which sets the context for this part of Bonnington. Nearby 'minded to grant' proposals for developments at Ashley Place and Bonnington Road Lane contain four and five storey flats.

Against this backdrop, the proposed flatted blocks of four, five and six storeys combines well to integrate with the general area and provide variation and visual interest. The six storey elements are within the central area of the site and aid in providing termination points to the proposed streets. The height lowers towards the river with the inclusion of the three storey townhouses. The development responds well to the area without being visually dominant.

Design and Materials:

The design and form is simple, creating a unified and consistent architectural approach across the site. A limited palette of materials is used alongside ordered fenestration and flat roofs. These provide a modern and ordered appearance.

The town houses retain the similar design concept by using the same materials and colours, whilst the pitched roofs provide a more traditional style to the northern part of the site.

The use of red brick as the predominant material is supported in this location. The proposals reference the industrial heritage of the area and take precedence from the large nearby bond building. The use of brick is preferable to render, which, when not adequately specified, can stain and discolour. The grey windows and doors add a subtle smartness to the overall design of the elevations. A condition is recommended for material samples to be provided.

Density:

Removing areas of roads and assuming a site size of 1.4ha, the proposal provides 143 dwellings per hectare. This is comparable to modern developments such as Westfield (172 dph) and Lochrin Place (164 dph) as illustrated in the Council's design guidance.

The 2014 Housing Land Study combined a number of sites together in Bonnington and assumed 364 units over a wider 5.6ha area. This provided a density of only 65 dph. The figures in the study are based on an assumed density used across a number of sites. They are only meant to serve as a guide.

The proposal provides a much higher density and should be supported as it is a much more efficient use of land and aids in supporting local services.

In summary, the design, scale and layout of the proposal is acceptable. It represents a considered response to the constraints of the site, whilst providing a high density scheme in an area identified for regeneration.

c) Amenity

Privacy, outlook and daylighting:

The Edinburgh Design Guidance indicates that the pattern of development in an area will help to define appropriate distances between buildings and consequently privacy distances. Achieving reasonable amenity needs to be balanced against achieving good townscape.

As the area is undergoing a period of change, the only existing residential development potentially impacted on by the proposals are the existing flats on Tinto Place. These are at least 20 metres away from Block 1. This is an acceptable privacy distance. Otherwise, there is a minded to grant scheme on the corner of Ashley Place. This is shown to be between 17 and 18 metres away which is acceptable.

Internally within the site, the northern elevation of Block 2 is approximately 21 metres from the windows on the southern elevation of Block 4. The distance between Block 3 and 4 is approximately 20 metres. The distance between the northern elevation Block 4 and the proposed town houses is approximately 12 metres. However, with proposed tree planting this will become partially screened. At points close to the site boundaries, no windows are proposed to allow for adjacent sites to come forward without encountering privacy implications.

In terms of outlook, the building design is acceptable. Adjacent to the existing development on Tinto Place and next to the proposed development on Ashley Place, the height of the development has been limited to four storeys in height. Residential development adjacent to existing residential development will not have an unacceptable impact on the character of the area or existing resident's outlook. The two commercial units have been designed as an integral part of the development will not impact on the outlook of existing residents.

The original proposals contained six storey elements on the corners of the southern elevation of Block 1. A vertical sky component diagram measuring the amount of daylighting on the two most likely affected windows on the existing Tinto Place development has been provided. This shows that a VSC for both points is above the required 27% and is therefore acceptable. As the amended scheme now omits the six storey elements at this part of the site, the daylighting will be improved further.

Noise:

A noise impact assessment has been provided. This concludes that noise from the existing John Lewis depot is likely to have an impact upon residential amenity for some of the units on the eastern facades of the proposed development. Glazing and the use of acoustic trickle ventilators are proposed to mitigate the noise impact.

Environmental Assessment has considered the application and has recommended that a condition is placed on any permission to ensure that the mitigation requirements are carried out prior to occupation of the residential units.

In summary, the development will not have a detrimental impact on either existing neighbours or future occupants, subject to a condition in relation to noise mitigation measures. As the site is also previously developed, a condition is also recommended in relation to site investigation and remediation.

d) Open Space

ECLP Policy Hou 3 Private Open Space states that for flatted developments there should be 10 sqm of open space provision per flat except where private space is provided. A minimum of 20% of the total site area should be open space.

The town houses and the majority of the ground floor units have access to the private garden spaces.

Block 1 and 2 combined together contain 102 flats without private gardens. At 10 sqm per flat it would be expected that 1020 sqm should be provided. The back green contains 665 sqm.

Blocks 3 and 4 both contain 33 flats each without access to a private garden space. The requirement would be for 330 sqm each for both blocks. The proposals currently show approximately 200 sqm in each of the back green areas.

All the back greens are landscaped with trees, hedging and benches where appropriate. However, in terms of providing useable semi-private garden spaces for the flats, the areas are smaller than what would normally be expected for the number of units proposed.

The development does include an area of public green space adjacent to the Water of Leith, where there is a link through to the existing path. This is to be planted and remain soft and vegetated as per the Development Brief. Trees are to be planted throughout the development.

Approximately 27% of the site area is open space and the proposal meets that part of the policy requirement.

ECLP Policy Hou 3 criterion b) indicates that for developments containing housing, a contribution towards the open space network can be negotiated, if appropriate.

The Council's Developer Contributions and Affordable Housing Guidance state that contributions will be sought towards open space improvements where there is a failure to meet the open space requirements within a development.

The Council's Open Space Strategy provides the mechanism for identifying improvements to open space. The site meets the local green space standard. The nearest large greenspace (over 2ha) is Pilrig Park, which is approximately 280 metres away from the central point of the site. This is within the 800m distance standard. Pilrig Park was assessed under the Park Quality Assessment 2015 as being 'good' and there are no improvement actions relating to it.

Through correspondence with a local ward councillor, the Friends of Pilrig Park Group and the Local Environment Manager, it has been identified that there is a priority to have the paths resurfaced in the park. An estimate of £24,460.08 has been provided.

Although the proposal contains enough open space in terms of the site area, the communal areas for the flatted elements are smaller than anticipated, but dictated by the form of development. ECLP Policy Hou 3 sets the policy context to allow for contributions to be negotiated. There is no identified action in terms of the Open Space Strategy, but a local priority has been recently identified and costs provided. In this instance, it is considered appropriate to require £25,000 from the developer towards open space improvements in Pilrig Park. This is acceptable to the applicant and will be secured through a legal agreement.

Biodiversity and Trees:

An Ecology Assessment has been submitted in support of the application. This focused on bats, badgers and otters within the site and its vicinity.

The site is predominately comprised of hard surfacing or existing buildings. The most valuable habitat associated with the land is the Water of Leith. A tree survey has been provided for the existing trees along the Water of Leith boundary. A total of 13 trees have been recorded. The trees on the site are not of the best quality when examined as individual specimens. These are predominantly marked as category C which are of low quality and value. It is proposed to remove nine trees. A landscaping plan has been provided that shows the incorporation of open space and 18 additional trees in this general area.

The buildings were inspected for evidence of bat roosting. No evidence was found and the assessment concluded that the potential for bat roosts was very restricted. The site also has limited foraging opportunity.

No evidence was found of badgers on the land or within 50m of the boundary.

Otters are known to travel along the Water of Leith, which is designated as a Local Nature Conservation Site. Survey work was undertaken to establish the use of the site and the adjacent stretch of the Water of Leith by otters. The survey confirmed that no otter holts or resting places were present.

The most significant biodiversity issue on the land is the presence of giant hogweed in the north-east corner of the land. It is an invasive plant species which should be controlled or eradicated by the developer.

Accordingly, there are no concerns regarding protected species with this application and although some trees are to be lost these are of low value with replacement planting to take place. Informatives regarding the inclusion of swift bricks and working hours in relation to the Water of Leith and otters are proposed.

e) Housing Mix and Affordable Housing

Affordable Housing:

ECLP Policy Hou 7 Affordable Housing states that 25% of the total amount of units proposed should be affordable.

The applicant has stated that 50 affordable units will be provided to meet this requirement. A letter from Places for People has also been provided confirming that the applicant has been in discussion with them and that there is overall support for the proposed mix and layout.

The Housing and Regulatory Service (Affordable Housing) has commented on the application. It welcomes the commitment to provide affordable housing, noting that this should be across two locations and be a representative mix to reflect the wider site provision.

The affordable housing is to be secured through a suitable legal agreement.

Housing Mix:

ECLP Policy Hou 2 Housing Mix seeks the provision of a mix of house types and sizes where practical to meet a range of housing needs, whilst having regard to the character of the surrounding area and its accessibility.

The supporting text to the policy indicates that for schemes of 12 or more units, at least 20% of the units should consist of larger units of three or more bedrooms. This supporting text is removed from the equivalent policy in the proposed LDP, but is contained within the Council's non-statutory Edinburgh Design Guidance.

The proposed development contains 14 units (7%) that have more than three bedrooms - eight flats and six townhouses.

An appeal decision for a proposal at Brunswick Road (PPA-230-2104) considered the lack of three bedroom flats as one of the reasons for refusal. In that instance, the scheme proposed no three bedroom flats at all. Although the Reporter reasoned that such a lack on its own would not be a sufficient reason to refuse planning permission, he did conclude that it is reasonable that a large development should make provision for some larger units.

The applicant has amended the scheme to incorporate some townhouses, rather than the original scheme which solely contained flats. The inclusion of the townhouses helps provide a wider mix of house types and sizes across the site to help meet a wider range of housing needs. The mix is acceptable.

The Edinburgh Design Guidance provides advice on minimum internal floor areas for residential units. Six of the 43 one bed flats are under the 52 sqm size at 51.5 sqm. The two, three and four bedroom properties meet the sizes set out in the guidance. This is considered a minor and acceptable infringement of the Edinburgh Design Guidance.

Only 17 of the proposed flats are single aspect, which is significantly below the maximum of 50% recommended in the Edinburgh Design Guidance.

In summary, the level of affordable housing provided meets the Council's requirement and will be secured through an appropriate legal agreement. Some three and four bedroom properties are provided along with a mix of house types. Most of the units meet the recommended floor areas and the ones which do not are only marginally smaller.

The proposal is acceptable in terms of housing mix and affordable housing.

f) Transport

Access and traffic impact:

Access to the site is from Bonnington Road Lane, Tinto Place and Ashley Place. Representations raised concern in relation to the potential to drive directly from Ashley Place through to Tinto Place. The proposals do not contain a direct vehicular link between these two roads and an area of bollards is proposed to provide separation.

The applicant has submitted a Transport Assessment and provided follow up information relating to the predicted number of car trips and junction impact.

There are no concerns regarding the anticipated number of trips generated from the proposed development. The nearest junction at Bonnington Toll will continue to operate within capacity and there is no requirement for any network improvements to accommodate the development proposals.

Parking:

The development does not meet the Council's requirements under the current parking standards. A minimum of one space per house (151 spaces) and 0.2 spaces for the affordable housing is required, giving a total of 161 car parking spaces. The 121 parking spaces proposed results in approximately 75% provision.

Parking provision within the proposed development has been raised as an issue by those making representations. The original scheme contained more units and car parking was contained in the rear courtyard of Blocks 1 and 2. This was not acceptable in design and amenity terms.

There are a number of car parking spaces that are associated with the adjacent development. These are not counted in the above numbers, but it should be noted that on-street car parking spaces cannot be allocated to individual properties. Such spaces form part of the road and as such will be available to all road users.

ECLP Policy Tra 4 Private Car Parking allows for lower parking provision subject to consideration of a number of factors. This includes the use of travel plans, the impact on existing on-street parking, accessibility to public transport and services and if complementary measures can be put in place to make it more convenient for residents not to own a car, such as car club access and covered cycle parking.

At the pre-application stage, the Development Management Sub-Committee asked that the applicant considered alternatives to the private car.

Six city car club spaces are proposed. The applicant indicates this would result in the replacement of approximately 30 car parking spaces, increasing the car parking provision to approximately 89%. The applicant has been in discussion with Enterprise Car Club. Correspondence has been provided indicating that the car club is very interested in working with the applicant to develop the car club on this site. The provision of six car club spaces will offer an alternative to private car ownership.

The Transport Assessment considers census information in the area. It notes that approximately 34% of householders have no car and 42.3% of households only have one occupant. This indicates that the site is within a low car ownership area.

Planning Advice Note 75 Planning for Transport (PAN 75) sets out that, for accessibility to public transport, the recommended guidelines are less than 400m to bus services. A maximum threshold of 1600m to local facilities by walking and cycling is identified as a distance which is broadly in line with observed travel behaviour.

The site is within 300m to the bus stops with Lothian Buses services 36 and 11 operating in the area with regular services. The site is approximately 760m to the nearest local centre on Ferry Road, approximately the same distance to Leith Town Centre at Great Junction Street and 970 metres to Leith Walk.

The site is an accessible urban location with good access to a number of services within the government's recognised walking catchments.

A travel plan is proposed. This will consist of a residential welcome pack with information relating to local transport information and travel incentives (such as a bus pass for a period of time). This will allow new residents to easily understand and encourage the use of alternative methods of transport. This will be secured through a legal agreement.

Secured cycle parking is proposed throughout the development and is provided internally.

Air Quality:

The site sits between two Air Quality Management Areas. An Air Quality Impact Assessment (AQIA) has been provided in support of the application to consider any potential impact on air quality as a result of the development. The AQIA concludes that the development will have a negligible impact on air quality. Environmental Assessment notes the findings of the AQIA and recommends an informative is attached to any consent regarding the provision of electric vehicle charging points.

In summary, the potential impacts of the proposed development on the local road network and air quality are acceptable. The car parking is below the Council's standards. However, the site is close to bus stops and within walking distance to local services. Mitigation is proposed in the form of a travel plan and city car club spaces, which will need to be secured through a legal agreement. The reduced level of car parking allows for a greater level of open space and amenity to be provided.

g) Other Material Considerations

Sustainability:

The applicant has submitted a sustainability statement in support of the application. Part A of the standards is met through the provision of insulation and high performance boilers.

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

Essential Criteria	Available	Achieved
Section 1: Energy Needs	20	20
Section 2: Water conservation	10	10
Section 3: Surface water run off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	30
Total points	80	80

The proposal meets the essential criteria. The proposed uPVC windows will be made from recycled material. In addition, the applicant has provided a commitment to further sustainability measures as set out in the desirable elements sections. Additional measures include a commitment not to use tropical hardwood and the inclusion of city car club spaces.

Drainage:

The applicant has provided the relevant drainage and surface water management information for the site as part of the self-certification (with third party verification) process. The proposals meet the Council's requirements.

Archaeology:

At the northern part of the site, next to the Water of Leith, is the known location of St Cuthbert's Well that dates to before 1606 and is of archaeological significance. The site also contains industrial development dating back to the early 19th century.

The amended layout avoids building on the St Cuthbert's Well location. The Archaeology Officer has welcomed this as it will be preserved in situ. Accordingly, a condition has been proposed that no development of the townhouses in this area takes place until a programme of archaeological conservation and interpretation is submitted along with a mitigation strategy.

A standard condition has also been recommended for the site as a whole to ensure that a programme of archaeological work is undertaken prior to demolition, consisting of excavation, historic building recording, reporting and analysis, public engagement and publication.

Subject to the use of planning conditions, there are no overriding concerns in relation to archaeology.

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 site falls within the Drummond Education Contribution Zone where actions to increase capacity within the local primary schools and Drummond High School have been identified.

Based on 152 flats and six houses (the 43 one bed flats are excluded) a contribution of £286,496 (Quarter 1 2015 costs) is required. This will be secured through a legal agreement and will be subject to indexation at the time of payment.

h) Equalities and Human Rights

The application has been assessed in terms of equalities and human rights. The site will generally have a positive impact on the environment which is currently in industrial use. The application raises no concerns in relation to equalities and human rights.

i) Public Comments

Material representations - objection

Principle

- Cumulative impact with other developments in the locality - the site is within the Bonnington Development Brief area which provides principles for the redevelopment of the area.
- Impact on mix of uses within the area - this is considered in assessment 3.3a).
- Loss of business space - this is considered in assessment 3.3a).
- Impact on existing services - development can aid in supporting local services and the impact on schools is considered in assessment 3.3g).

Design, Scale and Layout

- Numbers of units - this is considered in assessment 3.3b).
- Height of buildings - this is considered in assessment 3.3b).
- Use of red brick - this is considered in assessment 3.3b).
- Impact on character of the area - this is considered in assessment 3.3b).

Amenity

- Impact on light into existing flats - this is considered in assessment 3.3c).
- Loss of privacy for existing residents - this is considered in assessment 3.3c).
- Increase in noise - this is considered in assessment 3.3c).

Housing Mix

- Family houses should be provided rather than flats - this is considered in assessment 3.3e).

Transport

- Insufficient car parking proposed and impact on existing car parking - this is considered in assessment 3.3f).
- Traffic impact on local roads and junctions - this is considered in assessment 3.3f).
- Traffic safety - including introduction of a 'rat-run' along Ashley Place - this is considered in assessment 3.3f).
- Air quality concerns - this is considered in assessment 3.3f).

Material representations - support

- Support the principle of development on the site- this is considered in assessment 3.3a).
- Support inclusion of trees - this is considered in assessment 3.3d).
- Access to the Water of Leith Walkway will be beneficial - this is considered in assessment 3.3f).

Non-material representations

- Disruption caused by building works - not relevant to Planning process.
- Private views - private views are not protected.
- Intentions of applicant - not relevant to Planning process.
- Impact on house prices - not relevant to Planning process.

Community Council

The community council did not comment on the application.

CONCLUSION

In conclusion, the principle of housing on the site is acceptable. Although only limited business space is provided, this is outweighed by the benefits of providing much needed housing and supporting regeneration. The design, scale and layout are appropriate for the site, which is constrained by some of the surrounding uses. There will be no unreasonable loss of amenity to neighbouring residents. The level of parking proposed is acceptable as the site is accessible and is near to public transport and local amenities. The proposal is acceptable in all other respects subject to a suitable legal agreement and conditions. There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

1. Prior to the commencement of the construction of the superstructure or above ground works, sample panels, to be no less than 1.5m x 1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for written approval by the Planning Authority.
2. The approved landscaping scheme shall be fully implemented within six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.
3. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
4. No development of Block 05 or adjacent landscaping works shall take place until the applicant has secured the implementation of a programme of archaeological conservation and interpretation for St Cuthbert's Well, in accordance with a mitigation strategy which has been submitted by the applicant and approved by the Planning Authority.
5. No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building recording, reporting and analysis, public engagement, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
6. Prior to occupation of the residential dwellings, the noise protection measures defined in section 5.8 (table 8) of the RMP Environmental Noise Impact Assessment: Bonnington Road Lane, Edinburgh (Technical Report No. R-7361-MI1-RGM) dated 26th January 2016, or as otherwise agreed with the Planning Authority, shall be carried out in full.

7. The proposed cycle parking to be to the satisfaction of the Head of Planning and Transport regarding specification, design, security and location. Cycle stand products should meet the criteria of ease of use and provide secure locking points for wheels/frame. The visitor cycle parking for the development should be located at convenient locations, near the main entrances.
8. Use of the commercial units shall be restricted to Class 4 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 only and for no other purpose without the written consent of the Planning Authority.

Reasons:-

1. In order to ensure the adequacy of external building materials.
2. In order to ensure that the approved landscaping works are properly established on site.
3. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
4. In order to safeguard the interests of archaeological heritage.
5. In order to safeguard the interests of archaeological heritage.
6. In order to safeguard the amenity of neighbouring residents and other occupiers.
7. In order to enable the planning authority to consider this/these matter/s in detail.
8. To define the terms of the permission.

Informatives

It should be noted that:

1. Legal Agreement

A legal agreement is required and must be signed before planning permission is granted for the following developer contributions:

Affordable Housing

- 25% affordable housing.

Education

- A contribution of £286,495 (to be index linked based on the increase in the BCIS All-in Tender Price Index from Quarter 1 2015 to the date of payment) towards Drummond Education Contribution Zone Actions.

Open Space

- A contribution of £25,000 towards improvements in Pilrig Park.

Transport

- Travel Plan - including welcome pack.
- Car club provision of £18,000.
- A Traffic Regulation Order of £2,000 to introduce waiting and loading times.
- A Traffic Regulation Order of £2,000 to introduce Disabled Person Parking Places, if required.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

2. Small Business Fund.

- It is at the discretion of the applicant if they wish to provide the offered £150,000 to form a small business fund.

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. For the duration of development, between the commencement of development on the site until its completion, a notice shall be: displayed in a prominent place at or in the vicinity of the site of the development; readily visible to the public; and printed on durable material.

6. 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.

7. An electric vehicle charge point of the following standard should be installed with access for taxis and general public permitted;

70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

8. The Roads Authority Issues response raises a number of points that the applicant should be made aware of.

9. The incorporation of swift nesting sites/swift bricks into the scheme is recommended. Further details on swift bricks can be found at www.edinburgh.gov.uk/biodiversity

10. There is potential for construction work close to the river to discourage the use of the stretch of the Water of Leith by otters. As set out in the Ecology Report (Otter

Update May 2016) it is advised that this effect can be mitigated by restricting the working day to daylight hours and directing lighting away from the river.

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 meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

In accordance with the Planning etc (Scotland) Act 2006, A Proposal of Application Notice (application number 14/03896/PAN) was submitted and registered on 24 September 2014. Copies of the notice were also issued to:

- Leith Walk Ward Councillors
- Leith Central Community Council
- Leith Neighbourhood Partnership

A public exhibition was held at the McDonald Road Library on Wednesday 5 November 2014 between 15:00 and 19:30. A separate meeting was also held with Leith Central Community Council.

Full details can be found in the Pre-Application Consultation report, which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards Online services.

A pre-application report on the proposal was presented to the Development Management Sub-Committee on 3 December 2014. The committee noted the key issues and requested further information on:

- Access to the development from Bonnington Road;
- Open Space provision and creation of a buffer to the Water of Leith;
- Transportation links to and from the development including alternatives to private car; and
- Assessment of existing and proposed employment opportunities.

8.2 Publicity summary of representations and Community Council comments

Neighbour notification was carried out on 2 December 2015 and 12 letters of representation were received. Further neighbour notification was carried out in the revised scheme on 11 April 2015 and six representations were received

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 is within the urban area of Edinburgh City Local Plan and Second Proposed Local Development Plan. The Water of Leith is a Local Nature Conservation Site. The site is contained within the area defined by the Bonnington Development Brief.

Date registered

27 November 2015

Drawing numbers/Scheme

01,02A-15A,16B,17B,18,19,20A,21A,22-24,25A,26-28,

Scheme 2

John Bury

Head of Planning & Transport
PLACE
City of Edinburgh Council

Contact: Kenneth Bowes, Planning officer
E-mail:kenneth.bowes@edinburgh.gov.uk Tel:0131 529 6724

Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

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

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

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

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

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

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

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

Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

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

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

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

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

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

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

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

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

Policy Tra 2 (Planning Conditions and Agreements) requires, where appropriate, transport related conditions and/or planning agreements for major development likely to give rise to additional journeys.

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

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

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

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

Policy Inf 6 (Water & Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

Relevant policies of the Proposed Local Development Plan.

Second Proposed LDP Policy Emp 9 (Employment Sites and Premises) sets out criteria for development proposals affecting business and industrial sites and premises.

Second Proposed LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

Second Proposed LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

Second Proposed LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

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 on Developer Contributions and Affordable Housing gives guidance on the situations where developers will be required to provide affordable housing and/or will be required to make financial or other contributions towards the cost

of, providing new facilities for schools, transport improvements, the tram project, public realm improvements and open space.

Other Relevant policy guidance

The Bonnington Development Brief sets out planning and design principles to guide the redevelopment of an area currently occupied predominantly by business and industrial uses.

Open Space Strategy- The strategy helps to protect and develop the city's open spaces. It sets standards that will be expected to meet when making decisions on open spaces.

Appendix 1

Application for Planning Permission 15/05457/FUL At 5,15,15A Bonnington , Road Lane, Edinburgh Residential development consisting of 201 dwellings and 2no. commercial spaces with associated parking and landscape works (as amended).

Consultations

Affordable Housing response - dated 13th April 2016

1. Introduction

I refer to the consultation request from the Planning Department about this planning application.

Services for Communities have developed a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.

** The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*

** This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.*

2. Affordable Housing Provision

This application is for a development consisting of 201 homes and as such the AHP will apply. In terms of the AHP there will be a requirement for a minimum of 25% (50) homes of approved affordable tenures. We welcome the developer early dialogue with an RSLs in order to deliver a well integrated and representative mix of affordable housing on site which is tenure blind.

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

** 25% of affordable housing is delivered onsite, across at least two locations, which will guard against any concentration of affordable housing being delivered*

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

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

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

3. Summary

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

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

Archaeology response - dated 11 April 2016

Further to our discussions and the recent (April 2016) submission of the revised layout plan 1545(pl)100 REV A, I would like to make the following comments and recommendations concerning this application for residential development consisting of 214 dwellings and 2 commercial spaces with associated parking and landscape works.

The site lies on the southern bank of the Water of Leith forming part of the medieval estate of Bonnington given to Holyrood Abbey on its foundation in 1128 by David I. The site is known to contain the site for St Cuthbert's Well which dates to before 1606. Given its name and its later significance as physic well, it is possible that well's origins may lie as an early medieval Holy well associated with the Anglo-Saxon patron Saint of St Cuthbert. What is certain is that the well during the 18th century was a significant and highly popular tourist attraction due to its alleged health giving water. The well mark on the 1853 1st Edition OS map as a site of historic interest was subsumed and built over during the later-19th century expansion of Haig's Distillery.

In addition to St Cuthbert's well, the site's archaeological significance lies primarily with its Industrial development since the early 19th century, as summarised in CFA Archaeology's Desk-based Assessment accompanying this application.

This application must be considered under terms of the Scottish Government's Scottish Planning Policy (SPP), PAN2/2011 and Scottish Historic Environment Policy (SHEP) and also CEC's Edinburgh City Local Plan policies ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

St Cuthbert's Well Preservation & Interpretation

It is to be welcomed that the site of the significant St Cuthbert's Well is to be preserved in situ within the proposed new development (see plan 1545(pl)100 REV A). Given the archaeological significance of this monument it is considered essential that the site of this well is interpreted on site within the landscaping designs surrounding and for Block 05. In addition mitigation for its preservation must be submitted prior to

landscaping/construction of Block 05, based upon the results of the required archaeological evaluation (see buried archaeology below). It is recommended that these specific works are secured by a separate archaeological condition suggested as follows;

'No development of Block 05 or adjacent landscaping works shall take place until the applicant has secured the implementation of a programme of archaeological conservation and interpretation for St Cuthbert's well, in accordance with a mitigation strategy which has been submitted by the applicant and approved by the Planning Authority.'

Historic Buildings

Development will require the demolition of a range of industrial buildings, structures and walls occupying the site some of which may date back to the early 19th century. However it is considered that the loss these buildings and structures would only have a low-moderate archaeological significance. Nevertheless it is recommended, that a programme archaeological historic building survey (level 2 annotated plans/elevations, photographic and written survey) is undertaken of all surviving industrial buildings, walls and structures prior to demolition in order to provide a permanent record.

Buried Archaeology

Given the potential significant archaeological implications it is essential that an archaeological mitigation strategy is agreed prior to demolition/development. This will require the demolition of existing buildings to ground level and the subsequent undertaking of a phased programme of archaeological investigation, the first phase of which will be the undertaking of an archaeological evaluation (10%). 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 of any surviving archaeological remains prior to construction commencing.

Public Engagement

Given the potential importance of these remains it is essential that the excavations contain a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) the scope of which will be agreed with CECAS.

It is recommended that these programme of works be secured using the following suggested condition;

'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Excavation, historic building recording, reporting and analysis, public engagement, 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.

Communities & Families response - dated 14 April 16

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 Drummond Education Contribution Zone where the following education actions have been identified.

DRUMMOND EDUCATION CONTRIBUTION ZONE ACTIONS

<i>Action</i>	<i>Cost at Q1 2015</i>
<i>3 Primary School classes (zone primary schools or neighbouring primary schools)</i>	<i>£838,627</i>
<i>Increase secondary school capacity to accommodate 44 extra pupils (Drummond HS)</i>	<i>£1,412,206</i>
<i>Total cost</i>	<i>£2,250,834</i>

The development is expected to generate primary and secondary school pupils. A standard contribution towards delivering this infrastructure is therefore required.

*Assessment based on: 152 flats and 6 houses
(43 one bed flats excluded from assessment)*

<i>Cost per unit Flats</i>	<i>£1,538,31</i>
<i>Houses</i>	<i>£8,778.69</i>

Total required contribution £286,495

Note - all contributions shall be index linked based on the increase in the BCIS All-in Tender Price Index from Q1 2015 to the date of payment.

Economic Development response - dated 7 December 2015

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

Commentary on existing uses

The site in question is a 1.47 hectare section of an industrial estate within the Bonnington neighbourhood of Edinburgh. The site is currently occupied by the following properties:

- 5 Bonnington Road Lane: a 1,015m² terraced warehouse building dating from the late 1980s. The building has been divided into nine separate units ranging from 40m² to 336m², variously used as workshops, offices, and stores. Several units are let to a mix of independent businesses; existing tenants include a coach-works, a clockmaker and a musical rehearsal space/photography studio.*
- 15 Bonnington Road Lane: an 870m² warehouse building built in the 1960s, most recently used for used car sales.*
- 15A Bonnington Road Lane: a 1,116m² warehouse building built in the 1960s, most recently used for vehicle hire/repair.*

In addition, the site includes a secure yard and a hard surfaced area currently used for parking and open storage.

In total, the existing buildings provide a total of 3,001m² of space. If fully-let as light industrial space, these units could be expected to support approximately 64 full-time equivalent jobs.

As set out in the Industrial Supply and Demand paper considered by the Council's Economy Committee on 15 September 2015, there are significant pressures on the availability of industrial space in Edinburgh. Due to a combination of limited development (with only one speculative industrial development in Edinburgh since 2008), rising demand and the loss of industrial space to alternative uses, the availability of industrial space in Edinburgh is the lowest on record. The shortage of small light industrial spaces is particularly acute, with rents in Edinburgh now amongst the highest in the UK as a result of supply shortages.

The loss of industrial space is particularly acute in central Edinburgh, where there has been extensive conversion to other uses. While some industrial users have migrated to suburban areas such as Newbridge and Sighthill, these locations are not suitable for all users of light industrial space, some of whom place a premium on locations with greater proximity to the city centre. Users of these spaces include creative entrepreneurs such as designers, textile workers and visual and performing artists. A significant number of these entrepreneurs are based in repurposed spaces such as St Margaret's House, a 9,294m² former office building on London Road held on a peppercorn lease by the arts organisation Edinburgh Palette to provide studio and exhibition spaces, currently fully-let with a waiting list. Spaces held on peppercorn leases such as this are inherently vulnerable to closure for more lucrative uses.

Additionally, the Council's emerging Culture Plan, approved by the Culture and Sport Committee on 30 November 2015, identifies a need for additional affordable spaces for rehearsal and performance in Edinburgh.

It is considered that the growing under-supply of flexible, affordable class 4 space in Edinburgh will be exacerbated by the loss of the 3,001m² of space currently provided by the site.

Commentary on proposed uses

Class 1/2/3/4 - Unspecified commercial use:

The development as proposed would deliver 154m² of commercial space across two units on the ground floor facing onto Tinto Street. The applicant has not specified the class. However, the pre-application consultation report refers to residents' desire for 'a small local shop or café that could serve the new development and existing residents', suggesting the applicant may seek class 1 or 3 consents for the units. If fully let, this space could be expected to support approximately 7 full-time equivalent jobs.

As set out above, there is a growing shortage of flexible, affordable class 4 space in Edinburgh. There is a need for small units that can be used as workshops, offices, studios, rehearsal space, etc. It is considered that the level of commercial space proposed to be delivered within the new development is inadequate in light of the quantum of space being lost and the city-wide pressures on small office and light industrial units. The current proposals represent a 95% reduction in commercial space.

It is suggested that a more appropriate level of commercial provision would be a minimum of 1,000m² of class 4 space (equivalent in size to the existing unit at 5 Bonnington Road Lane), subdivided (or capable of subdivision) into smaller units of to 100m². This would represent a 67% reduction in commercial space on the site; while this is still a significant reduction, this is ameliorated by the fact that the new space would be built to a modern specification and more accessible. If fully let as light industrial space, this could be expected to support approximately 21 full-time equivalent jobs. Units of up to 100m² accounted for 36% of all transactions on office and industrial properties in Edinburgh in the first 11 months of 2015. The demand for small units of this nature can be seen by the demand for space within facilities such as St Margaret's House, which is fully-let with a waiting list. A minimum of 1,000m² of space across 10 or more units is considered to be appropriate as this would allow for a degree of clustering that would not be achieved with two units. It is noted that this is still a modest level of commercial space in the context of the wider development.

It is recognised that the applicant's preference will be for tenants with strong covenants and that class 1 or 3 units are more likely to attract a tenant of this nature. However, this must be balanced against the relative shortage of class 4 space in Edinburgh - which is being exacerbated by loss of space associated with the development and the question of whether there is a genuine need for additional class 1 or 3 space in the area given the existing offering on Bonnington Road coupled with the area's close proximity to the designated town centre of Leith Walk.

Class 9 - Houses:

The development as proposed would deliver 214 residential units in the form of one, two and three bedroom apartments spread over five blocks.

The mean household size in Edinburgh as of 2014 was 2.06, indicating that the 214 new residential units could, once fully built and occupied, be expected to support approximately 441 residents.

The residential elements of the scheme can be expected to support jobs in the area via household expenditure. Based on data on the average expenditure of households in Scotland derived from the Office for National Statistics' Living Costs and Food Survey, the combined expenditure of the 214 new households within the development is projected to total approximately £5.0 million per annum.

This includes areas of expenditure that could reasonably be expected to mainly be made within the local economy, such as food and drink (£0.78 million); recreation and culture (£0.60 million); catering (£0.34 million); household goods and services (£0.29 million); clothing and footwear (£0.26 million); and personal care (£0.12 million). This £2.4 million of expenditure could be expected to directly support approximately 33 jobs as businesses expanded their workforces to enable them to meet increased demand, primarily in the retail and hospitality sectors.

SUMMARY RESPONSE TO CONSULTATION

The development as proposed would represent a net loss of 2,856m² of commercial space. It is calculated that, if fully-let, the existing units on the site could be expected to directly support approximately 64 jobs. The replacement uses are projected to direct support 7 jobs, while it is estimated that expenditure by residents could support a further 33 jobs in the local economy. This represents a potential net loss of employment equivalent to 24 jobs.

City Strategy and Economy considers that the proposed 154m² of commercial space across two units is inadequate given that this represents a 95% reduction in commercial space on the site in the context of a growing shortage of light industrial space in Edinburgh. City Strategy and Economy considers that a more appropriate level of provision would be approximately 1,000m² of versatile class 4 space, subdivided (or capable of subdivision) into smaller units of to 100m² and suitable for use as studios, workshops or affordable offices, all of which are in strong demand. If fully-let, this space could be expected to support 21 jobs. It is considered that this would make a meaningful contribution to the growing shortage of small, flexible, affordable class 4 units in Edinburgh, as well as helping ensure that the regeneration of the Bonnington area does not exclude the existing business community.

Police Scotland response - dated 22 December 2015

We recommended that the architect and client meet with a Police Architectural Liaison Officer to discuss Secured by Design principles and crime prevention through environmental design in relation to this development.

Roads Authority Issues - dated 22 April 2016

The application should be refused.

Reasons:

Whilst there is no objection in principle to the application, a number of transport matters have not been satisfactorily addressed:

- * *The submitted Transport Assessment does not address the points raised previously;*
- * *The trip rates used appear to be an under assessment of the likely impacts;*
- * *No assessment of the impact on existing junctions;*
- * *The parking provision for the development does not meet the Council's standards;*
- * *The impact of the proposed car club provision has not been justified;*
- * *The development does not fully accord with ECLP policy Tra4.*

As the applicant does not appear to have responded to requests for the above, refusal of the application is recommended.

Should you be minded to approve the application, the following should be included as conditions or informatives as considered appropriate:

1. Consent should not be issued until the applicant has entered into a suitable legal agreement to:

a. Contribute a suitable sum to mitigate the junction impacts of the development;

b. provide each 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, and including timetables for local buses and trains. Each welcome pack to include at least a month's bus, tram or rail travel vouchers for each new household and to be agreed in writing with the Head of Planning prior to the first occupation of the development (in accordance with the Council's LTS TravPlan3 policy and ECLP policy Tra4a);

c. contribute the sum of £18,000 towards car club provision (in accordance with ECLP policy Tra4f);

d. contribute the sum of £2,000 for the promotion of an appropriate Traffic Regulation Order (TRO) to introduce waiting and loading restrictions as necessary (yellow lines);

e. contribute the sum of £2,000 for the promotion of an appropriate Traffic Regulation Order (TRO) to introduce Disabled Persons Parking Places

2. 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;

3. 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;

4. The applicant must ensure that connectivity to adjacent sites can be achieved should there be an opportunity to deliver this at a future date. An area of adoptable road must be taken up to the boundary of the site;

5. Any works affecting an adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits

http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

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

* Dedicated parking spaces with charging facilities;

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

7. The developer must submit a maintenance schedule for any SUDS infrastructure for the approval of Head of Planning and Transport. There should be no discharge of water onto the road network;

8. The proposed cycle parking to be to the satisfaction of the Head of Planning and Transport regarding specification, design, security and location. Cycle stand products should meet the criteria of ease of use and provide secure locking points for wheels/frame. The visitor cycle parking for the development should be located at convenient locations, near the main entrances.

Notes

a) Car Parking. The development does not meet the Council's requirements under the current parking standards. For this area (Zone 3a), a minimum of 1 space per property for General Housing (151 spaces) and 0.2 spaces per property for Housing Association (10 spaces) are required, giving a total of 161 spaces. The developer proposes to provide a total 121 spaces (approx. 75%) with 6 car club spaces. It is understood that additional parking could be provided but at the cost of lower amenity space provision or lower residential numbers but that this is not supported due to loss of open space. It is noted that there are a number of objections with respect to the effect that the parking underprovision will have on the amenity of existing residents (given that on-street space is limited).

b) Cycle Parking. The Council's current cycle parking standards require 2 spaces per unit which equates to 402 cycle parking spaces. The applicant is proposing to provide 201 spaces. Land should be safeguarded to increase provision if demand requires it; cycle parking utilisation should be monitored as part of the travel plan. Visitor parking will also be provided at road level. 100% cycle parking is considered to be acceptable;

c) *Road Materials.* Discussions on suitable road materials will be required as part of the Road Construction Consent;

d) *Refuse & Recycling Collection.* Storage facilities should be within 30 metres of an area which can be accessed by a refuse removal vehicle;

e) *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;

Roads Authority Issues - dated 8 June 2016

The application should be refused.

Reasons:

Further to the memorandum dated 22 April 2016 the applicant has satisfactorily addressed the following transport matters that were raised:

- * The submitted Transport Assessment does not address the points raised previously;*
- * The trip rates used appear to be an under assessment of the likely impacts;*
- * No assessment of the impact on existing junctions;*

However the following remain outstanding:

- * The parking provision for the development does not meet the Council's standards;*
- * The impact of the proposed car club provision has not been justified;*
- * The development does not fully accord with ECLP policy Tra4.*

Should you be minded to approve the application, the following should be included as conditions or informatives as considered appropriate:

1. *Consent should not be issued until the applicant has entered into a suitable legal agreement to:*

a. *provide each 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, and including timetables for local buses and trains. Each welcome pack to include at least a month's bus, tram or rail travel vouchers for each new household and to be agreed in writing with the Head of Planning prior to the first occupation of the development (in accordance with the Council's LTS TravPlan3 policy and ECLP policy Tra4a);*

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- c. contribute the sum of £2,000 for the promotion of an appropriate Traffic Regulation Order (TRO) to introduce waiting and loading restrictions as necessary (yellow lines);
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4. The applicant must ensure that connectivity to adjacent sites can be achieved should there be an opportunity to deliver this at a future date. An area of adoptable road must be taken up to the boundary of the site;
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Environmental Assessment response - dated 14 June 2016

The applicant proposes a residential development of 214 dwellings, 2 commercial units and associated parking at Bonnington Road Lane. The site is in a mixed use area with existing residential dwellings to the south, industrial units to the west and a depot to the east. The water of Leith is to the north.

Environmental Assessment has concerns regarding various elements of this proposal including noise, air quality and contaminated land.

Air Quality

The development site sits between two Air Quality Management Areas and as such may have an adverse effect on air quality due to the increased road traffic associated with the development. However, Environmental Assessment notes the submission and findings of the Air Quality Impact Assessment submitted by the agent which concludes that the proposed development will not have a negative effect on air quality. Environmental Assessment recommends an informative be attached to any consent regarding the provision of electric vehicle charging.

Noise

Environmental Assessment has concerns regarding the potential impact on amenity of the proposed dwellings from the various noise sources surrounding the site. The agent has submitted a noise impact assessment which concludes that without mitigation internal noise will breach acceptable levels. The author of this report has recommended mitigation in the form of a glazing/acoustic ventilation strategy; a condition is recommended.

Contaminated Land

Previous uses of the site indicate that the land could have become contaminated and should be investigated to ensure that the site is made safe for the intended end use; a condition is recommended.

Conditions

1. Prior to occupation of the residential dwellings, the noise protection measures defined in section 5.8 (table 8) of the RMP Environmental Noise Impact Assessment: Bonnington Road Lane, Edinburgh (Technical Report No. R-7361-MI1-RGM) dated 26th January 2016, or as otherwise agreed with the Planning Authority, shall be carried out in full.

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

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

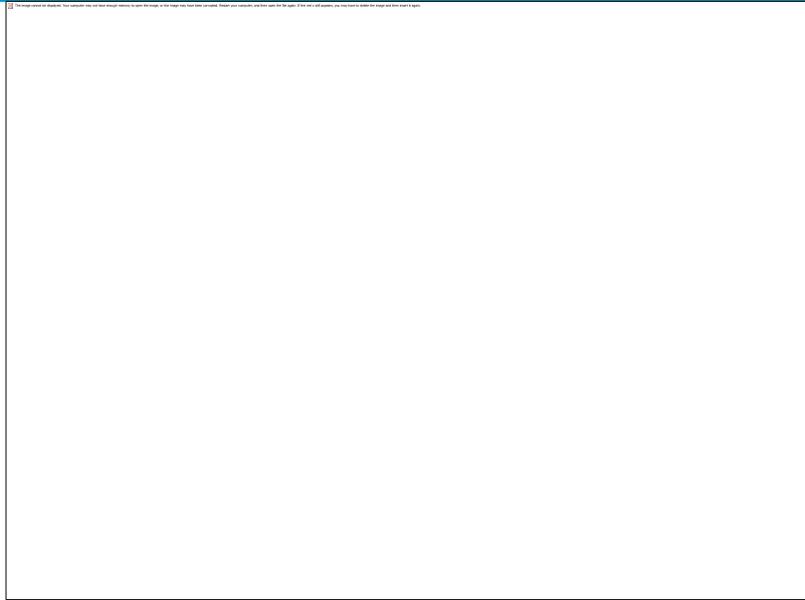
(b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning

Informative

1. An electric vehicle charge point of the following standard should be installed with access for taxis and general public permitted;

70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Location Plan



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